

County of Newell

# Land Use Bylaw

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# SECTION ONE

## Purpose

# 1

*This section introduces readers to the Land Use Bylaw and its jurisdiction, as well as the local Development Authority and their roles in enforcing and amending the Bylaw.*

## Jurisdiction

### 1.1 TITLE

This Bylaw is entitled 'County of Newell Land Use Bylaw No. 2016-21', hereinafter referred to as the "Bylaw".

### 1.2 AUTHORITY

This Bylaw is enacted pursuant to Section 639 of the *Municipal Government Act* (MGA), as amended.

### 1.3 PURPOSE

The purpose of this Bylaw is to regulate the use and development of land and buildings within the County of Newell (the "County") to ensure orderly growth, and for that purpose to:

- a) Divide the County into Land Use Districts,
- b) Prescribe and regulate the purposes for which land and buildings may be used within each Land Use District,
- c) Establish the Development Authority,
- d) Establish a method of making decisions on applications for development permits including the issuing of Development Permits,
- e) Outline the manner in which to notify affected landowners on the issue of a Development Permit, and
- f) Establish a procedure for appeals against the decisions of the Development Authority.

### 1.4 REGULATORY CONTEXT & COMPLIANCE

Nothing in this Bylaw shall exempt any person from any obligation to comply with the requirements of any other municipal, provincial, or federal law, bylaw, or regulation. This includes, but is not limited to, compliance with the following:



- a) The Bylaw is consistent with the *Municipal Government Act* as amended, and the MGA takes precedence in a case of dispute on the meanings of all words or clauses,
- b) The Bylaw is consistent with the *Alberta Land Stewardship Act* (ALSA), as amended,
- c) The Bylaw is consistent with the *South Saskatchewan Regional Plan* (SSRP), as amended,
- d) The Bylaw is consistent with the *Alberta Building Code* as amended, in the case where this Bylaw conflicts with the *Alberta Building Code*, the Code shall prevail,
- e) The Bylaw is consistent with the 'County of Newell Municipal Development Plan (MDP) Bylaw,' as amended,
- f) The Bylaw shall be used in conjunction with policies and procedures as adopted and amended by Council including, but not limited to, Intermunicipal Development Plans, Area Structure Plans, Area Redevelopment Plans, and any Infrastructure Master Plans as they pertain to transportation, water, sanitary and/or stormwater management infrastructure, and
- g) Any easements, caveats, covenants, and other encumbrances on the title to the land in question, whether or not a Development Permit refers to these other requirements.

## 1.5 SEVERABILITY

Each provision of the Bylaw is independent of all other provisions, and if any provision of the Bylaw is declared invalid by a decision of a court of competent jurisdiction, all other provisions remain valid and enforceable.

## 1.6 EFFECTIVE DATE & TRANSITION

- a) 'County of Newell Land Use Bylaw No. 1892-17' and all amendments thereto, are rescinded upon this Bylaw passing and coming into full force and effect,
- b) The 'County of Newell Land Use Bylaw No. 2016-21', is passed and comes into full force and effect when it receives third reading and is signed pursuant to the MGA,
- c) All amendments to the Bylaw, any Land Use Redesignations, or Development Permit applications received on or after the effective date of the Bylaw shall be processed and considered upon the provisions outlined herein, and
- d) All complete Development Permit Applications received prior to the effective date of this Bylaw shall be processed based on 'Land Use Bylaw No. 1892 -17' unless the Applicant requests that the application be processed based on the regulations of this Bylaw.

## 1.7 FEES & CHARGES

- a) Fees and charges under and pursuant to the Bylaw, are established within the 'County of Newell Schedule of Fees Bylaw,' as amended, and
- b) Penalty fees are established within Section 1.17 'Specified Penalties.'

## 1.8 INTERPRETATION

- a) Words used in the singular include the plural and words used in the present tense include the other tenses and derivative forms,
- b) Compliance with the policies in this Bylaw shall be interpreted and applied as follows:
  - i. "shall or must" means mandatory compliance except where a Variance has been granted pursuant to the MGA or the Bylaw,
  - ii. "should" means compliance in principle but is subject to the discretion of the Development Authority where compliance is impracticable or undesirable because of relevant planning principles or circumstances unique to a specific application,
  - iii. "may" means discretionary compliance or a choice in applying policy,



- c) Where a regulation involves two (2) or more conditions or provisions connected by a conjunction:
  - i. “and” means all the connected items shall apply in combination,
  - ii. “or” indicates that the connected items may apply singly or in combination,
  - iii. “and/or” indicates the items shall apply singly or in combination, at the discretion of the Development Authority,
- d) In the case of any conflict between the text of the Bylaw and any maps or drawings used to illustrate any aspect of the Bylaw, the text shall govern.
- e) Timelines outlined within the Bylaw shall be complied with pursuant to the *Alberta Interpretation Act*, as amended, and
- f) All measurements within the Bylaw are metric, in accordance with *Alberta Land Titles* procedures, and where an imperial measurement is also given it is for information only.

## 1.9 IMPACT OF SUBDIVISION

- a) Where a property boundary is adjusted by subdivision, or by the inclusion of closed road or other land not previously assigned a land use class, the Land Use District boundary follows the new property boundary, and
- b) Any doubt as to the boundaries of a Land Use District as shown on the Land Use Map shall be settled by a resolution of Council.

## 1.10 LAND USE DISTRICT GROUPS

- a) For the purposes of the Bylaw, Land Use Districts may be referred to collectively:
  - i. ‘**Agricultural Districts**’, which include: A-GEN, A-SML and A-HAM
  - ii. ‘**Residential Districts**’, which include: R-RUR, R-MAN and R-HAM
  - iii. ‘**Business Districts**’, which include: B-HAM and B-RUR
  - iv. ‘**Industrial Districts**’, which include: I-GEN, and
  - v. ‘**Special Districts**’, which include: S-PPS and S-NOS
- b) More information on Districts can be found in **Section 5 – Land Use Districts**.

# Bylaw Authorities

## 1.11 MUNICIPAL PLANNING COMMISSION

The Municipal Planning Commission (MPC) is established by separate bylaw pursuant to the MGA and may exercise such powers and duties as are specified in the MGA, this Bylaw and the ‘Municipal Planning Commission Bylaw’, as amended.

## 1.12 DEVELOPMENT AUTHORITY

- a) The Development Authority is established herein pursuant to the MGA and is a person who is authorized to exercise development powers and perform duties on behalf of the County,
- b) The Development Authority shall include one or more of the following:
  - i. The Chief Administrative Officer (CAO), and/or
  - ii. The Municipal Planning Commission, and/or
  - iii. Planning and Development Staff,
- c) Council shall be the Development Authority within any Direct Control District, unless specifically delegated to the Municipal Planning Commission.



### 1.13 DUTIES OF THE DEVELOPMENT AUTHORITY

- a) The Development Authority shall:
  - i. Receive and process and make decisions on all Development Permit applications,
  - ii. Keep, and maintain for inspection during regular municipal office hours, a copy of the Bylaw as amended, and ensure that an online version is made available on the County's website and hard copies are available to the public for a fee,
  - iii. Keep a register of all Development Permit applications, and the decisions rendered on them, for a minimum of seven (7) years, and
- b) The Development Authority may:
  - i. Refer a Development Permit application, in whole or in part, to any outside agency or local authority they deem necessary for comment,
  - ii. Provide a written Time Extension Agreement, in alignment with the Bylaw,
  - iii. Allow a Variance, provided it complies with the 'Regulatory Context & Compliance' (s.1.4) regulations herein,
  - iv. Refer a decision of a Development Permit to another 'Development Authority' (s.1.12),
  - v. Refuse a Development Permit application and provide the Applicant with notice stating the decision of refusal and the reasoning for it, or
  - vi. Issue letters certifying whether the current or proposed use of a parcel or building complies with this Bylaw,
- c) Notwithstanding a)i), the MPC, acting as the 'Development Authority' (s.1.12), shall make decisions on Development Permit applications for Discretionary Uses and permitted uses with a Variance of 51% or more, in accordance with Section 2.16 'Variances,'
- d) Notwithstanding a)i), Planning and Development Staff, acting as the 'Development Authority' (s.1.12), should make decisions on Development Permit applications for Permitted Uses with a Variance up to 50%, in accordance with Section 2.16 'Variances,' or refer the decision to the MPC.

### 1.14 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The Subdivision and Development Appeal Board (SDAB) is established by separate bylaw pursuant to the MGA and may exercise such powers and duties as are specified the MGA, this Bylaw and the 'Subdivision and Development Appeal Board Bylaw,' as amended.

## Bylaw Enforcement

### 1.15 ENFORCING THE BYLAW

- a) The Development Authority or a Designated Officer may enforce the provisions of the Bylaw, or the conditions of a Development Permit, pursuant to the MGA and the *Provincial Offences Procedure Act* (POPA), as amended,
- b) Enforcement may be by offence notice or a violation ticket pursuant to POPA, or any other authorized action to ensure compliance,
- c) The enforcement powers granted to the Development Authority under the Bylaw are in addition to any enforcement powers that the County or any of its Designated Officers may have under POPA,
- d) The Development Authority may exercise all such powers concurrently, and
- e) The Development Authority shall be a Designated Officer for the purposes of Section 542 of the MGA.



### 1.16 CONTRAVENTION

- a) Any person who contravenes, causes or permits a contravention of the Bylaw commits an offence,
- b) It is an offence for any person to commence or continue development when:
  - i. A Development Permit is required but has not been issued,
  - ii. A Development Permit has expired,
  - iii. A Development Permit has been revoked or suspended, or
  - iv. A condition of a Development Permit has been contravened, and
- c) It is an offence for a person to prevent or obstruct a Designated Officer from carrying out any official duty under the Bylaw or the MGA.

### 1.17 SPECIFIED PENALTIES

- a) Contravention of this bylaw is an offence and is subject to a fine of not more than \$10,000,
- b) Pursuant to POPA the following fine amounts are established for use on offence notices and violation tickets:

**Table 1 – Minimum Specified Penalties**

Offence	Penalty
Failure to obtain a Development Permit	\$100
Failure to comply with Development Permit Conditions	\$1,000
Failure to comply with District Regulations	\$500
Failure to comply with any other condition of the Bylaw	\$500

- c) Persons contravening this Bylaw shall be liable for a penalty in accordance with Table 1 and \$1000 for a second or subsequent contraventions.
- d) Each time that an offence notice is issued may be considered to be a separate contravention.
- e) Payment of a fine does not release the offender from the requirement to comply with the requirements of the Bylaw.

### 1.18 STOP ORDER

- a) Pursuant to Section 645 of the MGA where an offense under the Bylaw occurs, the Development Authority may by written notice, order the owner or the person in possession of the land or buildings, or the person responsible for the contravention to:
  - i. Stop the development or use of the land or buildings in whole or in part as directed by the notice, or
  - ii. Demolish, remove or replace the development, or
  - iii. Carry out any other actions required by the notice so that the development or use complies with the Bylaw, and
- b) A stop order notice shall state the following:
  - i. The date on which the Stop Order was made,
  - ii. The nature of the violation,
  - iii. The corrective measures required, and
  - iv. the time period within which such corrective measures must be performed,
- c) A person who receives a stop order notice may appeal to the Subdivision and Development Appeal Board (SDAB) in accordance with the MGA.



### 1.19 ENFORCEMENT OF STOP ORDERS

- a) If compliance with a stop order is not voluntarily effected, the County may:
  - i. Enter on the land or building and take any action necessary to carry out the order in alignment with Section 1.20 'Entry & Inspection',
  - ii. Undertake legal action, including but not limited to, seeking injunctive relief from the Alberta Court of Queen's Bench pursuant to section 554 of the MGA. In accordance with section 553 of the MGA, the expenses and costs of carrying out an order under section 646 of the MGA may be added to the tax roll of the parcel of land, and/or
  - iii. Register a caveat under the *Land Titles Act* against the certificate of title for the land that is the subject to a stop order, and
- b) The County must discharge a caveat when the stop order has been complied with.

### 1.20 ENTRY & INSPECTION

- a) Pursuant to Section 542 of the MGA, a Designated Officer may, after giving twenty-four (24) hours notice to the owner or occupier of land or the structure to be entered:
  - i. Enter on that land or building at any reasonable time, and carry out any inspection, enforcement or action required to assess or enforce compliance with this Bylaw,
  - ii. Request anything to be produced to assist in the inspection, remedy, enforcement or action, and
  - iii. Make copies of anything related to the inspection, remedy, enforcement or action,
- b) If a person refuses to grant consent or refuses to produce anything to assist in the inspection, remedy, enforcement or action referred to in section 542 of the MGA, the municipality under the authority of section 543 of the MGA may obtain a court order.

### 1.21 VACANT BUILDINGS

Within six (6) months of a building being vacated, owners are responsible for the following, to the satisfaction of the Development Authority:

- a) Removing any signs,
- b) Boarding up any windows and doors that are open to the elements, and
- c) Removing any graffiti, posters and other debris.

### 1.22 SIGN MAINTENANCE & REMOVAL

- a) Signs not maintained to the satisfaction of the Development Authority may be required to be renovated or removed, such as:
  - i. When a sign is physically damaged or illegible, or
  - ii. When a sign is no longer relevant to the Permitted Use of the Building or the Building is vacant,
- b) Non-compliance may result in the removal and disposal of the sign, and any cost associated with its removal and disposal shall be charged to the landowner.



# Bylaw Amendments

## 1.23 AMENDMENT

- a) Any amendment to the Bylaw shall be made pursuant to the MGA,
- b) Any person may apply to amend the Bylaw by making an application for a:
  - i. Text Amendment, or
  - ii. Land Use Redesignation/Site-Specific Amendment, submitting it to the County for processing and referral to Council,
- c) Notwithstanding b), for a Land Use Redesignation/Site-Specific amendment, a signed authorization of the registered owner(s) consenting to the application for amendment shall be required,
- d) Council may, on its own initiative and in accordance with the MGA, initiate an amendment to the Bylaw, having referred the proposed Amending Bylaw to the Development Authority prior to First Reading.

## 1.24 APPLICATION TO AMEND THE BYLAW

- a) A person making an application to amend the Bylaw shall do so using the appropriate **Application Form available at the County Office and on the County's Website** and shall include the following:
  - i. An application fee as set within the 'County of Newell Schedule of Fees Bylaw,' as amended,
  - ii. A certificate of title of the land affected or other documents satisfactory to the Development Authority, including the Applicant's interest in the said land,
  - iii. Any drawings or site plans, specified by the Development Authority, provided on standard material and fully dimensioned, accurately figured, explicit, and complete, and
  - iv. Any supporting studies, plans or other information deemed necessary by the Development Authority.

## 1.25 AMENDING DUTIES OF THE DEVELOPMENT AUTHORITY

Upon receipt of a completed application to amend the Bylaw, the Development Authority shall:

- a) Prepare an Amending Bylaw for Council,
- b) Prepare a background report, including plans and other relevant material, and submit same to Council for their review, and
- c) Provide a minimum of two (2) weeks notice of any Public Hearing to all adjacent landowners.

## 1.26 DECISIONS ON BYLAW AMENDMENTS

Council may, in reviewing a proposed amendment to the Bylaw:

- a) Approve the proposed Amending Bylaw as it is, or
- b) Make any changes it considers necessary to the proposed Amending Bylaw and proceed to approve it without further advertisement or hearing, or
- c) Refer the proposed Amending Bylaw back to administration for more information or further review and changes, then reschedule the proposed Amending Bylaw for further consideration, or
- d) Refuse the proposed Amending Bylaw as it is.

## 1.27 RECONSIDERATION

If a proposed Amending Bylaw has been refused by Council, the same application shall not be resubmitted for at least six (6) months after the date of refusal, unless, in the opinion of the Development Authority, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.



# SECTION TWO

## Development Process

# 2

*This section outlines the County's Development Permit Process and related requirements and procedures.*

## Development Permit Requirements

### 2.1 CONTROL OF DEVELOPMENT

- a) Except as provided in 'Development Not Requiring a Development Permit' (s.2.2), no person shall commence any development unless a Development Permit has been issued,
- b) All development shall proceed in accordance with the terms and conditions of an approved Development Permit, and
- c) In addition to meeting the requirements of this Bylaw, it is the responsibility of an Applicant to ascertain, obtain and comply with all other approvals and licenses that may be required by other federal, provincial or municipal regulatory departments or agencies.

### 2.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

A Development Permit is not required for the following development, provided it complies with all applicable provisions of this Bylaw, all required permits, as applicable, under the *Safety Codes Act* and any other Provincial or Federal statute, and a Variance is not required:



## Table 2 – 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 <sup>2</sup> in an Agricultural or Residential District where it complies with the District's setbacks.
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.
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'.
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: <ul style="list-style-type: none"> <li>a) complies with the requirements of the <i>Alberta Building Code</i>,</li> <li>b) does not constitute structural alterations, and</li> <li>c) does not change the use or intensity of the use of the building or structure.</li> </ul>
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	<ul style="list-style-type: none"> <li>a) In an Agricultural District.</li> <li>b) Notwithstanding a) a maximum of two (2) shipping containers are allowed without the need for a Development Permit in an A-SML District.</li> </ul>
Signs	Where as specified in Section 3.59 'Signs Not Requiring a Permit'.
Soft-Shell Buildings	Provided they are less than 10.0 m <sup>2</sup> in size.
Solar Panels (Freestanding)	That is 28 m <sup>2</sup> 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)'.
Solar Panels (Roof Top)	In compliance with the Alberta Building Code and Section 4.21 'Solar Panels (Roof Top)'.
Stripping, Grading, Excavation and Fill	<ul style="list-style-type: none"> <li>c) 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</li> <li>d) 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.</li> </ul>
Antenna Systems	Telecommunication antenna systems that are regulated by 'Innovation, Science and Economic Development Canada' in alignment with Section 3.12 'Antenna Systems'.
Temporary Accommodation	The occupation of a Recreational Vehicle on private property: <ul style="list-style-type: none"> <li>a) In an Agricultural District for a period of less than sixty (60) days, or</li> <li>b) In a Residential District for a period of less than fourteen (14) days.</li> </ul>



## 2.3 LEGALLY NON-CONFORMING BUILDINGS AND USES

- a) Development rendered legally non-conforming as a result of the passage of this Bylaw shall be permitted to remain in accordance with the provisions of the MGA,
- b) A non-conforming use of land or a non-conforming use of a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform with the provisions of the Land Use Bylaw then in effect,
- c) If a non-conforming building is damaged or destroyed to the extent of more than seventy-five percent (75%) of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the Bylaw,
- d) The use of land or the use of a building is not affected by reason only of a change of ownership, tenancy, or occupancy of the land or building,
- e) The Development Authority may issue a Variance permitting a non-conforming building to be enlarged, added-to or rebuilt where:
  - i. The proposed development is consistent with the purpose and intent of the applicable Land Use District,
  - ii. The proposed development will not result in any additional non-compliance with the requirements of this Bylaw, and
  - iii. There is, in the opinion of the Development Authority, no significant change to the land use or an increase in the intensity of use, and
- f) The Development Authority may consider a 'Variance' (s.2.16) in any District if the non-conforming use complies with the uses authorized in the applicable District and it complies with the Variance criteria for a permitted or discretionary use as set out in in this Bylaw.

## 2.4 DEVELOPMENT ON NON-CONFORMING SIZED LOTS

Development on an existing registered non-conforming sized lot that does not meet the minimum requirements for lot length, width or area specified in the applicable Land Use District may be permitted at the discretion of the Development Authority.

## 2.5 DEVELOPMENT PERMIT APPLICATION

A Development Permit application shall be made using the appropriate **Application Form available at the County office and on the County's website** and shall include the following:

- a) An application fee as set within the 'County of Newell Schedule of Fees Bylaw,' as amended,
- b) Current copy of the Certificate of Title (within 30 days of submission) for the affected lands,
- c) Current copies of any restrictive covenants or easements (within 30 days of submission),
- d) A copy of the Site Plan showing:
  - i. legal description of the site with north arrow and scale,
  - ii. site area and dimensions of the front, rear and side yards if any,
  - iii. site drainage including any watercourses, finished lot grades, road grades and slopes greater than 15%,
  - iv. locations and distances of on-site existing or proposed water and sewer connections, septic tanks (including drainage area), disposal fields, water wells, culverts and crossings,
  - v. existing and proposed access and egress to and from the site,
  - vi. where applicable, the identification of trees to be cut down or removed,
  - vii. the height, dimensions and setbacks of all existing and proposed buildings and structures,
  - viii. any rights-of-way and setbacks, and



- e) When a building or structure is proposed:
  - i. building floor plans, elevation drawings and a description of exterior finishing materials,
  - ii. a table indicating: the total area of the parcel, parcel coverage, number of units, number of parking and loading spaces, building height, number of storey's and landscaping calculations, and
- f) Any supporting studies, plans or other information deemed necessary by the County, and
- g) Any other additional information required for a Specific Use or Activity, as outlined in **Section 4 – Specific Uses and Activities**.

## 2.6 TEMPORARY DEVELOPMENT PERMIT

- a) Where a proposed development is for a Discretionary Use, the Development Authority may issue a temporary Development Permit for that development if:
  - i. The proposed development is of a temporary nature, or
  - ii. The Development Authority wishes to ensure that the development authorized by the Development Permit will cease by a specified date.
- b) The Development Authority may create limits on the operational duration of any development or use for a period of time up to a maximum of five (5) years.
- c) When a development is approved on a temporary basis the Development Authority:
  - i. Shall require the cessation of use and removal of a temporary development at the expiration of the time period stated in the development permit,
  - ii. Shall impose a condition that removes the County from any liability regarding costs related to cessation of the development,
  - iii. Shall impose a condition that requires the site to be restored to a condition acceptable to the Development Authority, and
  - iv. May require the Applicant to post a 'Security' (s.2.25).
- d) When a temporary Development Permit expires the permit is void and a new Development Permit application shall be required.

# Receiving & Reviewing

## 2.7 RECEIVED APPLICATIONS

A Development Permit application shall not be deemed to have been received by the County until such time as the 'Development Permit Application' (s.2.5) requirements have been met to the satisfaction of the Development Authority.

## 2.8 DETERMINATION OF COMPLETENESS

- a) The Development Authority shall determine the completeness of a received application within twenty (20) days of receipt,
- b) In reviewing an application for completeness, the Development Authority may:
  - i. Determine that the application is complete and provide an 'Notice of Completeness' to the Applicant, or
  - ii. Determine that the application is incomplete and provide a 'Notice of Incompleteness' to request outstanding information from the Applicant, along with a time period within which the outstanding information is required, and



- c) A 'Notice of Completeness' or 'Notice of Incompleteness' shall be provided to the Applicant via email.
- d) The time period referred to in a) may be extended by an agreement in writing between the Applicant and the Development Authority.
- e) If the Development Authority does not make a determination within the time required under a) the application is deemed to be complete.

## 2.9 REVIEW PERIOD

- a) The Development Authority must make a decision on a Development Permit Application within forty (40) days,
- b) The review period commences once the 'Notice of Completeness' is provided to the Applicant, and
- c) Notwithstanding a), time to make a decision on a Development Permit Application may be extended within a written 'Time Extension Agreement' (s.2.10).

## 2.10 TIME EXTENSION AGREEMENT

- a) The Development Authority may request up to a three (3) month extension of the review period of a Development Permit application from the Applicant,
- b) The Development Authority may grant up to a three (3) month extension of the review period of a Development Permit Application at the request of the Applicant, and
- c) A Time Extension Agreement shall be agreed to by both parties in writing.

## 2.11 REVIEWING DEVELOPMENT PERMIT APPLICATIONS

- a) In reviewing a Development Permit Application the Development Authority shall have regard to:
  - i. The purpose and intent of the applicable District,
  - ii. The purpose and intent of any applicable Statutory Plan adopted by the County,
  - iii. The purpose and intent of any other plan and pertinent policy adopted by the County, and
  - iv. The circumstances and merits of the Development Permit application, and
- b) Notwithstanding the provisions of the Bylaw, the Development Authority may impose more stringent development regulations or standards on a Development Permit for a Discretionary Use in order to ensure that the Development is compatible with and complementary to surrounding land use and other planning considerations.

## 2.12 PUBLIC CONSULTATION REQUIREMENTS

- a) The Development Authority shall provide the following notice(s) of a Development Permit Application:

**Table 3 – Public Consultation Requirements**

Approval of a:	Type of Public Consultation Required				
	Notice sent to adjacent landowners prior to decision	Notice published on County website prior to decision	MPC meeting required	Notice sent to adjacent landowners after decision	Notice published on County website after decision
Permitted Use	No	No	No	No	No
Permitted Use w. Variance < 10%	No	Yes	No	No	Yes
Permitted Use w. Variance 10% - 50%	Yes	Yes	No	Yes	Yes
Permitted Use w. Variance 51% +	Yes	Yes	Yes	Yes	Yes
Discretionary Use	Yes	Yes	Yes	Yes	Yes



- b) The Development Authority may, prior to rendering a decision, require an Applicant to hold a public meeting with surrounding landowners within a one-kilometre (1 km) distance of the parcel. If this is required, the Applicant must submit a report regarding the public response to the proposal and copies of all written submissions.

## Decisions

### 2.13 DECISIONS ON DEVELOPMENT PERMIT APPLICATIONS

The Development Authority, in making a decision on a Development Permit Application for:

#### **A Permitted Use**

- a) Shall approve the application for a Permitted Use, with or without conditions, if the proposed development conforms with the Bylaw, or
- b) May approve the application for a Permitted Use, with or without conditions, if the proposed development does not conform with the Bylaw, subject to the approval of any required Variances,

#### **Discretionary Use:**

- c) May approve the application for a Discretionary Use, with or without conditions, if the proposed development conforms with the Bylaw,
- d) May approve the application for a Discretionary Use, with or without conditions, if the proposed development does not conform with the Bylaw, subject to the approval of any required Variances, or
- e) May refuse the application for a Discretionary Use even though it meets the requirements of the Bylaw, and

#### **A Discretionary Use in a Direct Control District:**

- f) May consider and approve the application for a discretionary use in a Direct Control District providing it meets the direction set out by Council, where Council has delegated the decision to the Development Authority.

### 2.14 NOTICE OF DECISION

#### **Notice to Applicant:**

- a) All decisions on Development Permit applications shall be given in writing to the Applicant the same day the decision is made,
- b) If the Development Permit application is conditionally approved or refused the 'Notice of Decision' shall contain the conditions imposed or the reasons for the refusal or as part of the approval,

#### **Public Notice:**

- c) Public notice of approved Development Permit applications shall be circulated per Section 2.12 'Public Consultation Requirements', and
- d) Public notice shall include:
  - i. The location and use of the Parcel,
  - ii. The date the Development Permit was issued, and
  - iii. Notice that an appeal may be made by a person affected by the decision by serving written notice of the appeal to the SDAB within twenty-one (21) days of the date of the decision on the application or the date of the deemed refusal.



## **2.15 APPROVAL OF A SIMILAR USE**

- a) The Development Authority may approve a Development Permit, with or without conditions, for a use that is neither Permitted nor Discretionary in the District in which the development is to be located, provided that:
  - i. The proposed use is a similar use in the given District,
  - ii. The proposed use is not defined elsewhere in this Bylaw, and
  - iii. All public notices of the Development Permit approval specifically reference that the use was approved as a similar use.

## **2.16 VARIANCES**

- a) Unless a specific provision of this Bylaw provides otherwise, the Development Authority may issue a Variance as a condition of a Development Permit,
- b) Variances may be issued where:
  - i. The proposed development, with Variance, would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties, and
  - ii. The need for the Variance is specific to the parcel, building or sign to which it applies, not shared by a significant number of other properties in the County, or
  - iii. The Variance is a result of an error that is minor in nature in the siting of a building or structure for which a Development Permit has been approved, and the rectifying of the error would create unnecessary hardship to the landowner, or
- c) Applicants requesting a Variance shall provide a supporting rationale in support of the Variance,
- d) In the event that a Variance is granted, the Development Authority shall specify the nature of the approved Variance in the Development Permit approval.
- e) Variances of up to fifty percent (<50%) can be granted at the sole discretion of the Development Authority.
- f) Variances greater than fifty-one percent (>51%) can be granted by the MPC acting as the Development Authority.

## **2.17 DEEMED REFUSALS**

An application for a Development Permit shall be deemed to be refused in the following circumstances:

- a) Outstanding information requested as part of the 'Determination of Completeness' (s.2.6) is not submitted by the Applicant within the time period identified by the Development Authority, or
- b) The Development Authority does not make a decision on a Development Permit within the 40 day 'Review Period' (s.2.9), or
- c) The Development Authority does not make a decision on a Development Permit within the alternative review period stated within a written 'Time Extension Agreement' (s.2.10).

## **2.18 EFFECTIVE DATE**

- a) A Development Permit for a Permitted Use where no Variance has been granted comes into effect on the date the Permit was issued.
- b) Barring an appeal to the SDAB, a Development Permit for a Discretionary Use or where a Variance has been granted, does not come into effect until twenty-one (21) days from the date on which public notice was issued.



## **2.19 DEVELOPMENT PERMIT EXTENSIONS**

- a) The Development Authority may grant one (1) twelve (12) month time extensions on any approved Development Permit, and
- b) Time extensions are not permitted on approvals from the SDAB.

# **Conditions**

## **2.20 CONTINUATION OF CONTROLS**

A condition attached to a development permit issued under a former Land Use Bylaw continues under this Bylaw.

## **2.21 CONDITIONS ATTACHED TO DEVELOPMENT PERMITS**

- a) The Development Authority, in imposing conditions on a Development Permit may:
  - i. For a Permitted Use, impose conditions only to ensure compliance with this Bylaw (e.g. complying with easements or setbacks), or
  - ii. For a Discretionary Use, impose conditions as deemed appropriate, so long as they serve a legitimate planning objective and do not sub-delegate the Development Authority's discretionary powers.
- b) Conditions may include that the Applicant:
  - i. pay an off-site levy or redevelopment levy imposed by bylaw,
  - ii. register an Encroachment Agreement,
  - iii. enter into a Development Agreement,
  - iv. fence a site during construction,
  - v. repair municipal improvements that may be damaged as a result of the development,
  - vi. grade, landscape or pave a parcel,
  - vii. mitigate noise, dust or other nuisances,
  - viii. limiting the hours of operation,
  - ix. register a restrictive covenant concerning architectural controls and/or landscaping, and/or
  - x. enter into an agreement to remediate the site when the use comes to an end.

## **2.22 ENCROACHMENT AGREEMENTS**

If an Applicant applies for a Development Permit for a building or structure that encroaches on property owned or controlled by the County, the Development Authority may as a condition of approval require the Applicant to enter into an Encroachment Agreement with the County.

## **2.23 DEVELOPMENT AGREEMENTS**

As a condition of approval, the Development Authority may require the Applicant to enter into a 'Development Agreement' with the County, in accordance with the provisions of the MGA, and may require the Applicant to:

- a) Construct, install or pay for any improvements and utilities that are needed to serve the development or provide access to it, or
- b) Pay a Security or Levy an Offsite Levy or redevelopment levy, or



- c) Repair or reinstate to original or improved condition any street furniture, curbing, sidewalk, boulevard landscaping or trees, which may be damaged, destroyed or otherwise harmed by development or building operations upon the site, and/or
- d) Attend to all other matters the Development Authority considers appropriate.

## **2.24 DEVELOPMENT AGREEMENT CAVEATS**

To ensure compliance with a Development Agreement, the County may register a caveat in respect of the Development Agreement against the title to a property being developed which shall be discharged upon the terms of the Development Agreement being met. This requirement does not apply to development under any Federal, Provincial or local authority.

## **2.25 SECURITIES**

- a) To ensure compliance with a Development Agreement the County shall require the Applicant to provide an Irrevocable Letter of Credit, Cash or Certified Cheque, Performance Bond or any other acceptable form of Security, to the County to guarantee performance of obligations imposed in the Development Agreement,
- b) The amount required as security shall be based on one hundred and twenty-five percent (125%) the estimated cost of construction of on-site and off-site infrastructure unless provided otherwise in the Development Agreement, and
- c) Cost estimates are subject to review and verification by the Development Authority, and quoted costs shall be valid for the required work.
- d) The County is permitted to draw upon Securities in the event that the required works are not completed, in accordance with the conditions a Development Agreement.

# **Appeals**

## **2.26 APPEALING A DEVELOPMENT PERMIT DECISION**

Pursuant to the 'SDAB Bylaw,' as amended, and the MGA, any person affected by an order, decision or Development Permit made or issued by a Development Authority, including the Applicant, may appeal the decision to the SDAB.

## **2.27 APPEAL PROCESS**

The Process followed by the SDAB is articulated within the 'SDAB Bylaw,' as amended, and the MGA.

## **2.28 SDAB DECISIONS**

- a) If the decision to approve a Development Permit application is reversed by the SDAB:
  - i. The Development Permit shall be null and void, and
  - ii. The Development Authority shall be directed to issue a 'Notice of Refusal' in accordance with the SDAB decision, and
- b) If the decision to approve a Development Permit application is varied by the SDAB, the Development Authority shall be directed to issue a Development Permit in accordance with the terms of the decision of the SDAB.



# Completion & Cancellation

## 2.29 COMPLETION OF DEVELOPMENT

A Development shall be completed to the satisfaction of the Development Authority within twenty-four (24) months of the Development Permit approval or as otherwise identified in the conditions of approval.

## 2.30 SUSPENSION OR CANCELLATION OF A DEVELOPMENT PERMIT

- a) The Development Authority may cancel, suspend, or modify a Development Permit by written notice to the holder of the permit when, after a Development Permit has been issued, the Development Authority becomes aware of one the following circumstances:
  - i. The application contained a misrepresentation, or
  - ii. Facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered, or
  - iii. Any condition under which the Development Permit was issued has been contravened, or
  - iv. The Development Permit was issued in error, or
  - v. Development has not commenced within 12 months of the effective date, or
  - vi. The Applicant has requested cancellation of the permit in writing, or
  - vii. The approved use or development is discontinued or abandoned for two (2) or more consecutive years, and
- b) An Applicant whose Development Permit is cancelled, suspended, or modified may appeal to the SDAB.

## 2.31 TRANSFERABILITY OF DEVELOPMENT PERMIT

- a) A valid Development Permit is transferable where the use remains unchanged and the development is affected only by a change of ownership, tenancy, or occupancy,
- b) Notwithstanding a), a Development Permit for a Home-Based Business (Type II) is non-transferable and is invalidated by a change of ownership, tenancy, or occupancy.

## 2.32 RE-APPLICATION INTERVAL

- a) Pursuant to MGA, when an application for a Development Permit or change of Land Use Designation has been refused, the Development Authority may refuse to accept another application on the same property and for the same or similar use of the land by the same or any other Applicant for one (1) year after the date of previous refusal, unless the circumstances have changed sufficiently to warrant otherwise,
- b) The determination of what constitutes the same or similar development shall be made by the Development Authority.



# SECTION THREE

## General Regulations

# 3

*This section outlines general regulations that apply to development within the County.*

## Buildings & Structures

### 3.1 ADDRESSING

All Principal Buildings shall have the civic address clearly displayed and easily visible from the road/street per the 'Municipal Addressing Bylaw,' as amended.

### 3.2 SERVICING

All Buildings shall have potable water and sanitary servicing to the satisfaction of the Development Authority.

### 3.3 BUILDING ORIENTATION

All Non-Agricultural District Principal Buildings should face the frontage road/street of a parcel, unless otherwise authorized by the Development Authority.

### 3.4 BUILDING DESIGN

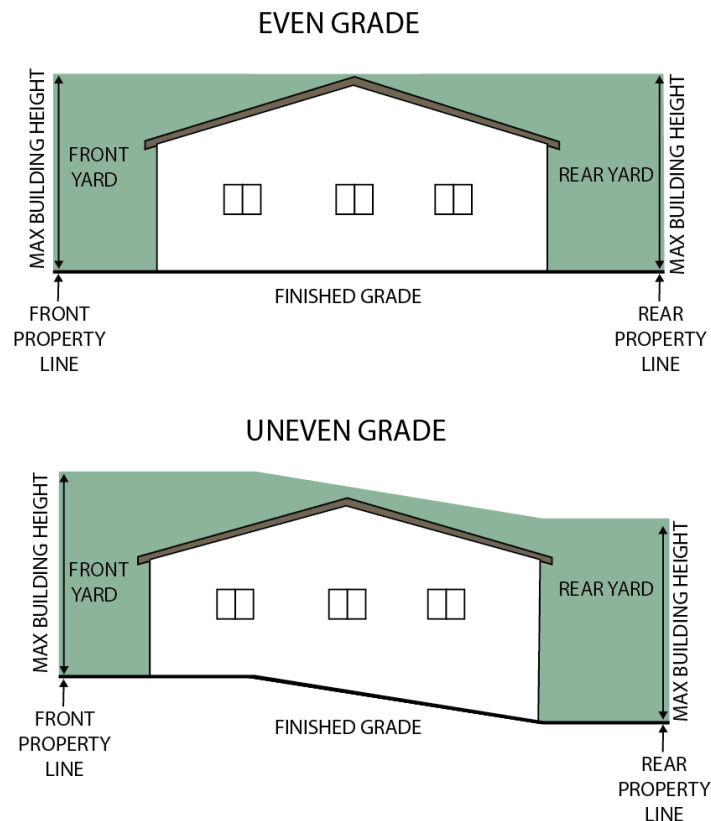
- a) A Building's character and appearance may be considered in the review of proposed development, with respect to:
  - i. Consistency with the prescribed District,
  - ii. Compatibility with nearby Buildings, and
  - iii. Compliance to the provisions of any Statutory Plan, which sets out specific guidelines as to the design, character, appearance, or building materials used in a development,
- b) A Building's mechanical housing shall be screened, to the satisfaction of the Development Authority.
- c) Infill development shall be in keeping with the scale and character of the surrounding area, having regard to the provisions of the prescribed District.



### 3.5 BUILDING HEIGHT

- a) The base from which to measure the height of a building or structure shall be from any point on the finished ground elevation which adjoins an exterior wall as illustrated in **Figure 1 – Determining Building Height**,
- b) In determining the highest point of a building, the following structures are not considered part of the building: elevator or mechanical housing, roof stairway entrance, ventilation fans, a skylight, a steeple, a smokestack, a parapet wall, a flagpole or a 'Roof Sign' (s3.66).

**Figure 1 – Determining Building Height**



### 3.6 EXPOSED FOUNDATIONS AND EXTERIOR BUILDING FINISHES

- a) The Development Authority may require specific finishing materials and/or colours to be used to ensure the compatibility of a proposed:
  - i. development with surrounding or adjacent developments,
  - ii. addition or ancillary structure with existing structures on the same parcel.

### 3.7 MANUFACTURED HOMES

- a) No Manufactured Home, or additions thereto, shall exceed 5.0 m in height,
- b) Manufactured Homes shall have CSA certification,
- c) Manufactured Homes must be placed on a foundation,
- d) The crawl space between a Manufactured Home and the ground shall be skirted to the satisfaction of the Development Authority, within thirty (30) days of siting, and
- e) Axles, wheels and trailer hitches shall be removed once a Manufactured Home is sited.



### 3.8 MIXED-USE BUILDINGS

- a) A Building may be occupied by a combination of uses and each use shall be considered as a separate use, and each use shall obtain a Development Permit, and
- b) Dwelling Units shall have at grade access that is separate from the access for business use.

### 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.

### 3.10 ACCESSORY BUILDINGS/STRUCTURES

- a) An Accessory Building/Structure in a Residential District shall be similar to, and complement, the principal building in exterior material, colour and appearance,
- b) No Accessory Building/Structure shall be permitted in the front yard of a Residential District parcel smaller than 0.4 ha,
- c) No Accessory Building/Structure shall be permitted that will preclude access to a rear yard where a parcel has vehicular access from the front yard only, and
- d) An Accessory Building/Structure shall not be permitted in a Residential District parcel without a Principal Building, at the Discretion of the Development Authority.

### 3.11 SHIPPING CONTAINERS

- a) Shipping Containers:
  - i. Shall not be attached, in any way, to a Principal Building,
  - ii. Shall not display advertising, names or other marketing,
  - iii. Shall not be stacked in any Non-Industrial District,
  - iv. Shall be visually screened from public roads and adjacent properties in a manner which satisfies the Development Authority, and
- b) Notwithstanding a) Shipping Containers are not permitted in R-MAN and R-HAM Districts.

### 3.12 ANTENNA SYSTEMS

- a) Unless excluded under Section 6 of 'CPC-2-0-03 – Radiocommunication and Broadcasting Antenna Systems,' an Antenna System shall be reviewed by the Development Authority to ensure concurrence with the Bylaw,
- b) The system's tower shall be set back a minimum distance equal to the height of the tower from all parcel lines, and a minimum distance of 3.0 m from any other structure on the parcel on which the system is located,
- c) An Antenna System application shall be made using the appropriate **Application Form available at the County office and on the County's website** and shall include the following:
  - i. Any pertinent feedback from Transport Canada based on the submission of the Aeronautical Obstruction Clearance form including aeronautical obstruction marking requirements,
  - ii. Any pertinent feedback from NAV CANADA based on the submission of the Land-use Proposal Submission form,



- iii. An attestation that the general public will be protected in compliance with Health Canada's Safety Code 6 including combined effects within the local radio environment at all time and that the installation will respect good engineering practices including structural adequacy,
- iv. A Site Plan showing:
  - the location and dimensions of the system tower including the locations of any anchors,
  - all existing buildings, structures on the parcel,
  - all distances from the system tower and any anchors to property lines
  - all distances between the system tower and other buildings or structures on the parcel, and
- v. such other considerations as the Development Authority may deem to be relevant,

### 3.13 LIGHTING

- a) All outdoor lighting shall be located and arranged so that light is directed away from adjoining properties and local roads,
- b) The maximum mounting height for an outdoor light fixture shall be 8.0 m in any Residential District, and 12.0 m in Non-Residential Districts,
- c) Full Cut-Off Fixtures shall be installed for all exterior lighting,
- d) Notwithstanding c), outdoor lighting used to illuminate architectural features, landscaping, monuments, signs, or trees may emit light above the horizontal plane so long as it is directed at such features, and
- e) No flashing, strobe, or revolving lights are permitted in the County.

### 3.14 GARBAGE AREAS

- a) In all Districts, garbage areas shall be wholly provided on the same site as the buildings to be served, unless otherwise approved by the Development Authority,
- b) Garbage shall be stored in weather-proof containers, screened from adjacent parcels and public thoroughfares, and in a location easily accessible for pickup,
- c) Any garbage storage or collection area co-existing with any parking or loading area shall be:
  - i. Clearly delineated as separate from the parking or loading stalls,
  - ii. Located to optimize collection vehicles access, and
  - iii. Screened or fenced.

## Parcels

### 3.15 DOUBLE-FRONTING AND CORNER PARCELS

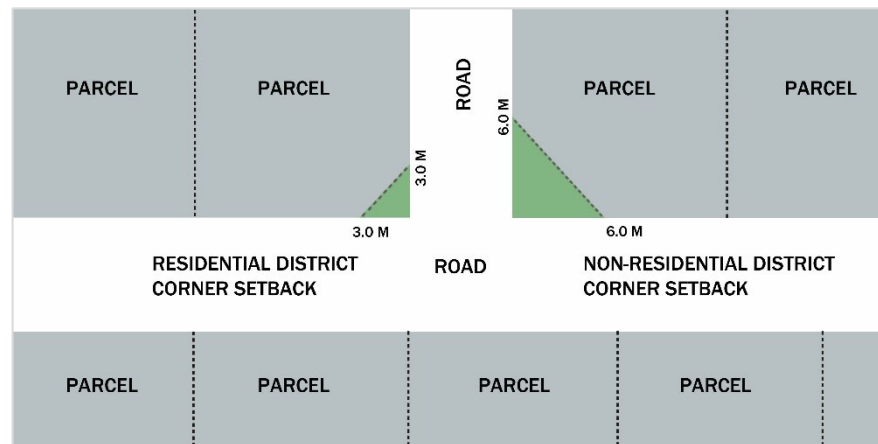
Where a Parcel abuts two (2) or more public roadways, the front yard setback shall be established on the road/street that is identified by a municipal address.

### 3.16 CORNER VISIBILITY

- a) In a Residential District, buildings, structures, fences and landscaping shall be setback at least 3.0 m from the property corner, to maintain corner visibility, as illustrated in **Figure 2 – Corner Visibility Triangle**, and
- b) In a Non-Residential District, buildings, structures, fences and landscaping shall be setback at least 6.0 m from the property corner, to maintain corner visibility, as illustrated in **Figure 2 – Corner Visibility Triangle**.



**Figure 2 – Corner Visibility Triangle**



### 3.17 EMERGENCY ACCESS

Setbacks in any District may be increased at the discretion of the Development Authority in order to provide adequate emergency access.

### 3.18 DRIVEWAYS

- In a Residential District, the driveway to a public road shall be a minimum length of 6.0 m, measured from the property line,
- Driveways that are not connected to a garage or carport are limited to 5.0 m in width.

### 3.19 PROJECTIONS INTO YARDS

- Cantilever extensions can extend up to 0.6 m from a building into any rear or side yard setback, and
- Decks or Patios that are less than or equal to 0.6 m in height can project up to 0.6 m into any rear or side yard setback.

### 3.20 RECREATIONAL VEHICLES

- Outside of a Campground, no person shall occupy a Recreational Vehicle for more than:
  - Sixty (60) days In an Agricultural District, or
  - Fourteen (14) days In a Residential District,
- In Agricultural Districts up to four (4) Recreational Vehicles are permitted on a parcel,
- In Residential Districts:
  - One (1) Recreational Vehicle is permitted on a parcel, and
  - Recreational Vehicles should be kept in the back yard or on the driveway.

### 3.21 PHYSICAL ACCESS

- County of Newell reserves the right to determine the most suitable access and egress point(s) onto a developed or undeveloped road with regard to any new access/egress points in the County,
- A parcel has access when it abuts either a public road or a private road approved in a condominium plan developed to full County standards,



- c) If a parcel does not have access, the Development Authority may require the Applicant to enter into a Development Agreement to construct or pay for the construction or upgrading of public roads, or access/egress approaches necessary to serve a development, and
- d) Notwithstanding c), Agricultural Parcels may not be required to construct a road for access to the parcel(s) at the discretion of the Development Authority.

### 3.22 PARCELS WITHOUT PHYSICAL ACCESS

- a) For the purposes of this Bylaw, a parcel is a parcel without access if:
  - i. the parcel does not abut a public or private roadway,
  - ii. the only public roadway that the parcel abuts is an undeveloped road allowance, semi-private road, or low maintenance road, or
  - iii. the parcel abuts a public or private roadway developed to County Standards, to which the road is subject to an active Cost Recovery Agreement,
- b) Notwithstanding a) above, the Development Authority may at its discretion determine that a parcel without access is, for the purposes of this Bylaw, a parcel having access, provided the road which provides access to the parcel is not subject to an active Cost Recovery Agreement, and
- c) Notwithstanding regulations of the District in which a parcel without access is located, all development apart from 'Agriculture (General)' and 'Agricultural Building' is Discretionary.

### 3.23 ACCESS TO & DEVELOPMENT NEAR PROVINCIAL HIGHWAYS

- a) Alberta Transportation will review any development within 800 m of a provincial highway and determine whether an access, existing or proposed, is acceptable,
- b) All Land Use Redesignations and new developments that will cause intensified or increased use of any access to provincial highways shall be reviewed by Alberta Transportation.

## Setbacks

### 3.24 RIGHTS-OF-WAY

No part of a building or structure shall be located on a registered right-of-way or utility easement.

### 3.25 PROVINCIALLY REGULATED SETBACKS

- a) Development setbacks from facilities, pipelines and other utility corridors under the purview of the Alberta Energy Regulator (AER) shall be in accordance with appropriate Provincial regulations and any regulations or directives established by the AER, as amended, which are currently set at:
  - i. Sour gas wells and facilities: 1.5 km (per Subdivision and Development Regulation (SDR) s.10)
  - ii. Active oil and gas wells: 100 m (per SDR s.11)
  - iii. Abandoned wells: 5 m or no setback where less than 15 m deep (per AER Directive 079 s.11.2)
  - iv. Wastewater treatment plants: 300 m (per SDR s.12)
  - v. Landfills: 300-450 m (per SDR s.13)

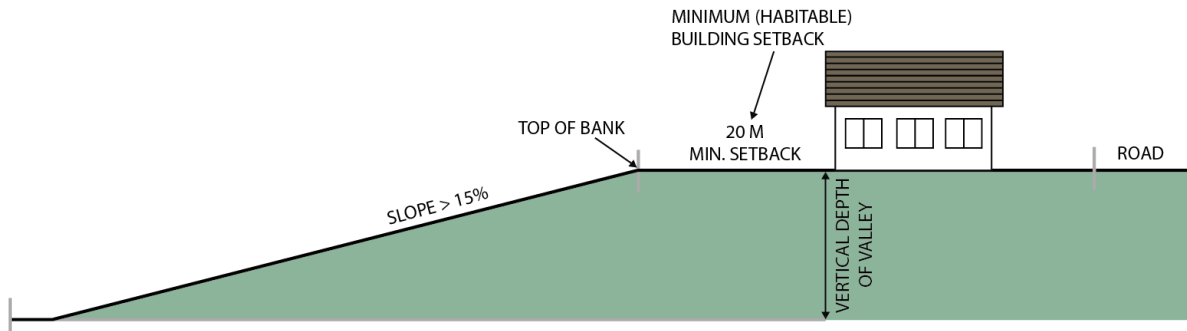
### 3.26 SETBACKS FROM SLOPES & BANKS

- a) Buildings shall be located at least 20.0 m back from the top-of-bank of an escarpment where the grade exceeds fifteen per cent (15%), as illustrated in **Figure 3 – Setback Requirements**.



- b) For the purposes of this section, “top of the bank” is as determined in consultation with Alberta Environment and Parks (AEP) or a Qualified Professional.
- c) The Development Authority may, at their discretion, reduce the setback requirements if the Applicant provides a Geotechnical Slope Stability Study, prepared by a Qualified Professional, that provides satisfactory proof of bank stability.

**Figure 3 – Setback Requirements**



### 3.27 SETBACK FROM RAILWAYS

- a) In Residential Districts, dwellings shall be:
  - i. 30.0 m from a Main Line right-of-way, or
  - ii. 15.0 m from a Branch Line right-of-way
- b) In Non-Residential Districts, development shall follow the setbacks set forth in the District.

### 3.28 DEVELOPMENT ON OR NEAR A BODY OF WATER

- a) Parcels shall be located at least 6.0 m back from the high-water line of any body of water or an area subject to flooding as established by the province.
- b) The Development Authority may consult with AEP, the Eastern Irrigation District (EID) or other appropriate organization or individual to assist in determining high-water marks, flood hazard areas, or the level of a lake, dam, river wetland or other waterway taking into account 1:100 water levels.
- c) No part of a building or structure shall be located within 60.0 m from any EID water reservoir measured from the water’s edge at full supply level (FSL) or 30.0 m from the registered reservoir right-of-way.

### 3.29 HAZARD LANDS

The Development Authority may refuse to approve a Development Permit if the proposed development is located in potential hazard lands such as coal mining areas, gas wells, abandoned wells, or former industrial lands, unless the relevant approval authority is satisfied the development can proceed safely.

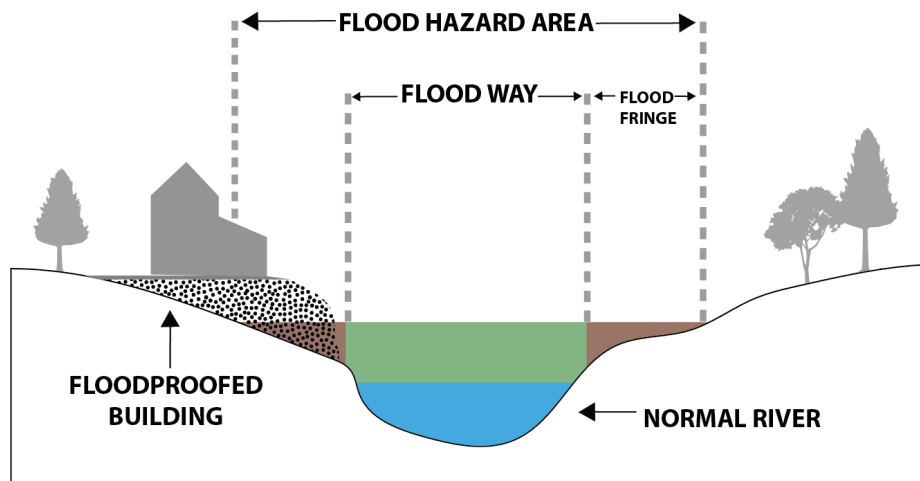
### 3.30 FLOOD HAZARD AREAS

- a) All development in a Flood Hazard Area, as illustrated in **Figure 4 – Flood Hazard Area Identification**, is considered to be Discretionary, notwithstanding any other section of the Bylaw,
- b) No building or structure shall be developed where the location of the building or structure is on a site where the undisturbed ground elevation:
  - i. Is less than 6.0 m above the normal summer low water level and is less than 1,200.0 m from the edge of the normal summer water channel of a major watercourse, or



- ii. Is less than 3.0 m above the normal summer low water level and is less than 300.0 m from the edge of the normal summer water channel of a minor watercourse, or
- iii. Unless the ground elevation adjacent to and within 5.0 m of the building or structure is 1.0 m above the 1:100 year flood elevation as determined by Alberta Environment and Parks (AEP),
- c) The placing of fill within the 1:100 year Flood Hazard Area shall not be permitted unless and until AEP has determined that the placing of the fill will not have a detrimental effect on the flow of water, either in the watercourse or on adjacent lands,
- d) The Development Authority shall require a geotechnical report prepared by a Qualified Professional that confirms there is a developable area suitable for the building and outlines any flood mitigation measures to reduce potential damage from a flood event.

**Figure 4 – Flood Hazard Area Identification**



### 3.31 FLOOD FRINGE AREAS

- a) New development within the flood fringe, as illustrated in **Figure 4 – Flood Hazard Area Identification**, is strongly discouraged; however, should the Development Authority consider it appropriate, a development may be allowed subject to the following requirements:
  - i. Development shall be restricted to non-residential buildings or structures that can be adequately protected to minimize potential flood damage, and
  - ii. The first floor of all buildings shall be located at or above the 1:100 year flood level plus 0.5 m freeboard,
- b) Notwithstanding a), The Development Authority may allow for variances on the freeboard requirement depending on site specific conditions.

### 3.32 FLOODWAYS

- a) No development shall be permitted within a Floodway, as illustrated in **Figure 4 – Flood Hazard Area Identification**, except for the:
  - i. Repair or maintenance of existing buildings, or
  - ii. Replacement of existing buildings, provided flood-proofing design measures are undertaken, which do not involve construction below the Floodway.

# Landscaping & Fencing

## 3.33 LANDSCAPING OF NEW DEVELOPMENT

- a) All portions of a Non-Agricultural parcel not covered by a building, structure, parking stall or driveway shall be landscaped and maintained to the satisfaction of the Development Authority,
- b) In Non-Residential Districts and on parcels with Multi-Unit Dwellings of more than ten (10) units:
  - i. A minimum 1.8 m landscaped buffer is required along each public road, and
  - ii. A minimum 6.0 m landscaped buffer is required along every boundary adjacent to a Residential District,
- c) Landscaping may consist of any or all of the following:
  - i. trees, shrubs, lawn, flowers,
  - ii. large feature rocks, bark chips, field stone,
  - iii. berming, terracing, and
  - iv. other innovative landscaping features,
- d) Existing trees should be retained as much as possible.

## 3.34 LANDSCAPING PLANS

- a) In Non-Residential Districts and on parcels with Multi-Unit Dwellings of more than ten (10) units, a Landscaping Plan may be required to the satisfaction of the Development Authority,
- b) The Landscaping Plan shall, to the satisfaction of the Development Authority, include the following:
  - i. name of the project and/or Applicant,
  - ii. name and/or endorsement stamp of the landscape professional,
  - iii. north arrow, plan scale and legal and civic addresses,
  - iv. location of existing plant materials and indication as to whether they are to be removed or retained,
  - v. location of planting beds and identification of bedding material,
  - vi. location of trees shown at their typical mature size,
  - vii. total number and type of trees proposed to be provided,
  - viii. identification of proposed surfacing of parking and storage areas,
  - ix. a list of any proposed Variances,
  - x. all other physical features, existing or proposed, including berms, walls, fences, outdoor furniture and decorative paving, and
  - xi. if landscaping is being proposed within a utility right-of-way the plan must be endorsed by all utility companies that have access to the right-of-way, indicating their approval of the proposed landscaping,
- c) A Landscaping Plan should be accompanied by a quote from a landscape professional indicating the cost to implement the Landscaping Plan.

## 3.35 LANDSCAPING SECURITIES

- a) An irrevocable letter of credit or bank draft/certified cheque from a recognized Canadian financial institution having the value equivalent to 100% of the established costs to implement the Landscaping Plan will be provided to the County within thirty (30) days of the Development Permit being issued and will be retained until all landscaping is completed,



- b) The amount of the landscaping securities shall include the cost of the following, where applicable:
  - i. Rough grading of landscaped area,
  - ii. Minimum of 150 mm of topsoil and sod or seed, and
  - iii. Any trees in accordance with this Bylaw,
- c) Fifty percent (50%) of the Landscaping Securities will be returned when satisfactory completion of the landscaping is confirmed with an inspection by the Development Authority,
- d) The remaining Landscaping Securities, unless otherwise drawn upon, shall be fully released once it is confirmed with an inspection by the Development Authority that the landscaping has survived a minimum of two full growing seasons, and
- e) The County is permitted to draw upon Landscaping Securities, in the event that the required works are not completed.

### 3.36 DUGOUTS & PONDS

- a) Dugouts and Ponds 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.
- b) Any request for a 'Variance' (s.2.16) shall be accompanied by a soil analysis and /or engineered design for the Dugout or Pond that indicates the ability of the dugout to function without leakage beyond the property line.

### 3.37 SHELTERBELTS

- a) All trees, hedges, shrubs forming a shelterbelt shall not be located within:
  - i. 5.0 m from a Subdivision Road right-of-way of,
  - ii. 15.0 m from a County Road right-of-way of,
  - iii. 40.0 m from a Provincial Highway right-of-way.

### 3.38 FENCING

- a) In a Residential District smaller than 0.2 ha, barbed wire fences are not permitted fence materials,
- b) The Development Authority may require an alternate siting of the fence in order to provide unimpeded traffic sight lines,
- c) The Development Authority may require a site to be fenced and secured if, in their opinion, the development poses a potential safety hazard, and
- d) Fences shall be restricted to the maximum heights listed below, notwithstanding a variance granted by the Development Authority:

**Table 4 – Maximum Fence Height\***

	Residential/ Agricultural District	Business/ Industrial/ Special District
Front Yard	1.0 m	2.4 m
Side Yard	1.8 m	2.4 m
Rear Yard	1.8 m	2.4 m

\*Maximum permitted heights shall include posts and trellises/lattice running adjacent to the top of the fence, as measured from grade.



### 3.39 SCREENING

- a) Where a Business or Industrial District abuts a Residential District, visual screening shall be provided by a fence or a combination of fence and soft landscaping to a minimum height of 2.0 m, and
- b) All exterior work areas, storage areas and waste handling areas shall be screened from view to the satisfaction of the Development Authority.

### 3.40 RETAINING WALLS

- a) Any retaining wall over 1.0 m in height must be designed, and inspected after construction, by a Qualified Professional,
- b) The landowner shall provide to the County the design and inspection report within thirty (30) days of construction of the retaining wall, and
- c) Creosote railway ties are not a permitted construction material for any retaining wall.

## Stripping, Grading, Excavation & Fill

### 3.41 GENERAL STRIPPING, GRADING, EXCAVATION AND FILL REGULATIONS

- a) Site stripping, filling, excavation, grading, and/or re-contouring (including construction of an artificial waterbody, but not a Dugout) requires a Development Permit,
- b) Where, in the process of development, areas require levelling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, and replaced following the completion of the work,
- c) Where the proposed development incorporates excavation and filling/grading, details regarding potential impacts on drainage (subject lands and adjacent) and water bodies as identified in a stormwater management plan shall be required.

### 3.42 DEVELOPMENT PERMIT FOR STRIPPING, GRADING, EXCAVATION AND/OR FILL

- a) Excavation, stripping and grading activities are considered a Discretionary Use in all Districts,
- b) A Development Permit is required for all stripping, grading, excavation and/or fill activities, with the exception of those lands governed by a valid Development Agreement,
- c) A Development Permit application shall be made using the appropriate **Application Form available at the County office and on the County's website** and shall include the following:
  - i. A description of the excavation, stripping or grading operation proposed,
  - ii. A plan showing the location of the area of the operation relative to site boundaries and depth of excavation or the quantity of topsoil to be removed,
  - iii. A detailed timing and phasing program covering the length of the proposed operation,
  - iv. A plan showing the final site conditions following completion of the operation and any land reclamation proposals where applicable,
  - v. A description of the measures to be taken for the prevention or lessening of dust and other nuisances during and after the operation, and
- d) The Development Authority may require a:
  - i. Stormwater Management Plan,
  - ii. Fill Management Plan,
  - iii. Reclamation Plan,



- iv. Soil Quality Report, and/or
- v. Letter of credit for performance of approval conditions based on the cost of remediation.

### **3.43 STRIPPING & GRADING**

- a) Stripping and grading may include stockpiling of site materials, road construction up to but not the final layer of asphalt, and underground utilities,
- b) Repairing or resurfacing of existing approved private gravel access roads does not require a Development Permit (s.2.2) when approved grades are unchanged,
- c) Unless specifically approved in a Development Permit, topsoil shall not be removed from any site,
- d) Stripping, grading, and stockpiling for the purpose of construction site preparation incidental to an approved development does not require a Development Permit provided the following conditions are met:
  - i. A Grading Plan is approved, and
  - ii. Construction site preparation does not include the digging of a building foundation or the installation of pilings.

### **3.44 EXCAVATION (BORROW AREA)**

- a) The excavation of new borrow areas may be allowed providing:
  - i. A Development Permit has been issued for that use, including a Reclamation Plan,
  - ii. The maximum area of excavation does not exceed 8.0 ha, the maximum material to be removed from the site is 40,000 m<sup>3</sup> and the excavated material is not primarily sand or gravel,
  - iii. There is no negative impact on water flows to or from adjacent lands, as determined in a stormwater management plan,
  - iv. A Reclamation Plan satisfactory to the County has been prepared for the site, with the reclamation financially secured in favour of the County, and
  - v. The time from commencement of excavation to completion of reclamation does not exceed one hundred and twenty (120) days.

### **3.45 FILLING**

- a) No Person shall place or dump fill or topsoil anywhere in the County unless:
  - i. The placing of fill will not result in offsite drainage impacts to adjacent properties from changes in drainage patterns as determined in a stormwater management plan, and
  - ii. A Fill Management Plan shall be submitted to the satisfaction of the Development Authority as part of an approved Development Permit application,
- b) Notwithstanding a), the Development Authority may require:
  - i. A Development Permit for reoccurring applications of fill on any site, and
  - ii. A Road Use Agreement or a written confirmation from the County that a Road Use Agreement is not required for the hauling of fill and topsoil.

### **3.46 STOCKPILING**

- a) Despite any other regulation in this Bylaw, the placing or the storage of topsoil or fill shall not be allowed in any circumstance where:
  - i. The topsoil or fill is contaminated, including contaminated hydrovac materials,
  - ii. Negatively impacting water flows to and from adjacent lands, or
  - iii. Placed in natural wetlands or drainage courses,



- b) Notwithstanding a), no fill and topsoil shall be placed and stored in a Flood Hazard Area, wetlands, riparian areas, and/or drainage courses, unless otherwise approved by the Development Authority.

### **3.47 PARCEL GRADING & DRAINAGE**

- a) Parcel drainage shall be directed to the adjacent road/street or lane, not onto an adjacent parcels, except where permitted by the Development Authority,
- b) In a Residential District where there is no lane, a swale shall be constructed along the rear of all lots to carry water to a road or drainage course, and the swale shall be protected by an easement in favour of the County,
- c) Where, during development, there are areas requiring leveling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, and then replaced following completion of the work,
- d) All landscaped areas shall be designed to facilitate effective surface drainage, and
- e) Parcel grading shall be in accordance with the County's Servicing Standards.

## **Parking & Loading**

### **3.48 GENERAL PROVISIONS**

- a) Where any development is proposed, parking shall be provided and maintained by the owner in accordance with the requirements of this Bylaw,
- b) Parking stalls and loading spaces shall be clearly marked and maintained to ensure legibility, to the satisfaction of the Development Authority,
- c) Where the provision of off-street parking or loading space is required by this Bylaw, a plan of the proposed site layout shall be included with the Development Permit application, and
- d) Parking stalls shall have a minimum vertical clearance of 2.0 m.

### **3.49 OFF-STREET PARKING STANDARDS**

- a) Off-street parking areas shall be constructed in a manner which allows for adequate drainage, snow removal, and maintenance,
- b) In Residential Districts and Multi-Unit Dwellings:
  - i. Off-street parking shall be located on the site of the development served by the parking, and
  - ii. All visitor parking should be easily accessible to the building it addresses,
- c) Where a development consists of a mix of uses, the total off-street parking requirement shall be the sum of the off-street parking requirements for each use, unless it is demonstrated through a Parking Assessment, prepared by a Qualified Professional, that there will be complementary demand for parking that warrants a reduction in the total requirement, and
- d) For parking areas larger than thirty (30) stalls in Business or Industrial Districts, a Parking Lot Plan that addresses parking requirements and landscaping design shall be completed as part of the Development Permit application to the satisfaction of the Development Authority.



### 3.50 NUMBER OF STALLS

a) The minimum number of parking stalls required for each Use is noted below:

**Table 5 – Parking Minimums**

Use	Required Parking Stalls
Agriculture (General)	N/A
Agriculture (Intensive)	1 per 100.0 m <sup>2</sup> gross floor area
Agriculture (Processing)	1 per 100.0 m <sup>2</sup> gross floor area
Agriculture (Regulated)	1 per 100.0 m <sup>2</sup> gross floor area
Agricultural Building	N/A
Airport	Determined by Direct Control District
Alcohol Production	1 per 100.0 m <sup>2</sup> gross floor area
Animal Health (Inclusive)	1 per 100.0 m <sup>2</sup> gross floor area
Animal Health (Small Animal)	1 per 100.0 m <sup>2</sup> gross floor area
Auction Market	7.5 per 100.0 m <sup>2</sup> gross floor area
Bed & Breakfast	1 per Guest Room
Bulk Fuel	0.5 per 100.0 m <sup>2</sup> gross floor area
Bunk House	N/A
Campground	1 visitor parking stall per 5 campsites
Cannabis Production	1 per 100.0 m <sup>2</sup> gross floor area
Cannabis Retail	2 per 100.0 m <sup>2</sup> gross floor area
Car/Truck Wash	2 per 100.0 m <sup>2</sup> gross floor area (minimum of 2)
Care Facility (Child)	3 per 100.0 m <sup>2</sup> gross floor area
Care Facility (Clinic)	2 per 100.0 m <sup>2</sup> gross floor area
Care Facility (Group)	2 per 100.0 m <sup>2</sup> gross floor area
Care Facility (Seniors)	1 per 100.0 m <sup>2</sup> gross floor area
Care Facility (Medical)	3 per 100.0 m <sup>2</sup> gross floor area
Cemetery	N/A
Dwelling (Manufactured Home)	2 per unit (with visitor parking for MHP)
Dwelling (Multi-Unit)	1 per unit
Dwelling (Duplex)	2 per unit
Dwelling (Single Detached)	2 per unit
Exhibition Grounds	2 per 100.0 m <sup>2</sup> gross floor area
Establishment (Eating & Drinking)	5 per 100.0 m <sup>2</sup> gross floor area
Establishment (Entertainment)	5 per 100.0 m <sup>2</sup> gross floor area
Establishment (Restricted)	5 per 100.0 m <sup>2</sup> gross floor area
Farm Gate Sales	N/A
Farmers Market	7.5 per 100.0 m <sup>2</sup> gross floor area
Funeral Home	7.5 per 100.0 m <sup>2</sup> gross floor area
Gas Station	2 per 100.0 m <sup>2</sup> gross floor area (minimum of 2)
Government Services	2 per 100.0 m <sup>2</sup> gross floor area
Home-Based Business Type One (HBB1)	1 additional stall
Home-Based Business Type Two (HBB2)	2 additional stalls
Hotel/Motel	3 plus 1 per guest room
Industrial (Light)	1 per 100.0 m <sup>2</sup> gross floor area
Industrial (Medium)	1 per 100.0 m <sup>2</sup> gross floor area
Industrial (Heavy)	1 per 100.0 m <sup>2</sup> gross floor area



Use	Required Parking Stalls
Industrial (Logistics)	1 per 100.0 m <sup>2</sup> gross floor area
Kennel	1 per 100.0 m <sup>2</sup> gross floor area
Marina	N/A
Motocross/ Motor Sports Park	Determined by Direct Control District
Natural Gas Plant	Determined by Direct Control District
Office	3 per 100.0 m <sup>2</sup> gross floor area
Park	N/A
Pit or Quarry	N/A
Recreation (Indoor)	5 per 100.0 m <sup>2</sup> gross floor area
Recreation (Outdoor)	5 per 100.0 m <sup>2</sup> gross floor area
Recycling/Compost Facility	1 per 100.0 m <sup>2</sup> gross floor area
Retail (Small) < 1000 m <sup>2</sup>	2 per 100.0 m <sup>2</sup> gross floor area
Retail (General) > 1000 m <sup>2</sup>	2 per 100.0 m <sup>2</sup> gross floor area
Retail (Restricted)	2 per 100.0 m <sup>2</sup> gross floor area
Retail (Outdoor)	2 per 100.0 m <sup>2</sup> gross floor area
Riding Arena	N/A
Secondary Suite (Internal)	1 additional stall
Secondary Suite (External)	1 additional stall
Self Storage	0.5 per 100.0 m <sup>2</sup> gross floor area (minimum of 4)
School	Determined by School Board
School, Trade	2 per 100.0 m <sup>2</sup> gross floor area
Shooting Range	Determined by Direct Control District
Surveillance Suite	1 stall
Tiny Home/Park Model	2 per unit
Truck Stop	1 per 100.0 m <sup>2</sup> gross floor area (minimum of 4)
Utilities	N/A
Vehicle Sales	2 per 100.0 m <sup>2</sup> gross floor area
Vehicle Services	1 per 100.0 m <sup>2</sup> gross floor area

- b) Where the Use is not listed, the number of spaces shall be determined by the Development Authority, having regard for similar uses and the estimated parking demand of the proposed use,
- c) Where a calculation does not yield a whole number, the required number of spaces shall be rounded down to the next whole number.

### 3.51 BARRIER-FREE PARKING

- a) Minimum barrier-free parking stalls shall be calculated per the accessibility requirements of the 'National Building Code – Alberta Edition,' as amended, which are currently set at:

**Table 6 – Barrier-Free Parking Spaces**

Number Of Parking Stalls Required	Number of Designated Stalls for Use by Persons with Physical Disabilities
2-10	1
11-25	2
26-50	3
51-100	4
For each additional increment of 100 or part thereof	One additional stall

\*Development is encouraged to provide at least one barrier-free parking space.



- b) Each barrier-free parking space shall:
  - i. Be at least 2.4 m wide adjacent to a 2.4 m wide access aisle
  - ii. have a firm, slip-resistant and level surface, and
  - iii. be clearly marked by a vertically mounted sign and with the International Symbol of Access painted on the pavement.

### 3.52 SIZE OF PARKING STALLS

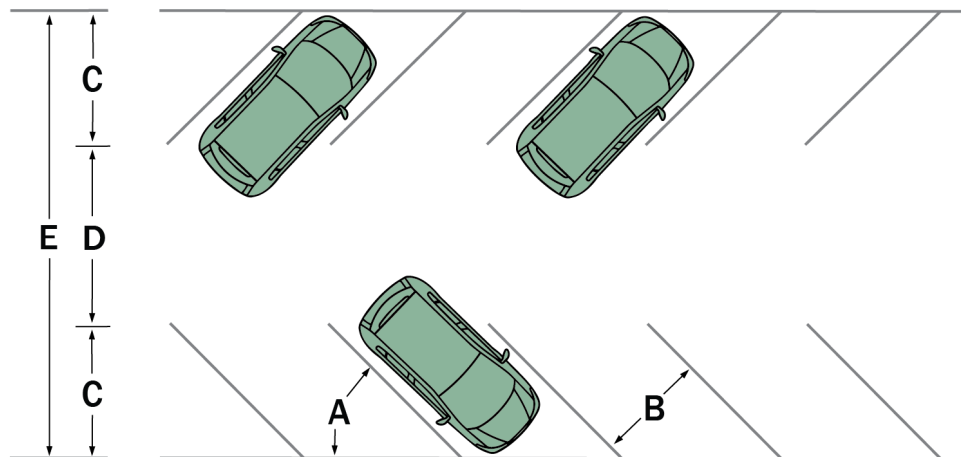
Minimum parking stall dimensions are specified below and illustrated in **Figure 5 – Parking Stall Dimensions**:

**Table 7 – Minimum Parking Stall Dimensions**

A	B	C	D	E
Angle of Parking	Stall Width	Stall Depth*	Aisle Width	Overall Depth
30°	2.8 m	5.0 m	3.6 m	13.6 m
45°	2.8 m	6.5 m	3.6 m	16.6 m
60°	2.8 m	6.5 m	5.5 m	18.5 m
90°	2.8 m	6.0 m	7.0 m	19.0 m

\*Perpendicular to Aisle

**Figure 5 – Parking Stall Dimensions**



### 3.53 OFF-STREET LOADING

- a) Off-street loading spaces shall be provided and maintained by the owner in accordance with the requirements of the Bylaw,
- b) Off-street loading spaces shall be provided entirely within the property of the development being served,
- c) Off-Street Loading Spaces Shall:
  - i. Have minimum dimensions of 3.1 m in width and 9.1 m in length,
  - ii. Have overhead clearance of at least 4.0 m above grade,
  - iii. Have vehicular access from a street or lane either directly or by a clearly defined traffic aisle, and
  - iv. Be surfaced to the satisfaction of the Development Authority.



### 3.54 DEFICIENT PARKING OR LOADING SPACES

When a building is enlarged or its use is changed or intensified, resulting in deficient parking or loading spaces, the increased parking shall be limited to the requirements for the intensification.

### 3.55 COMMUNAL PARKING

- a) In Non-Residential Districts, owner(s) may pool required off-street parking stalls within one (1) or more communal parking stalls on a parcel other than the parcel of the principal use, provided:
  - i. The communal parking provides the sum of the off-street parking requirements for each development served by the parking facility. A smaller number may be permitted if supported by a Parking Study acceptable to the Development Authority,
  - ii. Owners who have pooled their parking requirements enter into an agreement with the County and consent to such an agreement being registered as an encumbrance against the titles of land involved,
  - iii. Owners that are involved in a communal parking arrangement pay the full costs of preparation and registration of the agreement.

## Signage

### 3.56 GENERAL PROVISIONS

- a) Signs shall be compatible with the general character of the prescribed District,
- b) A sign shall not be erected or affixed on a property unless permission is granted in writing from the owner,
- c) A sign shall be located entirely within a property unless prior written approval granting permission for the sign to project over another property is submitted by the affected owner,
- d) No sign shall be permitted which is attached to a fence pole, tree, or any object in a public street or publicly owned place,
- e) No sign or any part of a sign shall be within 3.0 m of overhead power and service lines,
- f) No sign or any part of a sign is allowed in a County Road right-of-way,
- g) All signs must be maintained in a manner satisfactory to the Development Authority or notice will be served to perform the necessary repairs or remove the sign(s) within 30 days.

### 3.57 SIGN ILLUMINATION

- a) The illumination of any sign shall not exceed 5,000 candelas per square metre.
- b) Signs are not permitted to have flashing or running lights.

### 3.58 SIGN PERMIT

- a) No sign may be erected or affixed unless a Sign Permit has been issued, excluding 'Signs Not Requiring a Permit' (s.3.59),
- b) A Sign Permit application shall be made using the appropriate **Application Form available at the County office and on the County's website** and shall include the following:
  - iv. a site plan showing the location of the sign,
  - v. an elevation showing the overall dimensions of the sign,
  - vi. the size of the letters,



- vii. the height of the sign and its supporting structure above grade and clearance from grade of any horizontal building components,
- viii. details of sign illumination,
- ix. distance from roadways, and
- x. such other considerations as the Development Authority may deem to be relevant,

### 3.59 SIGNS NOT REQUIRING A PERMIT

The following signs do not require a Development Permit, but shall otherwise comply with the Bylaw:

- a) Signs displayed by or on behalf of the federal, provincial, or local government,
- b) Portable Signs, banners or pennant flags that are not permanently installed and which are displayed for a period not exceeding thirty (30) days,
- c) Election Signs that are not permanently installed and which are displayed for a period not exceeding sixty (60) days,
- d) Temporary Signs that are not permanently installed and which are displayed for the purposes of advertising a yard/garage sale, farm/livestock sale, for a period not exceeding Seventy-Two (72) hours,
- e) Real Estate Signs, and
- f) Sandwich Boards located in proximity to the business advertised during operating hours.

### 3.60 AWNING/CANOPY SIGNS

Awning/Canopy Sign means a sign which either forms part of, or is attached to, a retractable or permanently affixed canopy, adhering to the following requirements:

<b>District</b>	Agricultural	Permitted
	Residential	Prohibited
	Business	Permitted
	Industrial	Permitted
	Special	Discretionary
<b>Maximum Sign Dimensions</b>		N/A
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Shall be constructed of durable, waterproof, colourfast material</li> <li>• Shall be attached to the building or structure to which it refers</li> <li>• Shall project from 0.6 m to 1.2 m from the building or structure</li> <li>• Shall have a minimum clearance of 2.5 m above grade</li> </ul>

Example Awning/Canopy Signs for visual reference:



### 3.61 BILLBOARD SIGNS

Billboard Sign means a fixed sign which stands independently of a Building for the purposes of third-party advertising of a product or service, adhering to the following requirements:

<b>District</b>	Agricultural	Discretionary
	Residential	Prohibited
	Business	Discretionary
	Industrial	Discretionary
	Special	Discretionary
<b>Maximum Sign Dimensions</b>		<ul style="list-style-type: none"> <li>• 35.0 <sup>2</sup> sign area</li> <li>• 12.0 m sign height</li> </ul>
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Shall be a minimum 150.0 m apart from any like sign</li> <li>• May be illuminated by a constant source of light</li> <li>• Shall be setback at a minimum of 5.0 m from a Parcel line</li> <li>• Shall have a minimum clearance of 3.0 m above grade</li> <li>• Shall not be permitted within 1.6 km of a highway right-of-way</li> </ul>

Example Billboard Signs for visual reference:



### 3.62 FREESTANDING SIGNS

Freestanding Sign means a sign, other than a billboard, that is self-supporting in a fixed location and not attached to a Building, adhering to the following requirements:

<b>District</b>	Agricultural	Permitted
	Residential	Discretionary
	Business	Permitted
	Industrial	Permitted
	Special	Permitted
<b>Maximum Sign Dimensions</b>		<ul style="list-style-type: none"> <li>• 12.0 m<sup>2</sup> sign area</li> <li>• 9.0 m sign height</li> </ul>
<b>Standards</b>		<ul style="list-style-type: none"> <li>• In Business and Industrial Districts, the sign may be illuminated and may contain electronic message display and changeable copy</li> <li>• In Business and Industrial Districts, the sign shall have a minimum clearance of 2.5 m above grade</li> <li>• Shall be setback at a minimum of 3.0 m from a Parcel line</li> <li>• Shall not exceed 0.5 m<sup>2</sup> in area or 1.5 m in height for a Bed &amp; Breakfast (s.4.2) or HBB2 (s.4.12)</li> </ul>



Example Freestanding Signs for visual reference:



### 3.63 INFLATABLE SIGNS

Inflatable Sign means a sign that is inflated, adhering to the following requirements:

<b>District</b>	Agricultural	Discretionary
	Residential	Prohibited
	Business	Discretionary
	Industrial	Discretionary
	Special	Discretionary
<b>Maximum Sign Dimensions</b>		N/A
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Shall be anchored against the wind</li> <li>• Shall be a minimum of 10.0 m from power and service lines and road rights-of-way</li> </ul>

Example Inflatable Signs for visual reference:



### 3.64 PORTABLE SIGNS

Portable Sign means a sign mounted on a frame, stand or similar Structure that is easily transported, adhering to the following requirements:

<b>District</b>	Agricultural	Discretionary
	Residential	Discretionary
	Business	Permitted
	Industrial	Permitted
	Special	Discretionary
<b>Maximum Sign Dimensions</b>		<ul style="list-style-type: none"> <li>• 5.0 m<sup>2</sup> sign area</li> <li>• 3.0 m sign height</li> </ul>
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Shall be a minimum 150.0 m apart from any like sign</li> <li>• Shall only be placed on the ground, not permanently affixed</li> <li>• May be issued for a maximum of ninety (90) days, or longer at the discretion of the Development Authority</li> </ul>

Example Portable Signs for visual reference:



### 3.65 PROJECTING SIGNS

Projecting Sign means a sign that is attached to a wall of a Building and horizontally extends more than 0.3 m from the face of that wall, adhering to the following requirements:

<b>District</b>	Agricultural	Permitted
	Residential	Discretionary
	Business	Permitted
	Industrial	Permitted
	Special	Discretionary
<b>Maximum Sign Dimensions</b>		<ul style="list-style-type: none"> <li>• Industrial Districts, 9.0 m<sup>2</sup> sign area</li> <li>• Non-Industrial Districts, 5.0 m<sup>2</sup> sign area</li> </ul>
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Shall not project more than 1.0 m from a building</li> <li>• Shall have a minimum clearance of 3.0 m above grade</li> <li>• Shall not project above the roof or parapet of a Building</li> <li>• Shall not be located within 0.6 m from the property line</li> </ul>



Example Projecting Signs for visual reference:



### 3.66 ROOF SIGNS

Roof Sign means any sign erected upon, against, or directly above a roof or on top of or is entirely above the parapet wall of a building, adhering to the following requirements:

<b>District</b>	Agricultural	Permitted
	Residential	Prohibited
	Business	Permitted
	Industrial	Permitted
	Special	Prohibited
<b>Maximum Sign Dimensions</b>		<ul style="list-style-type: none"> <li>• 9.0 m<sup>2</sup> sign area</li> <li>• 1.0 m sign height</li> </ul>
<b>Standards</b>		<ul style="list-style-type: none"> <li>• Shall refer to the principal use of the building on which it is erected</li> </ul>

Examples Roof Signs for visual reference:

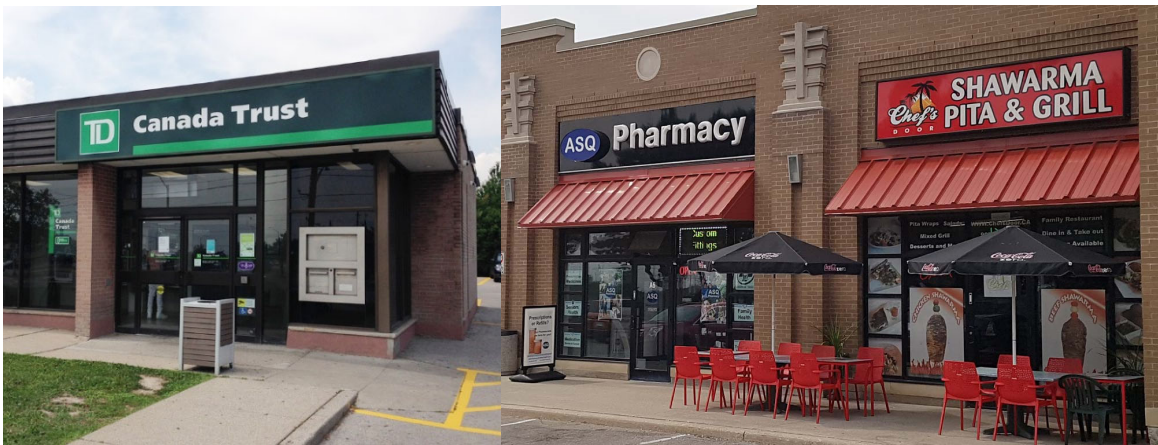


### 3.67 WALL/FASCIA SIGNS

Wall/Fascia Sign means a flat sign that is attached flush to a Building face or is painted on, adhering to the following requirements:

<b>District</b>	Agricultural	Permitted
	Residential	Discretionary
	Business	Permitted
	Industrial	Permitted
	Special	Discretionary
<b>Maximum Sign Dimensions</b>		<ul style="list-style-type: none"> <li>Shall not exceed 50% of the area of the wall on which they are placed</li> </ul>
<b>Standards</b>		<ul style="list-style-type: none"> <li>Shall be painted on or safely and securely attached to the building by means of metal anchors, bolts or expansion screws</li> <li>Shall not project more than 0.4 m above the vertical face of the wall to which they are attached</li> <li>Shall not exceed 0.5 m<sup>2</sup> in area or 1.5 m in height for a 'Bed &amp; Breakfast' (s.4.2) or 'HBB2' (s.4.12)</li> </ul>

Examples Wall/Fascia Signs for visual reference:



# SECTION FOUR

# Specific Uses and Activities

# 4

*This section outlines specific regulations that apply to particular types of development within the County.*

## 4.1 SPECIFIC USE REQUIREMENTS

- a) The Development Permit requirements outlined for specific uses in this section are over and above the development permit application requirements stated within Section 2.5 'Development Permit Application',
- b) The Development Authority shall have regard to these requirements in addition to the requirements of Section 2.5 'Development Permit Application'.

## 4.2 BED & BREAKFAST

### General Requirements

- a) The Bed & Breakfast shall not be allowed in Secondary Suite,
- b) The Bed & Breakfast shall be limited to a maximum of four (4) guest rooms,
- c) No cooking facilities are permitted in guest rooms,

### Site Requirements

- d) Minimal exterior modifications of the structure or grounds may be made only if such changes are compatible with the character of the neighbourhood,
- e) No more than one (1) 'Wall/Fascia Sign' (3.67) or 'Freestanding Sign' (s.3.62) is permitted, at the discretion of the Development Authority,
- f) Notwithstanding e), a Bed & Breakfast is not allowed a 'Freestanding Sign' (3.62) in the R-HAM District,
- g) One (1) off-street parking stall per guest room shall be required,

### Development Permit Requirements

- h) A Development Permit application will respond to the above noted Requirements.
- i) An application for a renewal of a Development Permit for a Bed & Breakfast shall take into consideration a review of complaints or comments from adjacent landowners



## 4.3 BUILDING DEMOLITION OR REMOVAL

### General Requirements

- a) The demolition or removal of a Building is allowed in all Districts,

### Site Requirements

- b) None,

### Development Permit Requirements

- c) Prior to the Demolition or removal of a Building, a Development Permit must be approved by the Development Authority,
- d) Notwithstanding c), a Development Permit is not required where:
  - i. The demolition or removal of a Building is a result of a Development for which a Development Permit has already been approved and issued, and/or
  - ii. The building that is being demolished or removed does not require a Development Permit as noted in 'Development Not Requiring a Development Permit' (s.2.2), and
- e) A Building Permit shall be required, as per the *Safety Codes Act*, for the Demolition or removal of any Building.

## 4.4 CAMPGROUND

### General Requirements

- a) Campgrounds shall not be used for year-round recreation vehicle storage,
- b) A campground may include, as a supplementary use, any or all of the following:
  - i. Bathroom Facility: an accessory building that includes washrooms and showers,
  - ii. Laundry Facility: an accessory building that provides for the washing and/or drying of laundry,
  - iii. Camp Kitchen: an accessory, un-insulated building intended to provide temporary shelter solely for the purpose of preparing or eating food, and
  - iv. Onsite security/operator suite,

### Site Requirements

- c) There shall be no more than forty (40) campsites per hectare,
- d) The following shall be applied in designing the campground site plan:
  - i. a minimum of ten percent (10%) of a campground's gross area shall be set aside in a location suitable to the Development Authority as a common open space recreation area,
  - ii. each campsite stall must be accessed by an internal road with boundaries clearly identified,
  - iii. roads shall be surfaced to the satisfaction of the Development Authority and shall be:
    - 4.0 m in width for one-way traffic, and/or
    - 6.0 m in width for two-way traffic,
  - iv. fires will be permitted only in designated fire pits or other such facilities,
  - v. visitor parking shall be provided in a common area at a ratio of one stall per 10 campsites,

### Development Permit Requirements

- e) A Development Permit application will respond to the above noted Requirements and further set out:
  - i. What onsite facilities will be provided,
  - ii. If roads are to be open year-round, provision for snow removal and snow storage, and
  - iii. The screening, storage, collection and disposal of septic and solid waste,



- f) An Applicant may be required to submit the following in support of a Development Permit:
  - i. A water and wastewater servicing plan,
  - ii. A Stormwater Management Plan,
  - iii. A 'Landscaping Plan' (s.3.34), and
  - iv. A Traffic Impact Assessment.

## **4.5 CANNABIS PRODUCTION**

### **General Requirements**

- a) Cannabis Production shall be restricted to Industrial Districts only,

### **Site Requirements**

- b) A Cannabis Production use shall have a minimum separation distance of 100 m of a:
  - i. Residential District,
  - ii. School or School Reserve parcel,
  - iii. Care Facility (Child, Clinic or Medical),
  - iv. Park, or other use which may have an ancillary playground,
- c) The minimum separation distance shall be measured from the closest portion of the Cannabis Production building,
- d) No outside storage of cannabis goods, materials, or supplies is permitted,

### **Development Permit Requirements**

- e) A Development Permit application will respond to the above noted Requirements any Federal regulations and further set out:
  - i. Information with respect to the air filtration system to mitigate odours (to avoid creating a nuisance).

## **4.6 CANNABIS RETAIL**

### **General Requirements**

- a) Cannabis Retail must be a permanent freestanding building without another business, or in a building with other businesses if:
  - i. The store has its own entrance, receiving and storage,
  - ii. There is no access between the Cannabis Retail store and other businesses,

### **Site Requirements**

- b) A Cannabis Retail use shall have a minimum separation distance of 100 m of a:
  - i. School or School Reserve parcel,
  - ii. Care Facility (Child, Clinic or Medical),
  - iii. Park, or other use which may have an ancillary playground,
- c) The minimum separation distance shall be measured from the closest portion of the Cannabis Retail building.

### **Development Permit Requirements**

- d) A Development Permit application will respond to the above noted Requirements and any Provincial regulations, and
- e) Proof of eligibility to obtain a licence from Alberta Gaming and Liquor Commission (AGLC) is required,
- f) Only MPC can provide a Variance for a Cannabis Retail use.



## 4.7 CAR/TRUCK WASH

### General Requirements

- a) Car/Truck Wash uses shall not be located on parcels which, in the opinion of the Development Authority, negatively impact adjacent Parcels in terms of noise and traffic generation,

### Site Requirements

- b) No Car/Truck Wash will be approved within 30.0 m of a Residential District as measured from property boundary to property boundary,
- c) The parcel containing a Car/Truck Wash use shall have space for at least one (1) vehicle per Car Wash bay, so that vehicles have space to line up in front of the bays,
- d) An oil/grit separator is required, in accordance with applicable Provincial regulations,
- e) On-site storage of sludge/waste is prohibited,

### Development Permit Requirements

- f) A Development Permit application will respond to the above noted Requirements, and
- g) An Applicant may be required to submit a Traffic Impact Assessment.

## 4.8 DRIVE-THROUGH

### General Requirements

- a) A Drive-Through is an ancillary use of an Establishment (Eating & Drinking) or Retail (Small)
- b) The owner or operator of a drive-through shall at all times maintain the parcel, its buildings and structures in a clean, neat, tidy, and attractive condition, free from rubbish and debris,

### Site Requirements

- c) The boundary between a parcel with a Drive-Through and any adjacent Residential Districts shall be fenced, not less than 1.8 m in height,
- d) A minimum of one (1) garbage receptacle is required along the length of a Drive-Through,
- e) A Drive-Through is required to provide the following minimum stacking spaces:
  - i. Food Pick-up Window: 30.0 m from order box to pick-up window
  - ii. Bank Machine: 23.0 m from bank machine window
- f) Notwithstanding e) the minimum stacking space requirements may be varied by the Development Authority depending upon the intensity of the proposed development.

### Development Permit Requirements

- g) A Development Permit application will respond to the above noted Requirements,
- h) An Applicant is required to submit a Site Plan illustrating how motor vehicles will enter and exit the Drive-Through and not obstruct adjacent sidewalks, streets or lanes, and
- i) An Applicant may be required to submit a Traffic Impact Assessment.

## 4.9 EXHIBITION GROUNDS

### General Requirements

- a) None,

### Site Requirements

- b) Overnight camping may be allowed for a maximum of five (5) consecutive nights, or as set out in the Development Permit conditions, and



### **Development Permit Requirements**

- c) A Development Permit application will respond to the above requirements, and further set out:
  - i. The maximum number of animals that may be kept on the site at any one time,
  - ii. Whether overnight camping of event participants may be allowed,
  - iii. Garbage and manure control, and
  - iv. On-site stock trailer parking and participant/spectator parking,
- d) An Applicant may be required to submit the following in support of a Development Permit:
  - i. A Water and Wastewater Servicing Plan, and
  - ii. A Traffic Impact Analysis.

## **4.10 GAS STATION**

### **General Requirements**

- a) Gas Stations shall not be located on Parcels which, in the opinion of the Development Authority, would be considered unsafe in terms of vehicle circulation, or access to/egress from the Parcel,

### **Site Requirements**

- b) A parcel on which a Gas Station is located shall have a road frontage of at least 30.0 m,
- c) No fuel pump or storage tank shall be located within 12.0 m from the front property line,
- d) No fuel pump or storage tank shall be located within 6.0 m from any side or rear property line,
- e) A minimum of ten percent (10%) of the parcel shall be landscaped to the satisfaction of the Development Authority,

### **Development Permit Requirements**

- f) A Development Permit application will respond to the above noted Requirements and any Provincial regulations, and
- g) A Development Permit application for a Gas Station shall be referred to the Rural Fire and Emergency Services Coordinator, and the Development Authority shall be guided by their recommendations when making a decision on the permit.

## **4.11 HOME-BASED BUSINESS TYPE ONE (HBB1)**

### **General Requirements**

- a) Persons employed in the HBB1 shall be residents of the principal dwelling,
- b) The HBB1 shall be contained entirely within the principal dwelling,
- c) The HBB1 may occupy up to thirty percent (30%) of the floor area of the principal dwelling,
- d) The HBB1 may generate up to two (2) business-related visits per day, defined as two (2) vehicles visiting the business per day,
- e) The HBB1 should not operate between the hours of 8:00 p.m. and 8:00 a.m. if noise is generated,
- f) The sale of goods is restricted, unless they are incidental to the service provided by the business,
- g) Retail, Establishments (Eating & Drinking), and automotive-related businesses are not allowed,

### **Site Requirements**

- h) The HBB1 shall not alter the character or external appearance of the land or buildings,
- i) No outside storage of equipment, goods, materials, commodities, or finished products is permitted,
- j) No more than one (1) commercial vehicle shall be parked onsite,



- k) No form of advertising related to the HBB1 is allowed onsite, apart from a small 'Wall/Fascia Sign' (s.3.67) not exceeding 0.2 m<sup>2</sup>,
- l) At least one (1) off-street parking stall shall be required,

#### **Development Permit Requirements**

- m) A Development Permit is not required for a HBB1 so long as it complies with the above Requirements, and
- n) An approved HBB1 shall be valid only for the period of time the property is occupied by the Applicant.

### **4.12 HOME-BASED BUSINESS TYPE TWO (HBB2)**

#### **General Requirements**

- a) Persons employed in the HBB2 shall be residents of the principal dwelling,
- b) Notwithstanding a) there can be up to two (2) non-resident employees working at the business,
- c) The HBB2 shall be contained within the principal dwelling and may utilize its accessory buildings,
- d) The HBB2 may occupy up to thirty percent (30%) of the floor area of the principal dwelling,
- e) HBB2 may generate up to ten (10) business-related visits per day in an Agricultural District and up to four (4) business-related visits per day in all other Districts,
- f) The HBB2 should not operate between the hours of 8:00 p.m. and 8:00 a.m. if noise is generated,
- g) The sale of goods is restricted, unless they are incidental to the service provided by the business,
- h) Retail and Establishments (Eating & Drinking) are not allowed,

#### **Site Requirements**

- i) The HBB2 shall not alter the character or external appearance of the principal dwelling,
- j) Outside storage may be permitted, at the discretion of the Development Authority, provided it:
  - i. Is screened from adjacent lands and roads,
  - ii. Meets minimum setback requirements for buildings within a District, and
  - iii. Does not exceed 400.0 m<sup>2</sup> or one percent (1%) of the parcel area, whichever is less,
- k) No more than two (2) commercial vehicles shall be parked onsite,
- l) No more than one (1) 'Wall/Fascia Sign' (s.3.64) or 'Freestanding Sign' (s.3.62) is permitted, at the discretion of the Development Authority,
- m) Notwithstanding l), HBB2 are not allowed a 'Freestanding Sign' (3.62) in the R-HAM District,
- n) At least two (2) off-street parking stalls shall be required,

#### **Development Permit Requirements**

- o) A Development Permit application will respond to the above noted Requirements,
- p) An approved HBB2 shall be valid only for the period of time the property is occupied by the Applicant.

**Table 8 – HBB1 Compared to HBB2**

	HBB1	HBB2
Non-Resident Employees	None	Up to Two
Commercial Vehicles and Trailers	One	Up to Two
Outside Storage	None	At Development Authority's discretion
Off-Street Parking	1 additional stall	2 additional stalls
Signs	Small Wall/Fascia Sign	Wall/Fascia Sign or Freestanding Sign (excluding R-HAM)



#### **4.13 KENNEL**

##### **General Requirements**

- a) All facilities shall be kept in a manner satisfactory to the Health Authority,

##### **Site Requirements**

- b) No Kennel is permitted on a parcel smaller than 1 hectare in size,
- c) No buildings or exterior exercise area(s) to be used to accommodate dogs shall be allowed within 300 m of any dwelling located on adjacent parcels,
- d) One (1) 'Freestanding Sign' (s.3.62) is permitted, at the discretion of the Development Authority,

##### **Development Permit Requirements**

- e) A Development Permit application will respond to the above noted Requirements,
- f) In the approval of a kennel and small animal breeding facility, the Development Authority may apply conditions regarding:
  - i. the location, soundproofing, screening and enclosure of any facility,
  - ii. the number of animals, and
  - iii. the hours that animals are allowed outdoors,
- g) An Applicant may be required to submit the following in support of a Development Permit:
  - i. a diagram indicating the distances between buildings or exterior exercise areas used to accommodated dogs and dwellings located on adjacent parcels, and
  - ii. An inspection report by a Doctor of Veterinary Medicine

#### **4.14 LIVE/WORK UNITS**

##### **General Requirements**

- a) The use of the non-residential portion of live/work units shall be limited to the permitted and discretionary uses in the appropriate District,
- b) The dwelling unit shall be part of and contiguous with the building that contains the non-residential use,
- c) The minimum size of a dwelling unit shall be 100 m<sup>2</sup>,
- d) The non-residential component of a live/work unit will be a minimum of twenty-five percent (25%) of the gross floor area,

##### **Site Requirements**

- e) The Development Authority may require that each use has its own separate utility servicing lines and infrastructure provided,
- f) Separate entrances shall be provided for the non-residential and residential uses. Each entrance shall have direct or indirect (via a hallway) access to a public street,

##### **Development Permit Requirements**

- g) A Development Permit application will respond to the above noted Requirements, and
- h) An Applicant shall be required to submit a Floor Plan of the Live/Work Unit.



## 4.15 MOVED-IN BUILDINGS

### General Requirements

- a) Any building proposed to be moved-in to a parcel should be an existing use in the given District,
- b) All Moved-In Buildings require a Development Permit, even if that use is a Permitted Use in a District,
- c) All Moved-In Buildings not placed on a basement shall be skirted to the satisfaction of the Development Authority,

### Site Requirements

- d) The Development Authority shall consider whether the building is compatible with the character of the District in which the Moved-In Building is proposed to be located,

### Development Permit Requirements

- e) A Development Permit application will respond to the above noted Requirements and further provide:
  - i. photographs showing all sides of the building,
  - ii. a statement of the type of construction, condition, and age of the building,
  - iii. a statement of proposed improvements with an estimate of costs, and
- f) The Development Authority shall require:
  - i. a Security of \$5,000 in alignment with Section 2.25,
- g) The Development Authority may require:
  - i. the Applicant to provide evidence of a building inspection that demonstrates that the Moved-In Building is habitable.

## 4.16 PIT OR QUARRY

### General Requirements

- a) Both Class 1 and Class 2 pits as defined in the provincial Code of Practice for Pits shall require a Development Permit to operate,
- b) A Pit or Quarry may be considered for approval provided that:
  - i. if it is less than 5 hectares in size, a reclamation plan must be provided to the satisfaction of the County, or
  - ii. if it is 5 hectares in size or greater, a reclamation plan must be filed with Alberta Environment and Parks (AEP) that complies with its regulations and recommendations, and a copy provided to the County,

### Site Requirements

- c) A Pit or Quarry shall have a minimum separation distance of:
  - i. 300 m from a dwelling in an Agricultural District,
  - ii. 500 m from a Hamlet or adjacent urban municipality,
- d) The minimum separation distance shall be measured from the closest portion of the planned working area of the Pit or Quarry,

### Development Permit Requirements

- e) A Development Permit application will respond to the above noted Requirements and Provincial regulations and further provide:
  - i. operation plans,
  - i. details of roads, access points and traffic volumes,



- ii. surface access agreement with the landowner,
  - iii. location and phasing of vegetation clearance and stripping of topsoil,
  - iv. identification of areas to be left undisturbed, and
  - v. a reclamation plan and performance guarantees,
- f) Only MPC can provide a Variance for a Pit or Quarry.

#### **4.17 SECONDARY SUITES (EXTERNAL)**

##### **General Requirements**

- a) All units shall be constructed on a permanent foundation,
- b) All units shall be considered part of the total building area of an Accessory Building,
- c) Units shall:
  - i. Comply with the regulations in the applicable District,
  - ii. Contain at least one (1) room and include sleeping, sanitary, and cooking facilities, and
  - iii. Provide a minimum of one (1) dedicated on-site parking stall,

##### **Site Requirements**

- d) Units shall:
  - i. Provide a minimum of one (1) dedicated on-site parking stall, and
  - ii. Have a shared approach with the principal dwelling,

##### **Development Permit Requirements**

- e) A Development Permit application will respond to the above noted Requirements and Provincial regulations and further provide:
  - i. A Floor Plan,
  - ii. Elevations for the Secondary Suite (front, side and rear),
  - iii. A Site Plan detailing amenity space for the unit, and any landscaping or screening, and
  - iv. Colour photographs of the existing site and surrounding area.

#### **4.18 SECONDARY SUITES (INTERNAL)**

##### **General Requirements**

- a) Units shall have a minimum floor area of 30.00 m<sup>2</sup> and maximum of 110.0 m<sup>2</sup>, unless it is located in a basement of a principal dwelling unit in which case the maximum may be exceeded,
- b) The exterior of the principal dwelling shall continue to appear as a single dwelling,

##### **Site Requirements**

- c) Provide a minimum of one (1) dedicated on-site parking stall, and

##### **Development Permit Requirements**

- d) A Development Permit application will respond to the above noted Requirements and Provincial regulations and further provide:
  - i. A Floor Plan



## 4.19 SMALL WIND ENERGY SYSTEM

### General Requirements

- a) There shall be a limit of one small wind energy system per parcel,
- b) The system's tower shall not exceed a maximum height of:
  - i. 12.0 m on a parcel of less than 0.4 ha, or
  - ii. 20.0 m on a parcel of 0.4 ha or greater,
- c) The system's tower and supporting structures shall be painted a single, neutral, non-reflective, non-glossy (for example, earth-tones, gray, black) that, to the extent possible, visually blends the system with its surroundings,
- d) The system's tower-climbing apparatus and blade tips shall be no closer than 4.6 m from ground level unless the system is enclosed by a 1.8 m high fence,
- e) The system's maximum power shall not exceed 3 kW,
- f) Upon abandonment or termination of the system's use, the entire facility, including the system's tower, turbine, supporting structures and all equipment, shall be removed and the site shall be restored to its pre-construction condition,

### Site Requirements

- g) The system's tower shall be set back a minimum distance equal to the height of the tower from all parcel lines, and a minimum distance of 3.0 m from any other structure on the parcel on which the system is located,
- h) Notwithstanding g), on parcels 4.0 ha or more, the parcel line setback may be reduced if the Applicant demonstrates that:
  - i. Because of topography, strict adherence to the setback requirement would result in greater visibility of the system's tower than a reduced setback, and
  - ii. The system's tower is set back a minimum distance equal to the height of the tower from any structure on adjoining parcels,

### Development Permit Requirements

- i) A Development Permit application will respond to the above noted Requirements and any Provincial or Federal regulations.

## 4.20 SOLAR PANELS (FREESTANDING)

### General Requirements

- a) A Development Permit is not required for Solar Panels (Freestanding) provided they are smaller than 56 m<sup>2</sup> in an Agricultural General (A-GEN) District and smaller than 28 m<sup>2</sup> in all other Districts where permitted, so long as they comply with the above Requirements and all setbacks and height regulations of the Land Use District, and
- b) A Development Permit is required for Solar Panels (Ground Mount) that are large than 56 m<sup>2</sup> in an Agricultural General (A-GEN) and larger than 28 m<sup>2</sup> in all other Districts, and a Development Permit application will respond to the above noted requirements and all setbacks and height regulations of the Land Use District.

### Site Requirements

- c) Shall be located such that it does not create undue glare on neighbouring parcels or roadways,
- d) Shall not be located in the front yard or side yard of a parcel smaller than 1.2 ha,



#### **Development Permit Requirements**

- e) A Development Permit is not required for Solar Panels (Freestanding) with an area of 28 m<sup>2</sup> or less so long as they comply with the above Requirements.
- f) A Development Permit is required for Solar Panels (Freestanding) with an area greater than 28 m<sup>2</sup> and a Development Permit application will respond to the above noted Requirements.
- g) Installations of Solar Panels (Freestanding) larger than 5MW (approximately 8 hectares in size) shall be circulated to adjacent landowners and require Alberta Utilities Commission (AUC) approval,

### **4.21 SOLAR PANELS (ROOF TOP)**

#### **General Requirements**

- a) May project a maximum of 1.3 m from the surface of the roof and shall not exceed the maximum height requirements of the applicable District, and
- b) Shall not extend beyond the outermost edge of the roof,

#### **Site Requirements**

- c) None,

#### **Development Permit Requirements**

- d) A Development Permit is not required for Solar Panels (Roof Top) so long as they comply with the above Requirements.

### **4.22 SOLAR PANELS (WALL MOUNTED)**

#### **General Requirements**

- a) May project a maximum of 1.5 m from the surface of the wall, when the wall faces the rear property line, subject to the setback requirements of the applicable District,
- b) May project a maximum of 0.6 m from the surface of the wall when the wall faces the front, or side property line, subject to the setback requirements of the applicable District,

#### **Site Requirements**

- c) Shall be located such that it does not create undue glare on neighbouring parcels or roadways,
- d) Shall be located a minimum of 2.4 m above grade, and

#### **Development Permit Requirements**

- e) A Development Permit application will respond to the above noted Requirements.



# SECTION FIVE

## Land Use Districts

# 5

*This section outlines specific regulation that applies to the County's Land Use Districts.*

### 5.1 LAND USE DISTRICT MAP

- a) Districts are described in the short form on the Land Use District Map, within “Schedule A” of this Bylaw,
- b) District boundaries are delineated on the Land Use District Map. Where the precise location of the boundary is uncertain, the following rules apply:
  - i. Where a boundary follows a street, lane, stream or canal it shall follow the centreline thereof,
  - ii. Where a boundary generally follows a parcel line, it shall follow the parcel line,
  - iii. Where specific dimensions are noted on the Land Use District Map, those dimensions shall be followed,
  - iv. Where there is doubt or dispute concerning the exact location of the boundary of a District, Council shall determine the location of the boundary according to the direction of this Bylaw,
- c) Boundaries shall not be altered except by an amendment to this Bylaw, and
- d) Administration shall maintain a list of amendments to the boundaries on the Land Use District Map and update the local GIS database to reflect amendments.



## 5.2 LAND USE DISTRICT CONVERSION

Districts in the Bylaw have been updated as follows:

**Table 9 – Land Use District Conversions**

Land Use Bylaw No. 1892-17 (as amended)		Land Use Bylaw No. 2016-21	
A	AGRICULTURAL DISTRICT	A-GEN	AGRICULTURE, GENERAL DISTRICT
SLA	SINGLE LOT AGRICULTURAL DISTRICT	A-GEN	AGRICULTURE, GENERAL DISTRICT
SH	SMALL HOLDINGS DISTRICT	A-SML	AGRICULTURE, SMALL LOT
HTA	HAMLET TRANSITIONAL AGRICULTURE DISTRICT	A-HAM	AGRICULTURE, HAMLET TRANSITIONAL
AR	ACREAGE RESIDENTIAL DISTRICT	R-RUR	RESIDENTIAL, RURAL DISTRICT
GRR	GROUPED RURAL RESIDENTIAL DISTRICT	R-RUR	RESIDENTIAL, RURAL DISTRICT
	<b>NEW DISTRICT</b> Swenson Place DC District (PCL A, Plan 818JK (NE 36-18-15-W4)) Prins Acres DC District (Lot 3, Plan 981 2557 (SE 1-19-15-W4)) Westridge DC District (Lot 4, Plan 001 1930 (SW 1-19-15-W4)) Laverne Rose DC District (Lot 3, Plan 981 0148 (NW 32-18-15-W4)) Heinrich Estates DC District (Ptn SW 9-19-14-W4) Stinnison DC District (Ptn SW 21-19-14-W4) Sagebrush Estates (Lot 1, Blk 4, Plan 081 2682 (SW 1-19-14-W4))	R-MAN	RESIDENTIAL, MANUFACTURED HOME PARK DISTRICT
HR	HAMLET RESIDENTIAL DISTRICT	R-HAM	RESIDENTIAL, HAMLET DISTRICT
HB	HAMLET BUSINESS DISTRICT	B-HAM	BUSINESS, HAMLET DISTRICT
RB	RURAL BUSINESS DISTRICT	B-RUR	BUSINESS, RURAL DISTRICT
RI	RURAL INDUSTRIAL DISTRICT	I-GEN	INDUSTRIAL, GENERAL DISTRICT
FR	FRINGE DISTRICT	A-GEN	AGRICULTURE, GENERAL DISTRICT
PS	PUBLIC SERVICE DISTRICT	S-PPS	SPECIAL, PARKS AND PUBLIC SERVICES DISTRICT
AJ	ALTERNATIVE JURISDICTION DISTRICT	S-PPS	SPECIAL, PARKS AND PUBLIC SERVICES DISTRICT
PR	PARKS AND RECREATION DISTRICT	S-PPS	SPECIAL, PARKS AND PUBLIC SERVICES DISTRICT
	<b>NEW DISTRICT</b>	S-NOS	SPECIAL, NATURAL OPEN SPACE DISTRICT

## 5.3 DIRECT CONTROL DISTRICTS (DC)

- a) Direct Control Districts provide for development that, due to unique characteristics, innovative ideas or unusual site constraints, require specific regulations unavailable in other Districts,
- b) Land uses within a Direct Control district shall be at the discretion of Council,
- c) All development regulations within a Direct Control district shall be at the discretion of Council,
- d) Direct Control Districts must not be used:
  - i. In substitution of any other land use district in this Bylaw that could be used to achieve the same result either with or without relaxations of this Bylaw, or
  - ii. To regulate matters that are regulated by subdivision or Development Permit approval conditions,
- e) Where a parcel is designated Direct Control, the guidelines approved by Council at the time of such designation shall continue to apply, notwithstanding any requirement of this Bylaw to the contrary, and
- f) The following uses must only be listed as a use on a parcel that has been designated Direct Control:
  - i. Airport,
  - ii. Motocross/Motor Sports Park,
  - iii. Natural Gas Plant, and
  - iv. Shooting Range.



## 5.4 DIRECT CONTROL DISTRICT APPLICATIONS

- a) Application requirements for the submission of a Direct Control District include:
  - i. All information required for an 'Application to Amend the Bylaw' (s.1.24),
  - ii. A written statement indicating why, in the Applicant's opinion, a Direct Control District is necessary and why the same results cannot be achieved through the use of a land use district in this Bylaw,
  - iii. A list of permitted and discretionary uses proposed for the site,
  - iv. Plans and elevations or other documentation, that would help to substantiate the need for the Direct Control District, and
  - v. Any other information as may be required by the Development Authority and Council.



# 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 $\leq 930 \text{ m}^2$	Accessory Building/Structure $> 930 \text{ m}^2$
Addition	Agriculture (Regulated)
Agricultural Building	Animal Health (Inclusive)
Agriculture (General)	Bed & Breakfast
Agriculture (Intensive)	Boat Launch
Agriculture (Processing)	Bunk House
Dwelling (Manufactured Home)	Care Facility (Child)
Dwelling (Multi-Unit) in a Hutterite Colony only	Cemetery
Dwelling (Single Detached)	Campground
Farm Gate Sales	Farmers Market
Government Services	Home-Based Business Type Two (HBB2)
Park	Hotel/Motel
Small Wind Energy System	Industrial (Light)
Utilities	Kennel
	Pit or Quarry
	Recreation (Indoor)
	Recreation (Outdoor)
	Riding Arena
	Religious Assembly
	School
	Solar Panels (Freestanding) greater than $56 \text{ m}^2$
	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.

## MINIMUM PARCEL SIZE:

- An un-subdivided Quarter Section, or
- The portion created and the portion remaining after registration of a First Parcel Out subdivision, or
- The portion of a parcel remaining after approval of a Land Use Redesignation and Subdivision provided the remainder is a minimum of 16.2 ha.

## MAXIMUM DENSITY:

- On parcels less than 32.4 ha a maximum of two Dwelling Units
- On parcels greater than or equal to 32.4 ha a maximum of four Dwelling Units

## MAXIMUM BUILDING HEIGHT: N/A



**MINIMUM SETBACKS:**

PRINCIPAL AND ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
30.0 m from County Roads	30.0 m from County Roads	30.0 m from County Roads
Determined by AT for Highway	Determined by AT for Highway	Determined by AT for Highway
	6.0 m from other parcels	6.0 m from other parcels

**EXCEPTIONS:**

- a) One (1) additional parcel is allowed per quarter section for country residential use provided that:
  - i. The parcel size is between 1.21 ha and 2.83 ha.
  - ii. The parcel contains an existing dwelling or a buildable site.
  - iii. The lot can be serviced to the satisfaction of the Development Authority.
  - iv. The development will not inhibit access or negatively impact agriculture or the recreational use of a river valley, water body, environmentally sensitive area or special scenic location.
  - v. The proposed and residuals parcels have direct legal and physical access to a public roadway.

**ADDITIONAL REQUIREMENTS:**

- a) Proposed Agricultural (Regulated) development that is considered by the Development Authority to be potentially noxious or hazardous, when located within the plan area of an Intermunicipal Development Plan (IDP) shall respect the policies of that IDP.
- b) Proposed Agricultural (Regulated) development that is considered by the Development Authority to be potentially noxious or hazardous, should not be approved within 1.6 km of any Hamlet, public park, recreation area, or environmentally significant area.



# 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 $\leq 930 \text{ m}^2$	Accessory Building/Structure $> 930 \text{ m}^2$
Addition	Animal Health (Small Animal)
Agriculture (General)	Bed & Breakfast
Agriculture (Intensive)	Home-Based Business Type Two (HBB2)
Agriculture (Processing)	Industrial (Light)
Dwelling (Manufactured Home)	Kennel
Dwelling (Single Detached)	Farmers Market
Farm Gate Sales	Riding Arena
Park	More than two (2) shipping containers
Secondary Suite (External)	Solar Panels (Freestanding) greater than $28 \text{ m}^2$
Secondary Suite (Internal)	Solar Panels (Wall Mounted)
Small Wind Energy System	Tiny Home/Park Model
Utilities	

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 PARCEL SIZE:** 16.2 ha

**MAXIMUM DENSITY:** One (1) dwelling unit per parcel and one (1) Secondary Suite (External or Internal).

**MAXIMUM BUILDING HEIGHT:** 12.0 m for the Principal Building  
None for all others

**MINIMUM SETBACKS:**

MAIN AND ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
30.0 m from County Roads	30.0 m from County Roads	30.0 m from County Roads
Determined by AT for Highway	Determined by AT for Highway	Determined by AT for Highway
	6.0 m from other parcels	6.0 m from other parcels



# A-HAM, Agriculture, Hamlet Transitional

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

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure $\leq 500 \text{ m}^2$	Accessory Building/Structure $> 500 \text{ m}^2$
Addition	Agriculture (Intensive)
Agriculture (General)	Agriculture (Processing)
Park	Dwelling (Single Detached)
Shipping Container	Farm Gate Sales
Utilities	Secondary Suite (Internal)
	Small Wind Energy System
	Solar Panels (Freestanding) greater than $28 \text{ m}^2$
	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

**MINIMUM SETBACKS:**

PRINCIPAL AND ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
30.0 m from County Roads	30.0 m from County Roads	30.0 m from County Roads
Determined by AT for Highway	Determined by AT for Highway	Determined by AT for Highway
	3.0 from other parcels	3.0 from other parcels

**ADDITIONAL REQUIREMENTS:**

- The Development Authority may require special standards such as, but not limited to, access, siting and servicing to ensure the compatibility of any proposed development with potential or existing adjacent development.
- No large-scale subdivision or development within this district shall be approved prior to a Land Use Redesignation of the land to a more suitable district.



# R-RUR Residential, Rural District

**PURPOSE:** To provide for acreage residential or clustered development on parcels that can support private water and sewer systems in agricultural areas.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure $\leq 140 \text{ m}^2$	Accessory Building/Structure $> 140 \text{ m}^2$
Addition	Bed & Breakfast
Dwelling (Single Detached)	Dwelling (Duplex)
Dwelling (Manufactured Home)	Home-Based Business Type Two (HBB2)
Hangar	Secondary Suite (Internal)
Park	Shipping Container
Utilities	Small Wind Energy System
	Solar Panels (Freestanding) greater than $28 \text{ m}^2$
	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.

**MINIMUM PARCEL SIZE:** 0.4 ha

0.2 ha for clustered development with communal water and sewer systems.

**MAXIMUM PARCEL SIZE:** 1.2 ha

**MAXIMUM DENSITY:** One (1) dwelling unit per parcel and one (1) Secondary Suite.

**MAXIMUM BUILDING HEIGHT:** 11.0 m for the Principal Building  
5.0 m for Accessory Buildings/Structures  $< 0.8 \text{ ha}$   
7.0 m for Accessory Buildings/Structures  $> 0.8 \text{ ha}$

**MINIMUM SETBACKS:**

PRINCIPAL AND ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
30.0 m from County Roads	30.0 m from County Roads	30.0 m from County Roads
Determined by AT for Highway	Determined by AT for Highway	Determined by AT for Highway
6.0 m from internal subdivision roads	3.0 from other parcels	3.0 from other parcels

CLUSTERED DEVELOPMENT		
Front Yard	Side Yard	Rear Yard
30.0 m from County Roads	30.0 m from County Roads	30.0 m from County Roads
Determined by AT for Highway	Determined by AT for Highway	Determined by AT for Highway
6.0 m from internal subdivision roads	1.5 m from other parcels	3.0 m from other parcels
	3.0 m corner lot street side	

**MAXIMUM SITE COVERAGE:** 45%

**EXCEPTIONS:**

- Parcels less than the minimum requirements at the time of adoption of this Bylaw shall be deemed to be compliant.



# R-MAN Residential, Manufactured Home Park District

**PURPOSE:** To permit and regulate Manufactured Home parks comprised of multiple lots.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Addition
Dwelling (Manufactured Home)	Tiny Home/Park Model
Park	Solar Panels (Wall Mounted)
Utilities	

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:** 5.0 ha

**MINIMUM LOT SIZE (per unit):**

Lot Width	Lot Depth
12.0 m	36.0 m
16.5 m, corner parcel	

**MAXIMUM BUILDING HEIGHT:** 4.9 m

**MINIMUM SETBACKS:**

PRINCIPAL BUILDING		
Front Yard	Side Yard	Rear Yard
6.0 m from internal subdivision roads	1.5 m	6.0 m from internal subdivision roads
	3.0 m corner lot street side	
ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
No accessory buildings permitted	1.0 m	1.0 m
	No accessory buildings permitted on road-facing side	

**MAXIMUM SITE COVERAGE:** At the discretion of the Development Authority.

**ADDITIONAL REQUIREMENTS:**

- All internal roads shall have a right-of-way width of at least 7.0 m and be hard surfaced, well drained and maintained.
- All internal pathways shall be at least 1.0 m in width, providing safe, convenient, all-season pedestrian access between units, parks, and community facilities.
- All areas occupied by dwelling units, internal roads or pathways shall be fully landscaped to the satisfaction of the Development Authority.
- A minimum of 5% of the gross site area shall be devoted to recreational space.
- Each lot shall accommodate two (2) parking stalls.
- Visitor parking shall be provided as a ratio of at least one space for every two (2) manufactured home dwelling units, located at convenient locations throughout the park.
- One (1) freestanding sign may be erected at the entrance to the manufactured home park.

**EXCEPTIONS:**

- Shipping Containers and Solar Panels (Freestanding) are not permitted in this District.



# R-HAM Residential, Hamlet District

**PURPOSE:** To provide for an urban living environment within Hamlets.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Bed & Breakfast
Addition	Care Facility (Group)
Care Facility (Child)	Care Facility (Seniors)
Dwelling (Single Detached)	Dwelling (Manufactured Home)
Dwelling (Duplex)	Dwelling (Multi-Unit)
Park	Home-Based Business Type Two (HBB2)
Utilities	Live/Work Unit
	Secondary Suite (Internal)
	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.

**MINIMUM PARCEL SIZE:** 0.18 ha for unserviced parcels.  
0.14 ha for parcels with municipal water only.  
0.09 ha for parcels with municipal sewer only.

MINIMUM PARCEL SIZES FOR LOTS SERVICED WITH MUNICIPAL WATER AND SEWER:			
Single Detached	Duplex	Row/Townhouse	Multi-Unit Dwelling
0.046 ha	0.065 ha (for 2 units)	0.015 ha (end units)	0.074 ha
		0.23 ha (interior units)	

**MAXIMUM DENSITY:** One (1) dwelling unit per parcel and one (1) Secondary Suite, except for Multi-Unit Dwellings.

**MAXIMUM BUILDING HEIGHT:** 11.0 m for the Principal Building  
5.0 m for Accessory Buildings/Structures

**MINIMUM SETBACKS:**

PRINCIPAL DWELLING		
Front Yard	Side Yard	Rear Yard
6.0 m	1.5 m	6.1 m
	3.0 m corner lot street side	
PRINCIPAL DWELLING (HAMLET OF LAKE NEWELL RESORT)		
Front Yard	Side Yard	Rear Yard
3.0 m	1.5 m	3.0 m
	3.0 m corner lot street side	
ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
No accessory buildings permitted	1.5 m	1.5 m

**MAXIMUM SITE COVERAGE:** 45%

**ADDITIONAL REQUIREMENTS:**

- All Discretionary Use applications shall be referred to the appropriate Hamlet Advisory Committee and/or Condominium Association for comment.

**EXCEPTIONS:**

- Shipping Containers and Solar Panels (Freestanding) are not permitted in this District.



# B-HAM Business, Hamlet District

**PURPOSE:** To provide for commercial and light industrial development within Hamlets to serve local residents and the surrounding rural community.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Agriculture (Processing)
Care Facility (Child)	Animal Health (Small Animal)
Establishment (Eating & Drinking)	Alcohol Production
Farmers Market	Cannabis Retail
Government Services	Care Facility (Clinic)
Office	Car/Truck Wash
Park	Establishment (Entertainment)
Recreation (Indoor)	Establishment (Restricted)
Religious Assembly	Funeral Home
Retail (Small)	Gas Station
Vehicle Services	Hotel/Motel
Utilities	Industrial (Light)
	Marina
	Recreation (Outdoor)
	Recycling/Compost Facility
	Retail (General)
	Retail (Outdoor)
	Retail (Restricted)
	Shipping Container
	Solar Panels (Wall Mounted)
	Trade School
	Vehicle Sales

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:** 0.18 ha for unserviced parcels.  
0.14 ha for parcels with municipal water only.  
0.09 ha for parcels with municipal sewer only.

**MAXIMUM BUILDING HEIGHT:** 10.9 m for the Principal Building  
7.3 m for Accessory Buildings/Structures

## MINIMUM SETBACKS:

MAIN AND ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
6.1 m	3.0 m	6.1 m

**MAXIMUM SITE COVERAGE:** 50%

## ADDITIONAL REQUIREMENTS:

- All Discretionary Use applications shall be referred to the appropriate Hamlet Advisory Committee and/or Condominium Association for comment.
- Solar Panel (Freestanding) are not permitted in this District.



# B-RUR Business, Rural District

**PURPOSE:** To provide for the location of commercial and light industrial development in rural areas which will not compromise agricultural operations.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure $\leq 500 \text{ m}^2$	Accessory Building/Structure $> 500 \text{ m}^2$
Agriculture (Intensive)	Alcohol Production
Agriculture (Processing)	Animal Health (Inclusive)
Establishment (Eating & Drinking)	Auction Market
Government Services	Bulk Fuel
Industrial (Light)	Establishment (Restricted)
Office	Gas Station
Park	Kenel
Retail (Outdoor)	Industrial (Logistics)
Retail (Small)	Industrial (Medium)
Farmers Market	Recreation (Outdoor)
Recreation (Indoor)	Recycling/Compost Facility
Religious Assembly	Retail (General)
Shipping Container	Retail (Restricted)
Utilities	Self Storage
	Surveillance Suite
	Truck Stop
	Vehicle Sales
	Vehicle Services
	Solar Panels (Freestanding) greater than $28 \text{ m}^2$
	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:** 0.8 ha

**MAXIMUM BUILDING HEIGHT:** 10.0 m

**MINIMUM SETBACKS:**

PRINCIPAL AND ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
30.0 m from County Roads	15.0 m from County Roads	15.0 m from County Roads
Determined by AT for Highway	Determined by AT for Highway	Determined by AT for Highway
	3.0 from other parcels	3.0 from other parcels

**MAXIMUM SITE COVERAGE:** 50%

**ADDITIONAL REQUIREMENTS:**

- Commercial, Industrial and other uses shall provide at least one off-street loading area.



# I-GEN Industrial, General District

**PURPOSE:** To allow for industrial development in rural locations where the potential risks to the environment and impacts on adjacent landowners are minimized.

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure	Agriculture (Regulated)
Agriculture (Intensive)	Alcohol Production
Agriculture (Processing)	Auction Market
Animal Health (Inclusive)	Bulk Fuel
Gas Station	Cannabis Production
Industrial (Light)	Cannabis Retail
Industrial (Logistics)	Industrial (Medium)
Office	Industrial (Heavy)
Shipping Container	Kennel
Solar Panels (Wall Mounted)	Recreation (Indoor)
Utilities	Recreation (Outdoor)
	Recycling/Compost Facility
	Self Storage
	Solar Panels (Freestanding) greater than 28 m <sup>2</sup>
	Surveillance Suite
	Truck Stop
	Vehicle Sales
	Vehicle Services

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:** 0.8 ha

**MAXIMUM BUILDING HEIGHT:** 20.0 m

**MINIMUM SETBACKS:**

PRINCIPAL AND ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
30.0 m from County Roads	15.0 m from County Roads	15.0 m from County Roads
Determined by AT for Highway	Determined by AT for Highway	Determined by AT for Highway
	3.0 from other parcels	3.0 from other parcels

**MAXIMUM SITE COVERAGE:** 50%

**ADDITIONAL REQUIREMENTS:**

- Proposed Agricultural (Regulated) or Industrial (Heavy) development that is considered by the Development Authority to be potentially noxious or hazardous, when located within the plan area of an Intermunicipal Development Plan (IDP) shall respect the policies of that IDP.
- Proposed Agricultural (Regulated) or Industrial (Heavy) development that is considered by the Development Authority to be potentially noxious or hazardous, should not be approved within 1.6 km of any Hamlet, public park, recreation area, or environmentally significant area.



# S-PPS Special, Parks and Public Services District

**PURPOSE:** To provide for publicly owned services and facilities and appropriate interfaces with adjacent uses, including public parks and recreation areas and lands dedicated as municipal and school reserve.

<b>PERMITTED USES:</b>	<b>DISCRETIONARY USES:</b>
Accessory Building/Structure $\leq 190 \text{ m}^2$	Accessory Building/Structure $> 190 \text{ m}^2$
Government Services	Exhibition Grounds
Park	Boat Launch
School	Campground
Utilities	Recreation (Indoor)
	Recreation (Outdoor)
	Shipping Container
	Solar Panels (Freestanding) greater than $28 \text{ m}^2$
	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.

**PARCEL SIZE:** At the discretion of the Development Authority.

**MAXIMUM BUILDING HEIGHT:** At the discretion of the Development Authority.

**MINIMUM SETBACKS:** At the discretion of the Development Authority.

**MAXIMUM SITE COVERAGE:** At the discretion of the Development Authority.

**EXCEPTIONS:**

- a) For parcels governed by provincial or federal legislation, any uses consistent with the provincial or federal regulations attached to those parcels will be considered Permitted Uses.



# S-NOS Special, Natural Open Space District

**PURPOSE:** To protect environmentally sensitive areas by restricting development to clearly compatible uses and to provide access to the public in a manner that preserves the area in accordance with the MGA.

PERMITTED USES:	DISCRETIONARY USES:
Natural Conservation Lands	
Park	
Utilities	

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.

## ADDITIONAL REQUIREMENTS:

- a) All parcel and development regulations shall be at the discretion of the Development Authority and shall proceed in a manner to minimize impacts on the natural environment.



# SECTION SIX

## Glossary

# 6

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

Please note, definitions pertaining to specific uses are **HIGHLIGHTED** below:

**ABUTTING** means to have a common boundary, to border on.

**ACCESSORY BUILDING** means a detached building, with or without a permanent foundation, which is subordinate or incidental to the Principal Use or Principal Building located on the same site. Typical accessory buildings include, but are not limited to, soft-shelled buildings, garages, sheds, chicken coop etc.

**ACCESSORY STRUCTURE** means a detached unenclosed structure which is subordinate or incidental to the Principal Use or Principal Building located on the same site. Typical accessory structures include, but are not limited to flagpoles, personal swimming pools, personal hot tubs, satellite dishes, personal play structures, utility covers, etc.

**ACCESSORY USE** means a use customarily incidental and subordinate to the principal use or building and is located on the same parcel as such principal use or building.

**ADDITION** means construction that increases the footprint of an existing building or structure on the parcel of land. Typically there will be a common connection from the existing building to the addition.

**ADJACENT** means contiguous or would be contiguous if not for an easement, right-of-way, road or natural feature.

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

**AGRICULTURE (GENERAL)** means the raising of crops or the rearing of livestock, or production of honey either separately or in conjunction with one another and includes buildings and other structures limited to the regulations of the District. This use does not include Cannabis Production.

**AGRICULTURE (INTENSIVE)** means a use where plants are intensively grown and processed for food or non-food use. Typical uses include greenhouses, nurseries, tree farms, market gardens, mushroom farming, vermiculture and aquaculture. This use does not include Cannabis Production.

**AGRICULTURE (PROCESSING)** means a use for storage and upgrading of agricultural products for distribution or sale through value added processes such as mixing, drying, canning, fermenting, chemical, seed cleaning, biological or other



treatments, the cutting, smoking, aging, wrapping and freezing of meat, or similar production methods, including feed mills and grain mills. This use does not include Agriculture (Intensive or Regulated) or Cannabis Production.

**AGRICULTURE (REGULATED)** means 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, anhydrous ammonia storage and fertilizer plants. This use does not include Cannabis Production.

**AIRPORT** means any area designed, prepared, equipped or set aside for the arrival, departure, movement or servicing of commercial or private aircraft; and includes any associated buildings, installations, open space, runways and equipment for landing/takeoff and flight control. Such an operation will include all the facilities required for the housing, administration, management and maintenance of aircraft.

**ALCOHOL PRODUCTION** means a use where beer, spirits and other alcoholic beverages are manufactured that may have a private hospitality area where products made on the premises are provided to private groups for tasting and consumption 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.

**AMENITY AREA** means an area(s) within the boundaries of a development intended for recreational purposes. These may include landscaped areas, patios, balconies and other similar items that are intended for public use.

**ANIMAL HEALTH (INCLUSIVE)** means a use for the care, treatment, or impoundment of animals both considered as domestic pets or farm animals. This would include pet clinics, animal veterinary clinics and veterinary offices with or without outdoor pens, runs and enclosures.

**ANIMAL HEALTH (SMALL ANIMAL)** means a development such as a hospital or shelter used for the temporary or overnight accommodation, care, treatment or impoundment of animals considered as domestic pets, but not farm animals. Typical uses include pet clinics, animal veterinary clinics and veterinary offices without outdoor pens, runs or enclosures.

**ANTENNA SYSTEM** means an antenna and some sort of supporting structure, normally a tower for transmitting or receiving television, radio, telephone, internet or other electronic communications which is regulated by 'Innovation, Science and Economic Development Canada.' Most antennas have their own integral mast so that they can be fastened directly to a building or a tower.

**APPLICANT** means a person who is lawfully entitled to make, and makes, an application for any document, approval, permit or other thing that may be issued, made or done under the authority of the Bylaw.

**APPLICATION FORM** means a form provided to an Applicant pursuant to the Bylaw, typical Application Forms include Text Amendment Application Forms, Land Use Redesignation Application Forms and Development Permit Application Forms etc.

**AUCTION MARKET** means the use of land or buildings for the auctioning or sale and related temporary storage of primarily livestock, but may also include household effects, personal goods and equipment, and vehicles. This use includes livestock sales yards but does not include on-site slaughtering as allowed in Agriculture (Regulated).

**BED & BREAKFAST** means a use where temporary sleeping accommodation is provided for up to four (4) guest rooms.

**BOAT LAUNCH** means a ramp, typically constructed of wood, metal, or earth/gravel, that extends from a shoreline into a water body, specifically for the purpose of launching or removing watercraft.

**BUILDING** includes anything constructed or placed on, in, over or under land, but does not include a provincial highway or road or a bridge that forms part of a provincial highway or road.

#### **BUILDING – COMMON TERMS**

- a) **AWNING** means a cloth like or lightweight shelter projecting from a building.
- b) **BALCONY** means a platform, attached to and projecting from the face of a building with, which is enclosed by a railing or parapet and is accessed from the building only.



- c) **BASEMENT** means that portion of a building or structure which is wholly or partially below grade, not exceeding 1.8 m above grade.
- d) **BAY** means a self-contained unit of part of a building or of the whole building which can be sold or leased for individual occupancy.
- e) **CANOPY** means a non-retractable solid projection extending from the wall of the building intended to be used as a protection against weather, other than normal architectural features such as lintels, sills, moldings, architraves and pediments, but includes the structure known as the theatre marquee.
- f) **CANTILEVER** means a long projecting beam or girder fixed at only one end.
- g) **DECK** means an above grade open-sided roofless platform that is detached or adjoining a building.
- h) **DRIVEWAY** means a gravel or hard-surfaced area used for parking vehicles on private property, often connecting a house, garage or car port with a road.
- i) **EAVE** means the overhang or extension of a roof line beyond the vertical wall of a building.
- j) **FOUNDATION** means the lower portion of a building, usually concrete or masonry, and includes the footings, which transfers the weight of and loads on a building to the ground.
- k) **PARAPET** means a low wall or railing to protect the edge of a roof.
- l) **PATIO** means an uncovered open platform or area situated directly on the ground.
- m) **PORCH** means a roofed structure having direct access to and projecting from the principal building with walls that are unenclosed and open to the extent of at least 50% and may be glazed or screened.

**BUILDING, PRINCIPAL** means a building, which in the opinion of the Development Authority occupies the major or the central portion of a site, or is the chief or the main one among the buildings on the site, or constitutes by reason of its use the primary purpose for which the site is used.

**BUILDING PERMIT** means a permit issued in writing by a designated Safety Codes Officer authorizing the commencement of a use, occupancy, relocation, construction, or demolition of any building.

**BULK FUEL** means a use where gas and petroleum products are stored for distribution to customers.

**BUNK HOUSE** means an accessory building which has sleeping accommodation, but which does not have cooking facilities and is not intended to be used as a self-contained unit.

**BUSINESS** means:

- a) a commercial, merchandising or industrial activity or undertaking, or
- b) a profession, trade, occupation, calling or employment, or
- c) an activity providing goods and services, whether or not for profit and however organized or formed, including a co-operative or association of persons.

**BYLAW** means the current Land Use Bylaw of the County of Newell.

**CAMPGROUND** means a use where Recreational Vehicles, tents or similar short-term accommodations, are used for recreation, and is not normally used as year-round storage or for permanent dwelling.

**CANNABIS PRODUCTION** means a building or use where federally approved medical or non-medical (recreational) cannabis plants are grown, processed, packaged, tested, destroyed, stored or loaded for shipping, and that meets all federal or provincial requirements and that meets all requirements of this bylaw, as amended from time to time.



**CANNABIS RETAIL** means the use of a store, premises or a building for a commercial retail cannabis business, licensed by the Province of Alberta, where legal non-medical cannabis and cannabis accessories are sold to individuals who attend at the premises and the product sales or associated sales are expressly authorized by the Alberta Gaming and Liquor Commission (AGLC).

**CAR/TRUCK WASH** means a facility for the washing of motor vehicles on a commercial basis.

**CARE FACILITY (CHILD)** means the use of a building or portion thereof to provide care, instruction, *maintenance* or supervision of seven or more children under the age of 13 years, by persons other than one related by blood or marriage, for periods not exceeding 24 consecutive hours. Typical uses include day-care facilities, early childhood services, and nurseries.

**CARE FACILITY (CLINIC)** means the use of a building or a portion thereof to provide medical and health care services on an outpatient basis only. Typical uses include medical and dental offices, massage or health care clinics, pre-natal clinics and counseling services.

**CARE FACILITY (GROUP)** means the use of a building or portion thereof to provide care for individuals who are either disabled or in need of supervision reside on a temporary or long-term basis, in accordance with their individual needs. Typical uses include foster or boarding homes, group homes, family homes and long-term care facilities.

**CARE FACILITY (SENIORS)** means a facility where accommodation is provided to residents in a congregate setting. Room and board services, housekeeping and twenty-four (24) hour personal care and social and recreation support may be provided. Typical uses include lodges and senior homes.

**CARE FACILITY (MEDICAL)** means a facility where medical treatment for the sick, injured, or infirm is provided, including out-patient services and accessory staff residences. Typical facilities would include hospitals, sanitariums, convalescent homes, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

**CEMETERY** means a use where the entombment of the deceased occurs and may include such facilities as crematories, cineraria, columbaria, mausoleums, memorial parks, burial grounds, cemeteries, and gardens of remembrance.

**CHANGE OF USE** means the conversion of land or building, or portion thereof from one land use activity to another in accordance with the Permitted or Discretionary Uses as listed in each Land Use District.

**COMPATIBLE** means the characteristics of different uses or activities or designs which allow them to be located near or Adjacent to each other in harmony. Compatibility does not mean “same as”. Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing developments.

**CONFINED FEEDING OPERATION** means a commercial agricultural operation where livestock is confined within a facility for the purpose of sustaining, finishing or breeding. Such an operation requires registration and approval under the *Agricultural Operations Practices Act (AOPA)*.

**CONSTRUCT** means to build, rebuild, or relocate and without limiting the generality of the word, also includes: any preliminary operation such as excavation, filling or draining; altering an existing building or structure by addition, enlargement, extension, or other structural change; and any work which requires a Building Permit.

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

**COUNCIL** means the Council for the County of Newell.

**COUNTY** means the County of Newell.

**DEMOLITION** means the pulling down, tearing down or razing of a building or structure.

**DENSITY** means the number of dwelling units on a parcel or site expressed in units per hectare (uph).

**DESIGNATED OFFICER(S)** means those persons designated by Bylaw under the MGA and for purposes of the Bylaw are the Development Authority, Community Peace Officer, and the CAO or their designate.



**DEVELOPMENT** means:

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

**DEVELOPMENT AGREEMENT** means an agreement which is a contract between a developer and the County regarding requirements of the County and/or the sharing of costs arising from the construction or servicing of a development.

**DEVELOPMENT AUTHORITY** means a Development Authority established pursuant to the MGA to exercise development powers and duties on behalf of the County.

**DEVELOPMENT COMMENCEMENT** means the moment construction is started on site (i.e. excavation) or the land use has begun for the purposes of the Development Permit application.

**DEVELOPMENT COMPLETION** means the moment the required Building/Development Permit conditions and requirements have been met for the purposes of the Development Permit application and/or the final inspection reports have been received.

**DEVELOPMENT PERMIT** means a document or permit, which may include attachments, issued pursuant to this Bylaw authorizing a development.

**DIRECT CONTROL DISTRICT** means a district in the Land Use Bylaw which details guidelines established by Council for control over the use and development of an area pursuant to the provisions of the MGA.

**DISTRICT** means a Land Use District, a specifically delineated area or zone within which the development standards of this bylaw govern the use, placement, spacing, and size of land and buildings.

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

**DUGOUT** means an excavation specifically sited and constructed for the purpose of catching and storing water. Depending on the circumstances, the dugout may be intended for either seasonal use or permanent use.

**DWELLING” OR “DWELLING UNIT** a building or portion of a building consisting of one or more rooms operated or intended to be operated as a permanent residence for a household, containing cooking, sleeping and sanitary facilities only for that unit. All Dwellings or Dwelling Units shall have a permanent foundation.

**DWELLING (MANUFACTURED HOME)** means a dwelling that is manufactured to be moved from one point to another that is located on a permanent foundation and which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association.

**DWELLING (MULTI-UNIT)** means a dwelling with three (3) or more dwelling units. This use includes condominium style housing types such as Townhouses, Rowhouse, Stacked-Townhouses and Four-plexes or Apartments. Accessory Dwelling Units are not permitted in Multiple Unit Dwellings.

**DWELLING (DUPLEX)** means a dwelling containing two (2) dwelling units having the dwelling area of one located above the dwelling area of the other each with a private entry (commonly referred to as a Duplex), or a dwelling containing not more than two (2) dwelling units sharing a common wall, which may be subdivided along the common wall (commonly referred to as a Semi-Detached Dwelling).



**DWELLING (SINGLE DETACHED)** means a dwelling which is supported on a permanent foundation or basement, irrespective of the construction method of the dwelling (constructed onsite, modular or ready-to-move).

**EASEMENT** means a right held by one party in land owned by another, typically for access thereto or to accommodate a utility over the parcel, and is typically registered on title.

**ENVIRONMENTALLY SIGNIFICANT AREA** means areas identified as such on the Alberta Environment and Parks Ministerial database.

**EXHIBITION GROUNDS** means the use of land or building, public or private, for temporary events including seasonal shows, conventions, conferences, seminars, product displays or sale of goods, recreation activities, rodeos and entertainment functions. This use may include accessory functions including food and beverage preparation and service for on-premise consumption. Onsite camping is permitted on a temporary event time limited basis at the Development Authority's discretion.

**ESTABLISHMENT (EATING & DRINKING)** means use where food is prepared and alcoholic beverages may be offered for sale to the public for consumption. Typical development includes restaurants, diners, fast food restaurants, takeout only restaurants, bars and pubs.

**ESTABLISHMENT (ENTERTAINMENT)** means a use where live performances or motion pictures are shown. Typical development includes auditoria, cinemas and theatres but does not include Establishment (Restricted).

**ESTABLISHMENT (RESTRICTED)** means a use where potentially controversial services are offered to the public. Typical uses would include but are not limited to strip clubs or shows, bingo halls, and casinos.

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

**EXISTING PARCEL** means a parcel of land in the County of Newell. A parcel of land is defined in the *MGA* (section 616) as follows: the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

**FARM GATE SALES** means a use where the sale of farm products which are produced in the same farming operation takes place.

**FARMERS MARKET** means a market which has a primary use of selling goods produced in farming operations, and operates on a regular but temporary occurrence, and can include use of a building, structure or parking lot for the purpose of selling any or all produce and crafts.

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

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

**FIRST PARCEL OUT** means a single residential or agricultural parcel created from a previously un-subdivided Quarter Section.

**FLOOD FRINGE** means the portion of the flood hazard area outside of the floodway, as determined by the Province of Alberta. Water in the flood fringe is generally shallower and flows slower than in the floodway.

**FLOOD HAZARD AREA** means the area of land bordering a water course or water body that would be affected by a design flood and includes the flood fringe and floodway, and may include areas of overland flow, as determined by the Province of Alberta.



**FLOODWAY** means the portion of the flood hazard area where flows are deepest, fastest, and most destructive, as determined by the Province of Alberta. The floodway typically includes the main channel of a watercourse and a portion of the adjacent overbank area.

**FLOOR AREA** means the total floor area of a building within the exterior walls. This does not include basement areas parking areas below grade, and areas devoted exclusively to mechanical or electrical equipment servicing the development.

**FOOTPRINT** means the shape of the building/structure where it sits on the parcel. If an outline of the building could be drawn on the ground where it sits and then the building removed, the footprint is the shape that was drawn around the building. Changing the footprint of the building means adding to it or removing from it in such a way that this outline would be altered.

**FOUNDATION** means the supporting base structure of a building which has been designed and engineered to support the associated weight of the building or structure.

**FUNERAL HOME** means a commercial operation used for the arrangement of funerals, the preparation of the deceased for burial or cremation, and the holding of funeral services.

**GAS STATION** means a commercial operation established to provide fuel and oil products for sale to the general public. Such an operation will have no provision to accommodate vehicle repairs or maintenance. The operation may include a building to accept payment for purchases and may also include limited retail sale of food products and may include Establishment (Eating & Drinking) as an ancillary use.

**GOVERNMENT SERVICES** means a use where municipal, provincial or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property. Typical facilities would include police stations, fire stations, courthouses, post offices, municipal and social services offices.

**GROUND COVER** means vegetation, other than grass, commonly used for landscaping purposes and includes herbaceous perennials and flowers.

**GRADE, BUILDING** means the ground elevation established for the purpose of regulating the number of stories and the height of a building.

**GRADE, DRAINAGE** means the ground elevation established in a parcel drainage plan attached to an approved Development Permit for the purpose of controlling the flow of surface water on the parcel.

**HAMLET** means an unincorporated urban area as defined by the MGA or as declared by bylaw.

**HANGAR** means a building or structure designed and used for the shelter of an aircraft.

**HARD SURFACE** means an asphalt or concrete surface or other similar surface approved by the development authority but excludes rocks, gravel and dirt.

**HOME-BASED BUSINESS TYPE ONE (HBB1)** means a use where business is conducted in a Principal Building with limited weekly visits and employees that reside in the Principal Building. Uses are secondary to the residential use of the parcel and do not change the residential appearance of the land and buildings.

**HOME-BASED BUSINESS TYPE TWO (HBB2)** means a use where business is conducted in a Principal Building or Accessory Building with moderate weekly visits and with one employee who does not live on the property. Uses are secondary to the residential use of the parcel and do not change the residential appearance of the land and buildings.

**HOTEL/MOTEL** means a building used primarily for sleeping accommodations and ancillary services provided in rooms or suites of rooms, which may contain bar/kitchen facilities; the building may also contain commercial or other uses and may or may not offer such additional services as party facilities, restaurant or dining room services, or public convention facilities.



**INDUSTRIAL (LIGHT)** means those developments where activities and uses are primarily carried on within an enclosed building and no significant nuisance factor is created or apparent outside an enclosed building. Any development, even though fully enclosed, where, in the opinion of a Development Authority, there is significant risk of interfering with the amenity of adjacent sites because of the nature of the site, materials or processes, shall not be considered Industrial (Light). Typical uses include laboratories, general contractors and, construction firms, welding shops and warehouse sales etc.

**INDUSTRIAL (MEDIUM)** means those developments in which all or a portion of the activities and uses are carried on outdoors, without any significant nuisance such as noise, appearance, or odour, extending beyond the boundaries of the site. Any development where the risk of interfering with the amenity of adjacent or nearby sites, because of the nature of the site, materials or processes, cannot be successfully mitigated shall be considered Industrial (Heavy). Typical uses include manufacturing and processing plants, oilfield services with outside storage that do not pose a Nuisance.

**INDUSTRIAL (HEAVY)** means those developments that may have an effect on the safety, use, amenity, or enjoyment of adjacent or nearby sites due to appearance, noise, odour, emission of contaminants, fire or explosive hazards, or dangerous goods, but does not include Cannabis Production. Typical uses include wreckage and salvage yards, and manufacturing and processing facilities that create a Nuisance.

**INDUSTRIAL (LOGISTICS)** means a use accommodating the storage and inter-modal (rail, highway) distribution of goods resulting in larger traffic volume. Typical uses include shipping/receiving facilities, transshipment and distribution centres.

**INFILL DEVELOPMENT** is the process of developing vacant or under-used parcels within existing areas that are already largely developed.

**KENNEL** means a facility for the keeping, breeding, boarding, caring, or training of dogs and/or other domestic pets over three months of age, excluding livestock.

**LANDSCAPING** means to change or modify the natural features of a site so as to make it more attractive by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, drives, or other structures and materials.

**LANE** means a public thoroughfare which provides a secondary means of access to a parcel. Commonly referred to as a 'Back Alley'.

**LIVESTOCK** means horses, cattle, sheep, swine, live poultry, fur-bearing animals raised in captivity, game-production animals within the meaning of the *Livestock Industry Diversification Act*, as amended.

**LIVE/WORK UNIT** means combination of residential and light industrial or commercial activity on a single parcel, with the commercial activity as the primary use.

**MAINTENANCE** means the upkeep of a building or property that does not involve structural change, the change of use, or the change of intensity of use.

**MANUFACTURED HOME PARK** means a parcel of land under one title, which provides spaces for the long-term parking and occupancy of a Dwelling (Manufactured Home).

**MANURE STORAGE** means a structure, reservoir, catch basin, lagoon, cistern, gutter, tank, or bermed area for containing livestock wastes prior to the waste being used or disposed. Such an operation requires registration and approval under the *Agricultural Operations Practices Act (AOPA)*.

**MARINA** means any facility for the mooring, berthing, storing, docking or securing of watercraft, but not including community piers and other non-commercial boat docking and storage facilities. A marina may include boat sales, boat fuel sales, boat construction, boat repair, marine equipment sales, or promotional events, boat and jet ski rental, and other uses clearly incidental to watercraft activities.



**MAXIMUM SITE COVERAGE** means the maximum permissible site coverage from buildings, structures and hard landscaping on a given site.

**MIXED-USE BUILDING** means a building used partly for residential use and partly for commercial use.

**MIXED-USE DEVELOPMENT** means a parcel of land or a building or structures developed for two or more different uses that may include uses such as residential, office, manufacturing, retail, public, or entertainment.

**MOTOCROSS/MOTOR SPORTS PARK** means a development or facility to allow a form of motorcycle racing held on enclosed off-road circuits or open courses consisting of trails, lanes, or racetracks, and also may consist of artificially made dirt tracks consisting of steep jumps and obstacles. Accessory uses to a motocross/motor sports park may include a pit/paddock, test track, mechanics area, concession or food sales, bleachers/viewing areas and public washroom facilities.

**MOVED-IN BUILDING** means a previously used or existing, established, working building, which is removed from a site, and then transported and re-established on another site. Shipping Containers are not considered to be Moved-In Buildings.

**MUNICIPAL DEVELOPMENT PLAN (MDP)** means a statutory plan adopted by Bylaw in accordance with section 632 of the *MGA*.

**MUNICIPAL GOVERNMENT ACT (MGA)** means the *Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26*, as amended.

**MUNICIPAL PLANNING COMMISSION (MPC)** means the committee authorized by Council to act as the Subdivision Authority pursuant to section 623 of the *MGA* and Development Authority pursuant to section 624 of the *MGA*, and in accordance with the Municipal Planning Commission Bylaw.

**NATURAL GAS PLANT** means a use where electrical power is produced and distributed from, including on-site transformers and electrical transmission lines.

**NON-COMPLIANCE** means a development constructed, or use undertaken after the adoption of the current Land Use Bylaw and does not comply with the current Land Use Bylaw.

**NON-CONFORMING BUILDING** means a building:

- a) That is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
- b) That on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw.

**NON-CONFORMING USE** means a lawful specific use:

- a) Being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective, and
- b) That on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.

**NON-SERVICED** means in respect to a lot or parcel that neither a municipal water system nor a municipal sewage system services it.

**NUISANCE** means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

**OCCUPANCY** means the utilization of a building or land for the use for which it was approved.

**OCCUPANCY PERMIT** means a permit issued under the *Alberta Safety Codes Act*, as amended, for the right to occupy or use the bay, building or structure for the use intended.

**OFFENCE** see 'Contravention' ([s.1.15](#))



**OFFICE** means a Building that provides space for professional, management, administrative, consulting and similar office and business support services.

**OFF-STREET LOADING SPACE** means a space for parking a commercial vehicle while being loaded or unloaded.

**OFF-STREET PARKING** means a lot or portion thereof, excluding a public roadway, which is used or intended to be used as a parking area for motor vehicles.

**OPEN SPACE** means land, which is not in private ownership and is open to use by the public.

**OWNER** means:

- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
- (b) in the case of any other land:
  - (i) the purchase of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land, and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title; or
  - (ii) in the absence of a person described in paragraph (i), the person registered under the *Land Titles Act* as the owner of the fee simple estate in the land;
- (c) the person shown as the owner of land on the assessment roll.

**PARCEL** in accordance with the *MGA*, means:

- (a) a quarter section;
- (b) a river lot as defined in the *Surveys Act*, that is filed or lodged in a land titles office;
- (c) a settlement lot as defined in the *Surveys Act*, that is filed or lodged in a land titles office;
- (d) a part of a parcel where the boundaries of the parcel are separately described in the certificate of title other than by reference to a legal subdivision;
- (e) 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 subdivision.

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

**PARCEL COVERAGE** means the combined area of all buildings or structures upon the parcel, measured at the approved grades, including all porches and verandas, enclosed terraces, steps, cornices, eaves, and similar projections; such area shall include air wells, and all other space within an enclosed building.

**PARCEL, CUT-OFF** means a parcel of land that is separated from the remainder of the quarter section by:

- (a) a permanent irrigation canal,
- (b) a water course,
- (c) a railway,
- (d) a graded public roadway or highway,
- (e) an embankment.

The affected parcel must be cut off in such a way that it is impractical to operate as part of an agricultural operation.

**PARCEL, CORNER** means a parcel that abuts two (2) intersecting streets.

**PARCEL, DOUBLE FRONTING** means a parcel which abuts two (2) non-intersecting streets (excluding lanes).

**PARCEL FRONTAGE** means the length of a street boundary measured along the front line of a parcel.

**PARCEL, INTERIOR** means a parcel which is bounded by only one (1) street.



**PARCEL, LAND LOCKED** means that a parcel does not have a means of physical access.

**PARK** means a use where land is designated for active or passive recreational use by the public which does not require dedicated facilities beyond supporting accessory buildings or structures and landscaping. Typical uses include playspaces, walkways, trails, nature interpretation areas, picnic areas, athletic fields and similar uses.

**QUALIFIED PROFESSIONAL** means a qualified professional. Examples include: Architect, Landscape Architect, Land Use Planner, Biologist, Engineer, Alberta Land Surveyor, Agrologist, Geoscientist, Hydrologist etc.

**PIT OR QUARRY** means a means the development of on-site removal, extraction and primary procession of raw materials such as sand, clay, gravel or stone.

**PROPERTY LINE** means any boundary of a lot or parcel, and includes the rear, front and side property lines of a lot.

**RECREATION (INDOOR)** means a use where public or private indoor recreation occurs. Typical uses libraries, museums, or other cultural facilities, private clubs or lodges, health or fitness clubs, recreation centres, community halls, public swimming pools, bowling alleys curling rinks and arenas etc., but does not include Recreation (Outdoors).

**RECREATION (OUTDOOR)** means a use where outdoor recreation occurs. Typical uses include outdoor skating rinks, lawn bowling greens, tennis courts, swimming and wading pools, water spray parks, go-cart tracks, miniature golf, paintball, theme parks and golf courses etc.

**RECYCLING/COMPOST FACILITY** means the use of premises for the collection and sorting of garbage or compost, and the packaging of paper, newspapers, clothing, cans, or bottles and similar domestic or commercial garbage. This use does not include a Manure Storage Facility.

**REDESIGNATION** or Land Use Redesignation, means the conversion of land from one land use to another.

**RESERVE, CONSERVATION (CR)** means the land designated as Conservation Reserve per the MGA.

**RESERVE, ENVIRONMENTAL (ER)** means the land designated as Environmental Reserve per the MGA.

**RESERVE, MUNICIPAL (MR)** means the land designated as Municipal Reserve per the MGA.

**RELIGIOUS ASSEMBLY** means a development dedicated for religious worship and related religious, philanthropic, or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories, and other buildings. Typical facilities would include churches, chapels, mosques, temples, synagogues, parish halls etc.

**RESIDUAL LOT** means the portion of a lot which is not the primary objective of a subdivision and will be the remainder area of the original title once a subdivision has occurred.

**RETAIL (SMALL)** means a use where the sale of goods and services occur in a building with a Gross Floor Area less than 1,000.0 m<sup>2</sup>. Typical uses include a convenience store or sandwich shop or personal services such as hairdressers/salons, pharmacies, financial institutions (banks), laundromats, or tailors but does not include Retail (Groceries), Retail (Restricted) or Cannabis Retail.

**RETAIL (GENERAL)** means a where the sale of goods and services occur in a building with a Gross Floor Area larger than 1,000.0 m<sup>2</sup>. Typical uses include 'big box' retailer or grocery store but does not but does not include Retail (Restricted) or Cannabis Retail.

**RETAIL (OUTDOOR)** means a development providing for the sale of goods where a portion of the wares are kept outdoors. Typical uses include building supplies, lumber yards, landscaping services, garden centres, manufactured home sales, not including Vehicle Sales.

**RETAIL (RESTRICTED)** means a use where potentially controversial goods and services are offered to the public for sale for use or consumption off-site, regardless of the Gross Floor Area. Typical uses include liquor stores, adult goods stores and cigar shops, not including Cannabis Retail.

**RETAINING WALL** means a wall for holding in place, a mass of earth or the like, as at the edge of a terrace or excavation.



**RIDING ARENA** means a private or public facility for the training, exercising, and boarding of horses. The facility may also include outdoor features such as corrals, riding areas. A riding shall not be used for horse shows, rodeos, teaching sessions or similar events to which there is a fee to participate in or to use the facilities.

**RIGHT-OF-WAY** means an area of land not on a lot that is dedicated for public or private use to accommodate a transportation system and necessary public utility infrastructure (including but not limited to water lines, sewer lines, power lines, and gas lines).

**ROAD** means a public thoroughfare, often paved or gravel and referred to interchangeably as a street. County Roads are roads maintained to the County's standard.

#### **ROAD – COMMON TYPES**

- a) **COUNTY ROAD** means a road maintained to the County's standard such as Township and Range Roads.
- b) **SUBDIVISION ROAD** means a road located adjacent to a provincial highway or local road, which is intended to provide access to one or more subdivided parcels.
- c) **PROVINCIAL HIGHWAY** means a provincial highway pursuant to the *Highways Development and Protection Act*, S.A. 2004 Chapter H-8.5, as amended.

**SECONDARY SUITE (INTERNAL)** means a secondary Dwelling Unit located within a Principal Building.

**SECONDARY SUITE (EXTERNAL)** means a secondary Dwelling Unit located within an Accessory Building.

**SELF STORAGE** means an outdoor area that may contain a building or structure used for the accessory keeping of goods, inventory, materials, machinery, equipment, or Vehicles (Recreation), outside in association with the primary use on the parcel.

**SCHOOL** means a place of instruction run privately or operated with public funds pursuant to the *School Act*, as amended, which may be located on reserve land pursuant to the MGA. This use does not include a Trade School.

**SCHOOL, TRADE** means a school that offers instruction and practical introductory experience in the skills needed to provide a skilled service or trade as such as mechanics, carpentry, plumbing, welding, hairstyling or esthetics.

**SCREENING** means a fence, earth berm or row of trees used to visually and/or physically separate areas or functions.

**SECURITY** means a cash deposit or an irrevocable letter of credit provided by a developer to ensure the conditions of a development agreement, subdivision condition or development permit condition are carried out to the satisfaction of the Development Authority.

**SERVICING STANDARDS** means the County's technical requirements that govern infrastructure design, construction, testing, inspection, maintenance, and transfer of public works.

**SETBACK** means the minimum distance required between a property line of a lot and the nearest part of any building, structure, development, excavation or use on the lot and is measured at a right angle to the lot line.

**SHELTERBELT** means a planting made up of one or more rows of trees or shrubs planted in such a manner as to provide shelter from the wind and to protect soil from erosion.

**SHIPPING CONTAINER** means a painted steel container (also known as a "Sea Can"), 2.6 m in height, that was once used to transport goods and is typically used for storage.

**SHOOTING RANGE** means an outdoor area, building or structure that is designed or intended for the safe discharge, on a regular and structured basis, of firearms including but not limited to rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any similar firearm, for the purpose of sport shooting, target practice or shooting competitions.

**SIDEWALK** means a pathway or right-of-way for pedestrian traffic.

**SIGN** means an object or device intended to advertise or call attention to a person, matter, event or location.



## **SIGN – COMMON TERMS**

- a) **COPY** means the letters, graphics or characters that make up the message on the sign face.
- b) **CHANGEABLE COPY** means that portion of the copy that can be readily changed either manually or electronically.
- c) **BUILDING FACE** means any exterior wall of a Building.
- d) **THIRD PARTY ADVERTISING** means advertising which directs attention to a business, commodity, service or event that is conducted, sold or offered elsewhere than on the premises on which the sign is located.

**SIMILAR USE** means a use of land or building(s) for a purpose that is not provided in any district designated in this bylaw but is deemed by the Development Authority to be similar in character and purpose to another use of land or buildings that is included within the list of uses prescribed for that district.

**SITE PLAN** means a plan drawn to scale illustrating the proposed and existing development prepared in accordance with the requirements of this Bylaw.

**SMALL WIND ENERGY SYSTEM** means a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics intended for onsite use.

**SOLAR PANELS (ROOF TOP)** means a roof-mounted device that converts light into energy intended for onsite use.

**SOLAR PANELS (WALL MOUNTED)** – means a wall-mounted device that converts light into energy intended for onsite use.

**SOLAR PANELS (FREE STANDING)** – means a freestanding device that converts light into energy, which is set upon the ground and may be intended for onsite use or scaled up for industrial purposes.

**SOUTH SASKATCHEWAN REGIONAL PLAN (SSRP)** means the regional plan and regulations established by order of the Lieutenant Governor in Council pursuant to the *Alberta Land Stewardship Act*.

**STATUTORY PLAN** means an inter-municipal development plan, a municipal development plan, an area structure plan or an area redevelopment plan adopted by a municipality under the MGA, as amended.

**STRIPPING AND SALE OF TOPSOIL** involves the removal of topsoil and the sale or trade of such topsoil for commercial purposes.

**STOCKPILE** means an accumulation of goods, materials or raw materials, including snow dumps, stored outdoors in a pile-like formation.

**STOP ORDER** means an order issued by the Development Authority pursuant to section 645 of the *MGA*.

**STOREY** means the space between the top of any floor and the top of the next floor above it and if there is no floor above it, the portion between the top of the floor and the ceiling above it, but does not include a basement.

**SUBDIVISION** means the process of dividing land into smaller Parcels, overseen by the Subdivision Authority.

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)** means the committee established, by bylaw, to act as the municipal appeal body for subdivision and development applications.

**SUBDIVISION AND DEVELOPMENT REGULATION** means regulations established by order of the Lieutenant Governor in Council pursuant to section 694 of the *MGA*.

**SURVEILLANCE SUITE** means a Dwelling Unit used solely to accommodate a person whose official function is to provide surveillance, maintenance and/or security for a development,

**TEMPORARY** means a use which is limited in its permanence.

**TINY HOME/PARK MODEL** means a living unit, similar to a Recreational Vehicle, designed to facilitate occasional relocation and include living quarters for temporary or seasonal residential use. Typically they are connected to utilities



and skirted once installed on the parcel. For the purposes of this Bylaw, this type of living unit is not the same as a manufactured home and will not be considered for a permanent dwelling.

**TOP-OF-BANK** means the line where the surrounding tableland is broken by a valley slope and forms the escarpment as determined by a Geotechnical Engineer.

**TOPSOIL** means the uncontaminated uppermost layer of soil.

**TRUCK STOP** means a commercial operation where a business, service or industry involved in the maintenance, servicing, temporary parking or storage, or report of commercial vehicles is conducted or rendered including the dispensing or fuel products, the sale of accessories and/or equipment for trucks and similar commercial vehicles. A truck stop may also include convenience stores, washrooms and restaurant facilities, and may include showers or overnight accommodation facilities solely for the use of truck crews.

**USE** means the utilization of a parcel of land for a particular development activity.

**USE, DISCRETIONARY** means the listed uses of land or building(s) in a land use district (Schedule 2) for which a development permit may be approved at the discretion of the Municipal Planning Commission, typically with conditions of approval. Since the merit of these uses may vary depending on location and other mitigating circumstances, permit applications must be reviewed by the Municipal Planning Commission.

**USE, PERMITTED** means the one (1) or more uses of land or buildings that are permitted in a given district, with or without conditions applied by the Development Authority upon application having been made. All Permitted Uses require the issuance of a development permit, unless exempted under this Bylaw.

**USE, PRINCIPAL** means the use of a site or of a building which in the opinion of the Development Authority constitutes the primary purpose for which the site is used.

**USE, PROHIBITED** means one or more uses of land or buildings that are either described in a land use district as prohibited uses or are not listed as either permitted or discretionary uses and are not deemed to be similar in nature to either a permitted or discretionary use within a particular land use district.

**USE, INTENSITY OF** means the degree or scale of operation of use or activity in relation to the amount of land and buildings associated with the use, vehicular traffic generation resulting thereof, amount of parking facilities required for the particular land use activity, etc.

**USE, SIMILAR** means a use of a site or building in a District which, in the opinion of the Development Authority, is so similar to a Permitted Use or Discretionary Use in that District that it meets the intent of Council for the development of that District as set out in the purpose and intent statement, but does not include a use that is specifically defined as a Permitted or Discretionary Use in any other District.

**UTILITIES** means a system or works used to provide services such as potable water including water reservoirs, sewage disposal, waste management or waste transfer facilities, or storm systems, as well as the Buildings that house the public utility, and any offices or equipment.

**VARIANCE** means a variation, relaxation or waiver of a development regulation or other requirement of the Bylaw.

**VEHICLE SERVICES** means a use where the servicing and repair of non-agricultural motor vehicles occurs, excluding the sale motor vehicles. Typical uses include standalone mechanics shops, transmission and muffler shops, and auto body paint and repair facilities.

**VEHICLE SALES** means a use where the sale, servicing and repair of vehicles occurs that may include the sale of gasoline and related fuels. Typical uses include motor vehicle or Recreational Vehicle dealerships, farm machinery and/or equipment sales, rental and service which may include an outside storage area.

**VEHICLE, MOTOR VEHICLE** means a motor vehicle that, at the point of its original manufacture, meets the definition as defined in the *Traffic Safety Act*, as amended.



**VEHICLE, AGRICULTURAL** means a vehicle, motor, implements of husbandry and trailers that are commonly used in an agricultural, general operation including but not limited to combines, tractors, cattle liners, grain trucks and carts, and horse/stock trailers.

**VEHICLE, COMMERCIAL** means a vehicle, motor, used for commercial or industrial business operations, exceeding 5,500kg or 7.0m in length, such as gravel trucks, gravel trailers, highway truck tractors, highway truck trailers, crane trucks, welding trucks, and vacuum trucks, and any vehicle not meeting the definition of a “private passenger vehicle” in the *Traffic Safety Act*, as amended.

**VEHICLE, RECREATIONAL** means a vehicle designed to be transported on its own wheels or by other means, designed for sleeping or living purposes for one or more persons on a short-term basis and often referred to interchangeably as a camper or holiday trailer, etc. Recreational Vehicles are not Dwelling Units.

**WALKWAY** means a public right-of-way for pedestrian use on which no motor vehicles are allowed.

**WATER BODY** means any location where water flows, is standing or is present, whether or not the flow or the presence of water is continuous, intermittent, or occurs only during a flood, and includes but is not limited to wetlands and aquifers, but does not include part of irrigation works if the irrigation works are subject to a license and the irrigation works are owned by the licensee, except in the circumstances prescribed in the *Water Act*, as amended.

**WATERCOURSE** means a naturally occurring flowing body of water including but not limited to a river, creek, or stream, whether it conveys water continuously or intermittently, as identified by the County's Surface Water Data, Geomorphic Data, and Ortho-imagery Data, but excludes any human-made water features including but not limited to irrigation canals, ditches, reservoir, and drainage swales.

**WETLAND** per the Alberta Wetland Policy, means land saturated with water long enough to promote wetland or aquatic processes as indicated by the poorly drained soils, hydrophytic vegetation, and various kinds of biological activity that are adapted to a wet environment.

**YARD** means a part of a parcel unoccupied by any portion of a Building or Accessory Building.

**ZONE** – see **DISTRICT**.

All other words have the meanings assigned to them by the MGA, as amended, or common dictionary definitions.



# Schedule Land Use Map

# A

To see the most current land use map visit:

<https://countyofnewell.maps.arcgis.com/apps/webappviewer/index.html?id=1f7ccd8844ef4884b9b68b46197cab68>

