County of Newell

LAND USE BYLAW

Bylaw No. 2016-21
Consolidated to No. 2066-24
April 2024

COUNTY OF NEWELL
IN THE PROVINCE OF ALBERTA

BYLAW NO. 2066-24

BEING a bylaw of the County of Newell in the Province of Alberta, to amend the Land Use Bylaw No. 2016-21, being the Land Use Bylaw;

WHEREAS the Council of the County of Newell wishes to amend Section 5: Land Use Districts to include additions to the permitted and/or discretionary uses within the A-GEN, A-SML, A-HAM, R-MAN, R-HAM, B-HAM, B-RUR, I-GEN and S-PPS land use districts in accordance with Schedule 'A' attached.

AND WHEREAS the Council of the County of Newell wished to amend the following sections of the Land Use Bylaw, in accordance with Schedule 'A' attached:

- Table 2: Development Not Requiring Permit
- 3.10 Accessory Buildings/Structures
- 3.58 Signs Not Requiring a Permit
- 4.14 Live/Work Units
- 4.17 Secondary Suites (External)

AND WHEREAS the County of the County of Newell wishes to amend Section 6 – Glossary to amend the definition of Campground, and add a definition for School, Colony, in accordance with Schedule 'A' attached.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the County of Newell in the Province of Alberta duly assembled does hereby enact the following:

1. That the sections of Land Use Bylaw 2016-21 be amended as indicated in Schedule A.
2. Bylaw No. 2016-21 is hereby amended and consolidated.
3. The bylaw shall come into effect upon third and final reading hereof.

March 14, 2024 **MOVED BY COUNCILLOR ELLEN UNRUH** that Bylaw 2066-24 receive FIRST reading.

MOTION CARRIED

April 25, 2024 **MOVED BY COUNCILLOR ADENA SKANDERUP** that Bylaw 2066-24 receive SECOND reading.

MOTION CARRIED

April 25, 2024 **MOVED BY COUNCILLOR HOLLY JOHNSON** that Bylaw 2066-24 receive THIRD and FINAL reading.

MOTION CARRIED

Reeve – *Arno Doerksen*

Chief Administrative Officer – *Matt Fenske*

County of Newell Land Use Bylaw 2016-21 - Amendments

Bylaw No.	Amendment Description	Legal Land Description	Passed
2019-21	"Residential - Rural District (R-RUR)" to "Business - Rural District (B-RUR)"	Lot 7, Block 1, Plan 0915147	6-Jan-22
2030-22	"Agriculture - General District (A-GEN)" to Business - Rural District (B-RUR)"	Block A, Plan 7910693 within SE 34-18-14-W4	21-Apr-22
2031-22	Text Amendments of prohibited specific uses within the plan area of the Intermunicipal Development Plan with the Village of Duchess to the Agriculture - General Land District (A-GEN)		19-May-22
2033-22	"Agriculture - General District (A-GEN)" to Industrial - Rural District (I-GEN)"	NW 28-17-21-W4	19-May-22
2034-22	Text amendment to add 'self storage' as a discretionary use in the "Business - Hamlet District (B-HAM)"		09-Jun-22
2035-22	"Special, Parks and Public Service District (S-PPS)" to Business - Hamlet District (B-HAM)"	Lot 26, Block 5, Plan 0514207	09-Jun-22
2036-22	"Agriculture - General District" to Direct Control District"	Block 1, Plan 9311870, SW 17-18-14-W4, SE 17-18-14-W4,	21-Jul-22
2037-22	"Agriculture, General District (A-GEN)" to Residential, Rural District (R-RUR)"	SE 06-20-14-W4	11-Aug-22
2038-22	"Agriculture, General District (A-GEN)" to Residential, Rural District (R-RUR)"	Block 1, Plan 8811163, SW 30-22-16-W4	20-Oct-22
2039-22	Text Amendments to Section 2 - Development Permit Process, Section 2, Table 2 - Development Not Requiring a Development Permit, Section 5, "Agriculture - General District (A-GEN)" and Section 6 - Glossary		20-Oct-22
2047-23	"Residential, Rural District (R-RUR) to Agriculture, Small Lot District (A SML)"	Lot 1, Block X, Plan 7811556	09-Mar-23
2048-23	"Residential, Rural District (R-RUR) to Agriculture, Small Lot District (A-SML)"	Lot 2, Block X, Plan 7811556	09-Mar-23
2049-23	"Agriculture, General District (A-Gen) to Industrial, General District (I-GEN)"	PT. SW 4-23-18W4	23-Mar-23
2056-23	"Agriculture, General District (A-GEN) to Business, Rural District (B-RUR)"	The portion of the NW 34-18-14W4 which lies north of road Plan 8310709 and west of Plan IRR437	25-May-23
2058-23	"Residential, Rural District (R-RUR) to Residential, Hamlet District (R-HAM)"	Hamlet of Tilley PT. NE 24-17-13W4; &Plan 0813191, Block 1, Lot 1; & Plan 0111253, Block 1, Lot 2; & Plan 0111253, Block 1, Lot 3; & Plan 8110850, Lot 1	10-Aug-23
	"Business, Rural District (B-RUR) to Business, Hamlet District (B-HAM)"	Hamlet of Rolling Hills PT. NW 31-14-13W4	
	" Agriculture, General District (A-GEN) to Special, Parks and Public Services District (S-PPS)"	Hamlet of Bow City PT. SE 14-17-17W4	
2067-24	"Agriculture, General District (A-GEN)" to Residential, Rural District (R-RUR)"	SE 7-20-14W4M	11-Apr-24

County of Newell Land Use Bylaw 2016-21 - Amendments

2066-24	Text amendments to the following sections: Table 2: Development Not Requiring a permit, 3.10 Accessory Buildings/Structures, 3.58 Signs Not Requiring a Permit, 4.14 Live/Work Units, 4.17 Secondary Suites and amend Section 5 - Changes to permitted and discretionary uses in the Agricultural, General District (A-GEN), Agriculture, Small Lot (A-SML), Agricultural, Hamlet Transitional (A-HAM), Residential, Manufactured Home Park District (R-MAN), Residential, Hamlet District (R-HAM), Business Hamlet District (B-HAM), Business Rural District (B-RUR), Industrial, General District (I-GEN) and Special, Parks and Public Services District (S-PPS) Land Use Districts and amend Section 6 - Glossary to amend the definition of Campground, and add a defintion for School, Colony		25-Apr-24

Table of Contents

Section 1: Purpose

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
Bylaw Authorities....3
Bylaw Enforcement....4
Bylaw Amendments....6

Section 2: Development Process

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

Development Permit Requirements....8
Receiving & Reviewing....11
Decisions....12
Conditions....14
Appeals....15
Completion & Cancellation....15

Section 3: General Regulations

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

Buildings & Structures....17
Parcels....20
Setbacks....22
Landscaping & Fencing....25
Stripping, Grading, Excavation & Filling....27
Parking & Loading....29
Signage....33

Section 4: Specific Uses & Activities

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

Bed & Breakfast....40
Building Demolition or Removal....41
Campground....41
Cannabis Production....42
Cannabis Retail....42
Car/Truck Wash....43
Drive-Through....43
Exhibition Grounds....43
Gas Station....44
Home-Based Business Type One (HBB1)....44
Home-Based Business Type Two (HBB2)....45
Kennel....46
Live/Work Units....46
Moved-In Buildings....46

Pit or Quarry 47
Secondary Suites (External) 48
Secondary Suites (Internal) 48
Small Wind Energy System 48
Solar Panels (Freestanding) 49
Solar Panels (Roof Top) 50
Solar Panels (Wall Mounted) 50

Section 5: Land Use Districts

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

DC Direct Control Districts 51
A-GEN Agriculture, General District 53
A-SML Agriculture, Small Lot District 57
A-HAM Agriculture, Hamlet Transitional 58
R-RUR Residential, Rural District 59
R-MAN Residential, Manufactured Home Park District 60
R-HAM Residential, Hamlet District 61
B-HAM Business, Hamlet District 62
B-RUR Business, Rural District 63
I-GEN Industrial, General District 64
S-PPS Special, Parks and Public Services District 65
S-NOS Special, Natural Open Space District 66

Section 6: Glossary

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

Schedule A: Land Use Map

Figures

Figure 1 – Determining Building Height 18
Figure 2 – Corner Visibility Triangle 21
Figure 3 – Setback Requirements 23
Figure 4 – Flood Hazard Area Identification 24
Figure 5 – Parking Stall Dimensions 32

Tables

Table 1 – Minimum Specified Penalties 5
Table 2 – Development Not Requiring a Development Permit 9
Table 3 – Public Consultation Requirements 12
Table 4 – Maximum Fence Height 26
Table 5 – Parking Minimums 30
Table 6 – Barrier-Free Parking Spaces 31
Table 7 – Minimum Parking Stall Dimensions 32
Table 8 – HBB1 Compared to HBB2 45
Table 9 – Land Use District Conversions 52

COVER PHOTOS COURTESY OF: Darla Wiebe, Stewart Luchies, Allison Hickey, Denise Bouvier, Stephen Trembecki, Samantha Plett and Louise Virostek.

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 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").

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 statute or regulation.

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.

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.

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 regulations 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.

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.

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),
   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, and
   iii. Keep a register of all Development Permit applications, and the decisions rendered on them, for a minimum of seven (7) years.

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 subsection a)i), the MPC shall make decisions on Development Permit applications for Discretionary Uses and permitted uses with a Variance of 51% or more, in accordance with Section 2.15 'Variances.'

d) Notwithstanding subsection a)i), Planning and Development Staff-should make decisions on Development Permit applications for Permitted Uses with a Variance up to 50%, in accordance with Section 2.15 '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 Community Peace 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.

1.16 ENFORCING THE BYLAW

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.

c) It is an offence for a person to prevent or obstruct the Development Authority or a Community Peace 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 the MGA where an offense under the Bylaw occurs, the Development Authority or a Community Peace Officer 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.

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) The Development Authority or a Community Peace Officer shall advise the recipient of a Stop Order as to where the appeal lays.

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. In accordance with the MGA, the expenses and costs of carrying out an order 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.

b) The County must discharge a caveat when the stop order has been complied with.

1.20 ENTRY & INSPECTION

a) Pursuant to the MGA, the Development Authority or a Community Peace 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, the County may obtain a court order.

1.21 VACANT BUILDINGS

If a building becomes vacant, owners must immediately secure the building from unauthorized trespass and remove signs and continue to ensure the building and lands are secure, safe, and tidy, which includes maintaining the grass and snow removal.

1.22 SIGN MAINTENANCE & REMOVAL

Signs must be maintained in a neat and safe manner. Signs that, at the discretion of the Development Authority, are considered damaged, illegible, unsafe or no longer relevant must be repaired or removed, as the case may be.

Bylaw Amendments

1.23 AMENDMENT

a) 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,

   by submitting it to the County for processing and consideration by Council.

b) For a Land Use Redesignation/Site-Specific amendment, the application must include a signed authorization of the registered owner(s) of the subject land consenting to the application for amendment.

c) Council may, on its own initiative direct Administration to bring an amendment to this Bylaw for Council to consider.

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

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

   i. Prepare an Amending Bylaw for Council, and

   ii. Prepare a background report, including plans and other relevant material, and submit same to Council for their review.

1.26 DECISIONS ON BYLAW AMENDMENTS

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

   i. Approve the proposed Amending Bylaw as it is, or

   ii. Make any changes it considers necessary to the proposed Amending Bylaw and proceed to approve it without further advertisement or hearing, or

   iii. 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

   iv. 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, cause, or allow to be commenced, or carry on, cause or allow to be carried on 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.

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

The following development does not require a development permit provided the development complies with all the applicable regulations. If the development requires a Variance, a development permit must be obtained authorizing the development and Variance.

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^2 where it complies with the District's setbacks, up to a maximum of 3 Buildings / Structures.
Aggregate Operations	The extraction and processing exclusively by the County of Newell, its authorized agents or Alberta Transportation, of sand, gravel, or other earth materials and including asphalt or concrete mixtures for any County purpose within the County.
Agriculture (General)	Where Agriculture (General) is listed as a Permitted Use.
Agricultural Building	The placement or construction of an Agricultural Building in an A-GEN parcel that is greater than 16.2 ha, in compliance with Section 3.9 'Agricultural Buildings' and is listed as a permitted use.
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 *Agricultural Operations Practices Act (AOPA).*
Deck, Uncovered	An uncovered deck or patio connected to the Principal Building.
Decorations	Seasonal or holiday decorations.
Driveways	So long as it does not impact existing grades and does not exceed the width of a garage or carport at the end of the driveway. Driveways that are not connected to a garage or carport are limited to 5.0 m in width in alignment with Section 3.18 'Driveways'.
Dugouts and Ponds	Dugouts or ponds for agricultural purposes in an A-GEN parcel that is greater than 16.2 ha, in compliance with Section 3.36 'Dugouts & Ponds'.
Fences and Gates	In alignment with Section 3.38 'Fencing'.
Poles	Less than 4.5 m in height.
Government Services & Utilities	The installation, maintenance of and repair of public works, roads, provincial highways, facilities and/or utilities carried out by or on behalf of federal, provincial, or local authorities.
HBB1	Home-Based Business Type One (HBB1) in all Districts.
Landscaping	Provided that it meets the applicable setbacks to all roadways in accordance with the Bylaw and where the proposed grades will not adversely affect the subject or an adjacent parcel.
Livestock	The keeping of Livestock where Agriculture (General) is a permitted use
Maintenance or Repair	Routine maintenance to any building or structure, provided that such work: a) complies with the requirements of the *Alberta Building Code*, b) does not constitute structural alterations, and c) does not change the use or intensity of the use of the building or structure.
Oil & Gas Development	Pursuant to Section 618 of the MGA, the installation of a well or battery within the meaning of the *Oil and Gas Conservation Act*, a pipeline or installation of a structure incidental to the operation of a pipeline.
Outdoor Fire Pit	The construction or installation of a fire pit, that complies with 'County of Newell Fire Bylaw 1958-19', as amended.
Road Repair	Repairing or resurfacing of existing an approved private gravel access road when approved grades are unchanged.
Retaining Walls	Less than 1.0 metres in height. If a fence is placed on top of a retaining wall, the height of the retaining wall factors into the total height of the fence.
Shipping Containers	a) A maximum of five (5) shipping containers in the A-GEN District, any more would be a Discretionary Use. b) A maximum of two (2) shipping containers in the A-SML District, any more would be a Discretionary Use. c) A maximum of two (2) shipping containers in the A-GEN District within the Intermunicipal Development Plan Boundary with the Village of Duchess, any more would be a Discretionary Use. d) A maximum of one (1) shipping container in the R-RUR District where the parcel is greater than 0.4 ha, any more would be a Discretionary Use.
Signs	See Section 3.59 'Signs Not Requiring a Permit'.
Solar Panels (Freestanding)	a) That is 28 m2 or less in area, provided that all setbacks and height regulations of the District are met, in compliance with Section 4.20 'Solar Panels (Freestanding)'. b) Notwithstanding a), in the A-GEN District Solar Panels (Freestanding) that are less than 56m2 in area do not require a development permit, except for when located within the plan area of the Intermunicipal Development Plan with the Village of Duchess, where all Solar Panels (Freestanding) are a discretionary use.
Solar Panels (Roof Top)	In compliance with the Alberta Building Code and Section 4.21 'Solar Panels (Roof Top)'.
Stripping, Grading, Excavation and Fill	e) The placing of up to 1.0 m of fill and topsoil adjacent to or within 15.0 m of a building under construction that has a valid Building Permit, during the course of the construction to be used to establish approved final grades, and f) The excavation up to 2.0 m adjacent to or within 15.0 m of a building under construction that has a valid Building Permit, during the course of the construction to be used to establish approved final grades.
Antenna Systems	Telecommunication antenna systems that are federally regulated and comply with the regulations in Section 3.12 'Antenna Systems'.

Development	Permit Not Required
Temporary Accommodation	The occupation of a Recreational Vehicle on private property: a) In an Agricultural District for a period of less than sixty (60) days, or b) In a Residential District for a period of less than fourteen (14) days.

2.3 LEGALLY NON-CONFORMING BUILDINGS AND USES

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.

2.4 PARCELS NOT MEETING MINIMUM SIZE REQUIREMENTS

For parcels existing prior to the October 20, 2022 amending bylaw 2039-22, when the Development Authority is considering an application for a development permit, the Development Authority may grant the development permit even though the parcel does not comply with the minimum parcel size if in the opinion of the Development Authority the proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and the proposed development conforms with the use prescribed for that land or building in the land use bylaw.

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.

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.

f) Any supporting studies, plans or other information deemed necessary by the County.

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) The Development Authority may issue a temporary Development Permit.

b) A temporary Development Permit may not exceed five (5) years.

c) Subject to a different arrangement stated within the temporary Development Permit, the development, including all structures and buildings must be removed and the lands must be restored.

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

The Development Authority shall determine the completeness of a received application within twenty (20) days of receipt in accordance with the MGA.

2.9 REVIEW PERIOD

a) The Development Authority must make a decision on a Development Permit Application within forty (40) days from when the Applicant is provided a 'Notice of Completeness.'

b) 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.

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.

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 NOTICE AND CONSULTATION REQUIREMENTS

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

Table 3 – Public Notice and 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

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

A Permitted Use:

i. Shall approve the application for a Permitted Use, with or without conditions, if the proposed development conforms with the Bylaw, or

ii. 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:

iii. May approve the application for a Discretionary Use, with or without conditions, if the proposed development conforms with the Bylaw,

iv. 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

v. May refuse the application for a Discretionary Use even though it meets the requirements of the Bylaw,

A Discretionary Use in a Direct Control District:

vi. 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, the 'Notice of Decision' shall contain the conditions imposed as part of the approval.

c) If the Development Permit application is refused, the 'Notice of Decision' shall contain the reasons for the refusal.

Public Notice:

d) Public notice of approved Development Permit applications shall be circulated per Section 2.12 'Public Consultation Requirements.'

e) 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 would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and

   ii. the proposed development conforms with the use prescribed for that land or building in the Bylaw.

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

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

   i. 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

   ii. The Development Authority does not make a decision on a Development Permit within the 40 day 'Review Period' (s.2.9), or

   iii. 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 or Land and Property Rights Tribunal (LPRT), 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.

b) Time extensions are not permitted on approvals from the SDAB.

Conditions

2.20 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.

2.21 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.

2.22 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.

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 may draw upon Securities in the event that the required works are not completed, in accordance with the conditions of a Development Agreement.

Appeals

2.23 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.

2.24 APPEAL PROCESS

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

2.25 SDAB DECISIONS

If the decision to approve a Development Permit application is reversed by the SDAB the Development Permit shall be null and void.

Completion & Cancellation

2.26 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.

2.27 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.

b) An Applicant whose Development Permit is cancelled, suspended, or modified may appeal to the SDAB.

2.28 TRANSFERABILITY OF DEVELOPMENT PERMIT

A Development Permit for a Home-Based Business (Type II) is non-transferable and is invalided by a change of ownership, tenancy, or occupancy.

2.29 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, as determined by the Development Authority.

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 Principal 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.

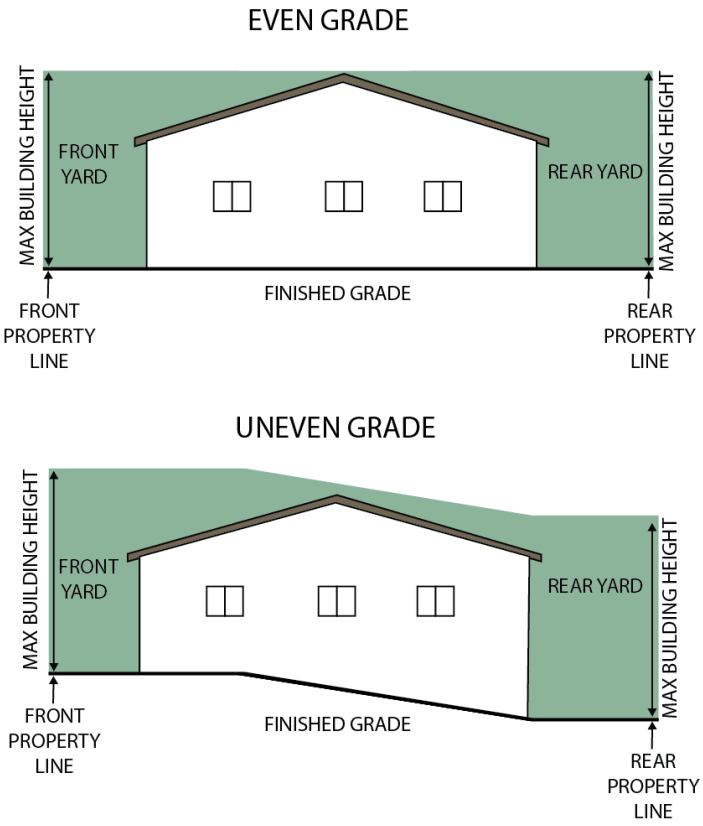
c) Infill development shall be in keeping with the scale and character of the surrounding area, having regard to the provisions of the prescribed District.

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 structure with existing structures on the same parcel.

3.7 MANUFACTURED HOMES

a) No Dwelling (Manufactured Home), or additions thereto, shall exceed 5.0 m in height.

b) A Dwelling (Manufactured Home) shall have CSA certification.

c) A Dwelling (Manufactured Home) must be placed on a foundation.

d) The crawl space between a Dwelling (Manufactured Home) and the ground shall be skirted to the satisfaction of the Development Authority, within thirty (30) days of siting.

e) Axles, wheels and trailer hitches shall be removed once a Dwelling (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.

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) A maximum of 3 Accessory Buildings/Structures under 10m2 can be developed on a parcel without the benefit of a development permit. Additional Accessory Buildings/Structures under $10m^2$ require a development permit.

b) An Accessory Building/Structure in a Residential District shall be similar to, and complement, the principal building in exterior material, colour and appearance.

c) No Accessory Building/Structure shall be allowed in the front yard of a Residential District parcel smaller than 0.4 ha.

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 allowed 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 feedback from Transport Canada based on the submission of the Aeronautical Obstruction Clearance form including aeronautical obstruction marking requirements,

   ii. Any feedback from NAV CANADA based on the submission of the Land-use Proposal Submission form,

iii. 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

iv. 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 adjacent 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.

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

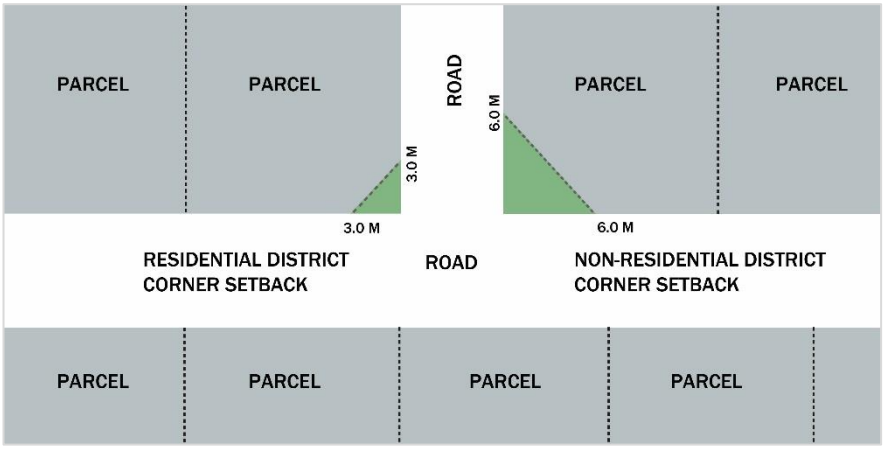
Where a Parcel abuts two (2) or more public roadways, the front yard setback shall be established on the road/street that is identified by a municipal address.

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**.

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

a) In a Residential District, the driveway to a public road shall be a minimum length of 6.0 m, measured from the property line.

b) Driveways are limited to 5.0 m in width.

3.19 PROJECTIONS INTO YARDS

a) Cantilever extensions can extend up to 0.6 m from a building into any rear or side yard setback.

b) 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

a) Outside of a Campground, no person shall occupy a Recreational Vehicle for more than:

   i. Sixty (60) days In an Agricultural District, or

   ii. Fourteen (14) days In a Residential District.

b) In Agricultural Districts up to four (4) Recreational Vehicles are permitted on a parcel.

c) In Residential Districts:

   i. One (1) Recreational Vehicle is permitted on a parcel, and

   ii. Recreational Vehicles should be kept in the back yard or on the driveway.

3.21 PHYSICAL ACCESS

a) 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.

b) 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.

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, 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.

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) Any development within 800 m of a provincial highway shall be circulated to Alberta Transportation for review 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 circulated to Alberta Transportation for review.

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.

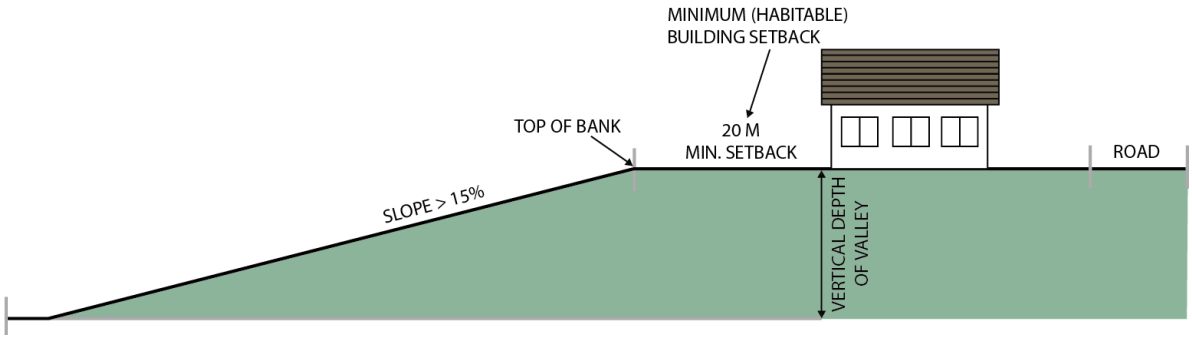
3.25 SETBACKS FROM SLOPES & BANKS

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) The "top of the bank" shall be determined by 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



3.26 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.

3.27 DEVELOPMENT ON OR NEAR A WATER BODY

a) Parcels shall be located at least 6.0 m back from the high-water line of any water body 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 Qualified Professional 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.

3.28 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.

3.29 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

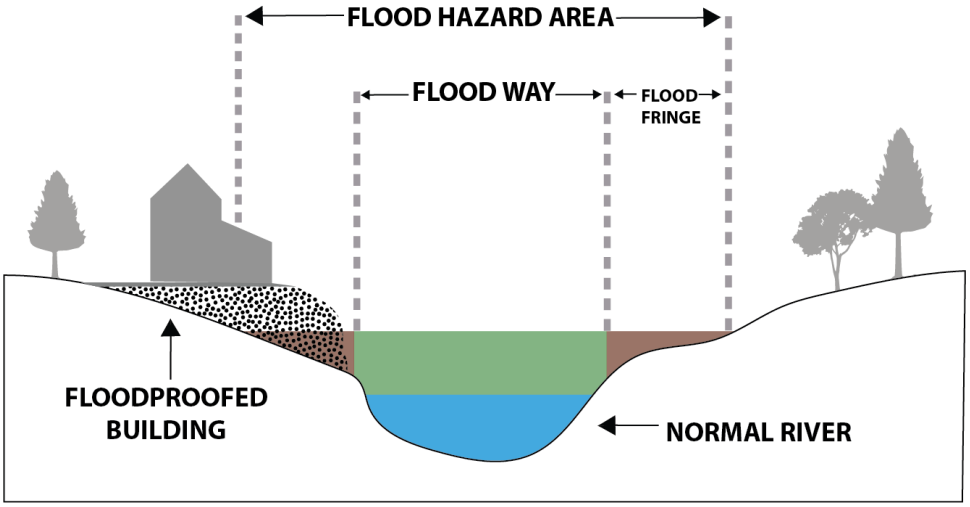
   ii. Is less than 3.0 m above the normal summer low water level and is less than 300.0 m from the edge of the normal summer water channel of a minor watercourse, or

   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



3.30 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.

3.31 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 by a Qualified Professional, which do not involve construction below the Floodway.

Landscaping & Fencing

3.32 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 a Dwelling (Multi-Unit) 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.

3.33 LANDSCAPING PLANS

a) In Non-Residential Districts and on parcels with a Dwelling (Multi-Unit) 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.

3.34 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.

e) The County is permitted to draw upon Landscaping Securities, in the event that the required works are not completed.

3.35 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.

3.36 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, and

   iii. 40.0 m from a Provincial Highway right-of-way.

3.37 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.

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.

3.38 SCREENING

a) Where a Business or Industrial District abuts a Residential District, the landowner shall provide visual screening by way of a fence or a combination of fence and soft landscaping to a minimum height of 2.0 m.

b) All exterior work areas, storage areas and waste handling areas shall be screened from view to the satisfaction of the Development Authority.

3.39 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.

c) Creosote railway ties are not a permitted construction material for any retaining wall.

Stripping, Grading, Excavation & Filling

3.40 GENERAL STRIPPING, GRADING, EXCAVATION AND FILL REGULATIONS

a) Site stripping, grading, excavation and filling (including construction of an artificial water body, 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.

3.41 DEVELOPMENT PERMIT FOR STRIPPING, GRADING, EXCAVATION AND/OR FILL

a) Stripping, grading, excavation and filling activities are considered a Discretionary Use in all Districts.

b) A Development Permit is required for all stripping, grading, excavation and filling 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, and

   v. A description of the measures to be taken for the prevention or lessening of dust and other nuisances during and after the operation.

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.

3.42 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.

3.43 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^3 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.

3.44 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.

3.45 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.

3.46 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.

e) Parcel grading shall be in accordance with the County's Servicing Standards.

Parking & Loading

3.47 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.

d) Parking stalls shall have a minimum vertical clearance of 2.0 m.

3.48 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 a Dwelling (Multi-Unit):

   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.

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.

3.49 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^2 gross floor area
Agriculture (Processing)	1 per 100.0 m^2 gross floor area
Agriculture (Regulated)	1 per 100.0 m^2 gross floor area
Agricultural Building	N/A
Airport	Determined by Direct Control District
Alcohol Production	1 per 100.0 m^2 gross floor area
Animal Health (Inclusive)	1 per 100.0 m^2 gross floor area
Animal Health (Small Animal)	1 per 100.0 m^2 gross floor area
Auction Market	7.5 per 100.0 m^2 gross floor area
Bed & Breakfast	1 per Guest Room
Bulk Fuel	0.5 per 100.0 m^2 gross floor area
Bunk House	N/A
Campground	1 visitor parking stall per 5 campsites
Cannabis Production	1 per 100.0 m^2 gross floor area
Cannabis Retail	2 per 100.0 m^2 gross floor area
Car/Truck Wash	2 per 100.0 m^2 gross floor area (minimum of 2)
Care Facility (Child)	3 per 100.0 m^2 gross floor area
Care Facility (Clinic)	2 per 100.0 m^2 gross floor area
Care Facility (Group)	2 per 100.0 m^2 gross floor area
Care Facility (Seniors)	1 per 100.0 m^2 gross floor area
Care Facility (Medical)	3 per 100.0 m^2 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^2 gross floor area
Establishment (Eating & Drinking)	5 per 100.0 m^2 gross floor area
Establishment (Entertainment)	5 per 100.0 m^2 gross floor area
Establishment (Restricted)	5 per 100.0 m^2 gross floor area
Farm Gate Sales	N/A
Farmers Market	7.5 per 100.0 m^2 gross floor area
Funeral Home	7.5 per 100.0 m^2 gross floor area
Gas Station	2 per 100.0 m^2 gross floor area (minimum of 2)
Government Services	2 per 100.0 m^2 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^2 gross floor area
Industrial (Medium)	1 per 100.0 m^2 gross floor area
Industrial (Heavy)	1 per 100.0 m^2 gross floor area

Use	Required Parking Stalls
Industrial (Logistics)	1 per 100.0 m^2 gross floor area
Kennel	1 per 100.0 m^2 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^2 gross floor area
Park	N/A
Pit or Quarry	N/A
Recreation (Indoor)	5 per 100.0 m^2 gross floor area
Recreation (Outdoor)	5 per 100.0 m^2 gross floor area
Recycling/Compost Facility	1 per 100.0 m^2 gross floor area
Retail (Small) < 1000 m^2	2 per 100.0 m^2 gross floor area
Retail (General) > 1000 m^2	2 per 100.0 m^2 gross floor area
Retail (Restricted)	2 per 100.0 m^2 gross floor area
Retail (Outdoor)	2 per 100.0 m^2 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^2 gross floor area (minimum of 4)
School	Determined by School Board
School, Trade	2 per 100.0 m^2 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^2 gross floor area (minimum of 4)
Utilities	N/A
Vehicle Sales	2 per 100.0 m^2 gross floor area
Vehicle Services	1 per 100.0 m^2 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.

3.50 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.

3.51 SIZE OF PARKING STALLS

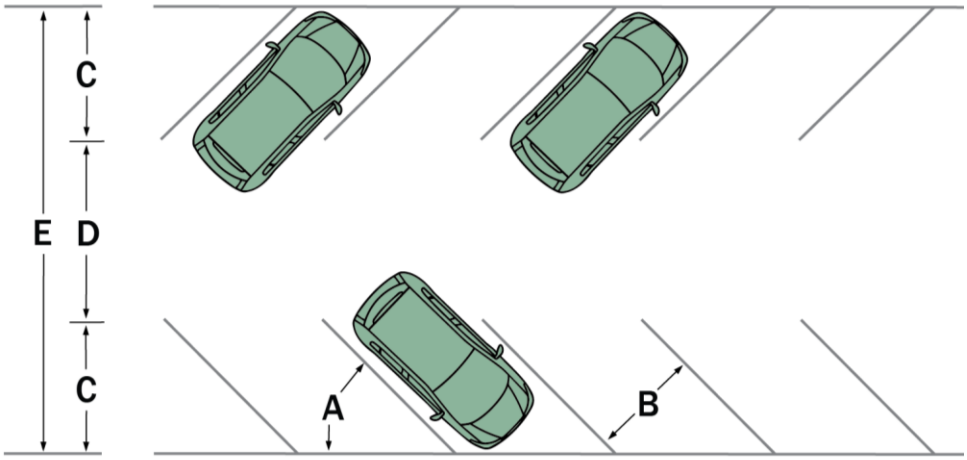
Minimum parking stall dimensions are specified below and illustrated in **Figure 5 – Parking Stall Dimensions**:

Table 7 – Minimum Parking Stall Dimensions

A Angle of Parking	B Stall Width	C Stall Depth*	D Aisle Width	E 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



3.52 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.

3.53 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.

3.54 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

3.55 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.

3.56 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.

3.57 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:

   i. a site plan showing the location of the sign,

   ii. an illustration showing the overall dimensions of the sign,

   iii. the size of the letters,

   iv. information about how the sign will be attached, affixed or secured,

v. the height of the sign and its supporting structure above grade and clearance from grade of any horizontal building components,

vi. details of sign illumination,

vii. distance from roadways, and

viii. such other considerations as the Development Authority may deem to be relevant.

3.58 SIGNS NOT REQUIRING A PERMIT

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

i. Signs displayed by or on behalf of the federal, provincial, or local government,

ii. Portable Signs, banners or pennant flags that are not permanently installed and which are displayed for a period not exceeding thirty (30) days,

iii. Election Signs that are not permanently installed and which are displayed for the duration of the election period only,

iv. 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,

v. Safety Signs that warn of physical dangers that exist on a parcel and other access constraints such as electric fence, dog on site, no trespassing, all visitors must report to office, etc.

vi. Real Estate Signs, and

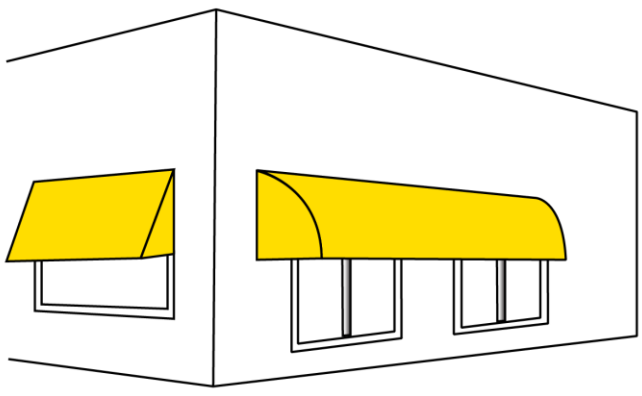
vii. Sandwich Boards located in proximity to the business advertised during operating hours.

3.59 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:

District	Agricultural	Permitted
	Residential	Prohibited
	Business	Permitted
	Industrial	Permitted
	Special	Discretionary
Maximum Sign Dimensions		N/A
Standards		• Shall be constructed of durable, waterproof, colourfast material • Shall project from 0.6 m to 1.2 m from the building or structure • Shall have a minimum clearance of 2.5 m above grade

Example Awning/Canopy Signs for visual reference:

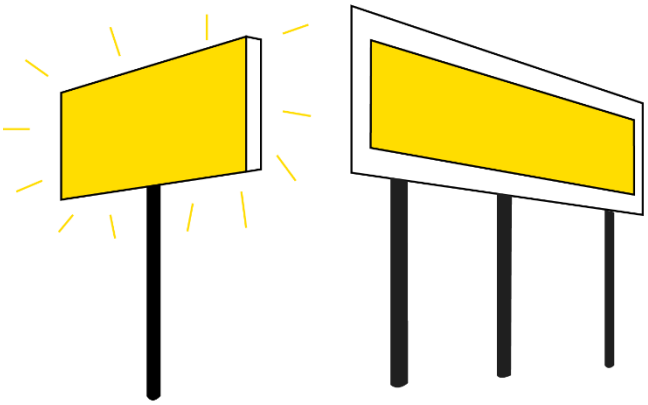


3.60 BILLBOARD SIGNS

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:

District	Agricultural	Discretionary
	Residential	Prohibited
	Business	Discretionary
	Industrial	Discretionary
	Special	Discretionary
Maximum Sign Dimensions	• 35.0 ² sign area • 12.0 m sign height	
Standards	• Shall be a minimum 150.0 m apart from any like sign • May be illuminated by a constant source of light • Shall be setback at a minimum of 5.0 m from a Parcel line • Shall have a minimum clearance of 3.0 m above grade • Shall not be permitted within 1.6 km of a highway right-of-way	

Example Billboard Signs for visual reference:



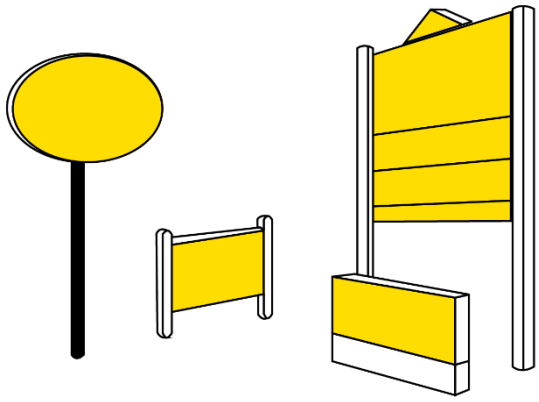
3.61 FREESTANDING SIGNS

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:

District	Agricultural	Permitted
	Residential	Discretionary
	Business	Permitted
	Industrial	Permitted
	Special	Permitted
Maximum Sign Dimensions	• 12.0 m^2 sign area • 9.0 m sign height	
Standards	• In Business and Industrial Districts, the sign may be illuminated and may contain electronic message display and changeable copy	

	• In Business and Industrial Districts, the sign shall have a minimum clearance of 2.5 m above grade • Shall be setback at a minimum of 3.0 m from a Parcel line • Shall not exceed 0.5 m^2 in area or 1.5 m in height for a 'Bed & Breakfast' (s.4.2) or 'HBB2' (s.4.12)

Example Freestanding Signs for visual reference:

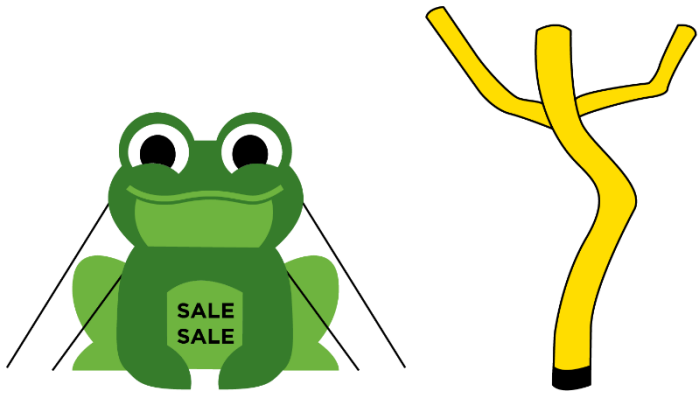


3.62 INFLATABLE SIGNS

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

District	Agricultural	Discretionary
	Residential	Prohibited
	Business	Discretionary
	Industrial	Discretionary
	Special	Discretionary
Maximum Sign Dimensions		N/A
Standards		• Shall be anchored against the wind • Shall be a minimum of 10.0 m from power and service lines and road rights-of-way

Example Inflatable Signs for visual reference:

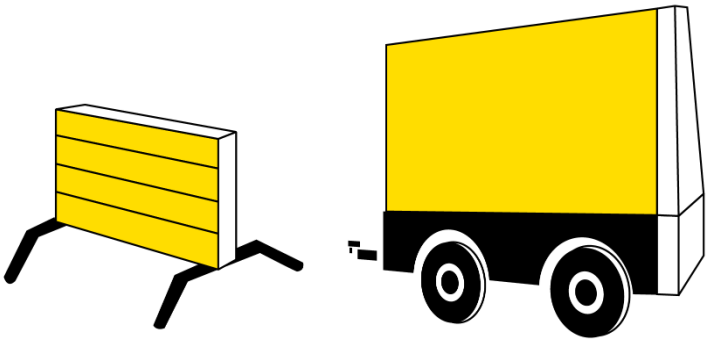


3.63 PORTABLE SIGNS

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

District	Agricultural	Discretionary
	Residential	Discretionary
	Business	Permitted
	Industrial	Permitted
	Special	Discretionary
Maximum Sign Dimensions		• 5.0 m² sign area • 3.0 m sign height
Standards		• Shall be a minimum 150.0 m apart from any like sign • Shall only be placed on the ground, not permanently affixed • All development permits for portable signs shall be temporary and may not exceed 90 days subject to the discretion of the Development Authority

Example Portable Signs for visual reference:

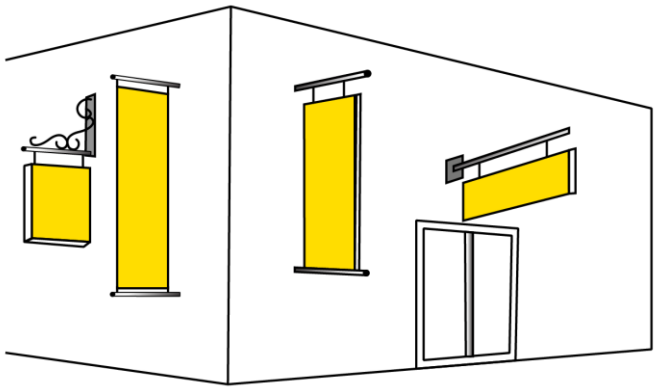


3.64 PROJECTING SIGNS

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:

District	Agricultural	Permitted
	Residential	Discretionary
	Business	Permitted
	Industrial	Permitted
	Special	Discretionary
Maximum Sign Dimensions		• Industrial Districts, 9.0 m² sign area • Non-Industrial Districts, 5.0 m² sign area
Standards		• Shall not project more than 1.0 m from a building • Shall have a minimum clearance of 3.0 m above grade • Shall not project above the roof or parapet of a Building • Shall not be located within 0.6 m from the parcel line

Example Projecting Signs for visual reference:

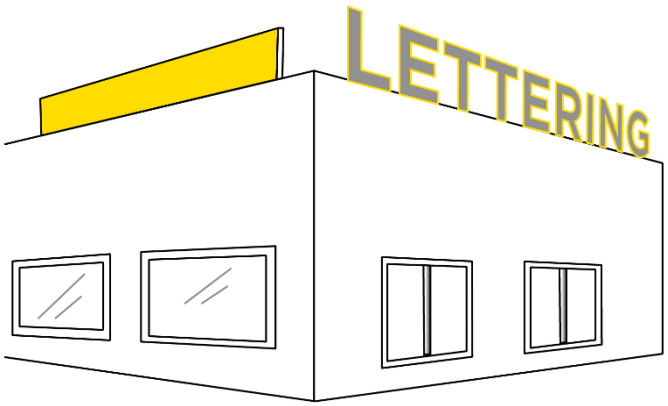


3.65 ROOF SIGNS

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:

District	Agricultural	Permitted
	Residential	Prohibited
	Business	Permitted
	Industrial	Permitted
	Special	Prohibited
Maximum Sign Dimensions		• 9.0 m^2 sign area • 1.0 m sign height
Standards		• Shall refer to the principal use of the building on which it is erected

Examples Roof Signs for visual reference:

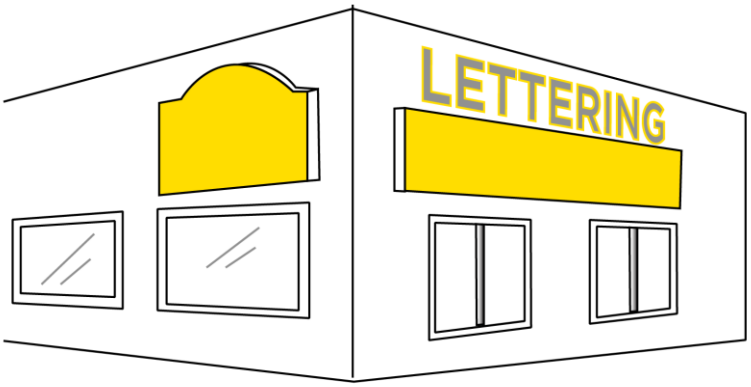


3.66 WALL/FASCIA SIGNS

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

District	Agricultural	Permitted
	Residential	Discretionary
	Business	Permitted
	Industrial	Permitted
	Special	Discretionary
Maximum Sign Dimensions	• Shall not exceed 50% of the area of the wall on which it is placed	
Standards	• Shall be painted on or safely and securely attached to the building by means of metal anchors, bolts or expansion screws • Shall not project more than 0.4 m above the vertical face of the wall to which they are attached • Shall not exceed 0.5 m^2 in area or 1.5 m in height for a 'Bed & Breakfast' (s.4.2) or 'HBB2' (s.4.12)	

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' (s.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.

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).

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-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/or

   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 a subordinate playground,

c) The minimum separation distance shall be measured from the closest portion of the Cannabis Production building to the property line of the above development listed in subsection b).

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 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 a subordinate playground.

c) The minimum separation distance shall be measured from the closest portion of the Cannabis Retail building to the property line of the above development listed in subsection b).

Development Permit Requirements

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

e) A retail cannabis license from Alberta Gaming, Liquor and Cannabis (AGLC) is required.

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.

g) An Applicant may be required to submit a Traffic Impact Assessment.

4.8 DRIVE-THROUGH

General Requirements

a) A Drive-Through is a subordinate 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.

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.

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.

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 consider 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 generate up to two (2) business-related visits per day, defined as two (2) vehicles visiting the business per day.

d) The HBB1 should not operate between the hours of 8:00 p.m. and 8:00 a.m. if noise is generated.

e) The sale of goods is restricted, unless they are incidental to the service provided by the business.

f) Retail, Establishments (Eating & Drinking), and automotive-related businesses are not allowed.

Site Requirements

g) The HBB1 shall not alter the character or external appearance of the land or buildings.

h) No outside storage of equipment, goods, materials, commodities, or finished products is permitted.

i) No more than one (1) commercial vehicle shall be parked onsite.

j) 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^2.

k) At least one (1) off-street parking stall shall be required.

Development Permit Requirements

l) A Development Permit is not required for a HBB1 so long as it complies with the above Requirements.

m) 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) 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.

e) The HBB2 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 and Establishments (Eating & Drinking) are not allowed.

Site Requirements

h) The HBB2 shall not alter the character or external appearance of the principal dwelling.

i) 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^2 or one percent (1%) of the parcel area, whichever is less,

j) No more than two (2) commercial vehicles shall be parked onsite.

k) 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.

l) Notwithstanding l), HBB2 are not allowed a 'Freestanding Sign' (3.62) in the R-HAM District.

m) At least two (2) off-street parking stalls shall be required.

Development Permit Requirements

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

o) 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) None.

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 or other domestic pets 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 37 m^2.

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.

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.

f) The Development Authority shall require:

i. a Security of $5,000 in alignment with Section 2.25 'Securities.'

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. 1000 m from a Hamlet.

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 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) The secondary suite will be subordinate to the principle use of the building.

d) 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

e) 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

f) A Development Permit application will respond to the above noted Requirements and further provide:

   i. A Floor Plan,

   ii. Elevations for the Secondary Suite (front, side and rear),

   iii. A Site Plan detailing amenity area 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^2 and maximum of 110.0 m^2 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.

Development Permit Requirements

d) A Development Permit application will respond to the above noted Requirements 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) 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

f) 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.

g) 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

h) 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^2 in an Agricultural General (A-GEN) District and smaller than 28 m^2 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.

b) A Development Permit is required for Solar Panels (Ground Mount) that are large than 56 m^2 in an Agricultural General (A-GEN) and larger than 28 m^2 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^2 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^2 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.

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.

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.

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 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.

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.

5.3 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.

5.4 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 AGRICUTURAL 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
	NEW DISTRICT 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
	NEW DISTRICT	S-NOS	SPECIAL, NATURAL OPEN SPACE DISTRICT

A-GEN Agriculture, General District

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

PERMITTED USES:	DISCRETIONARY USES:
Accessory Building/Structure ≤930 m^2	Accessory Building/Structure >930 m^2
Addition	Agriculture (Intensive)
Agricultural Building	Agriculture (Processing)
Agriculture (General)	Agriculture (Regulated)
Dwelling (Manufactured Home)	Bed & Breakfast
Dwelling (Multi-Unit) in a Hutterite Colony only	Boat Launch
Dwelling (Single Detached)	Bunk House
Farm Gate Sales	Cemetery
Government Services	Campground
Park	Farmers Market
School, Colony	Home-Based Business Type Two (HBB2)
Utilities	Kennel
	Pit or Quarry
	Recreation (Indoor)
	Recreation (Outdoor)
	Riding Arena
	Religious Assembly
	More than five (5) Shipping Containers
	Small Wind Energy System
	Solar Panels (Freestanding) greater than 56 m^2
	Solar Panels (Wall Mounted)
	Tiny Home/Park Model

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

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:

- One Dwelling Unit will be permitted per parcel; additional Dwelling Units shall be a discretionary use, up to the following maximums:
    - 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) Within the plan areas of the Intermunicipal Development Plans with the City of Brooks, Town of Bassano, Village of Duchess and Village of Rosemary, the following uses are discretionary:
   i. Agriculture Building ≥300 m^2,
   ii. Accessory Building/Structure ≥300m^2, and
   iii. Utilities.

b) Pit or Quarries should not be located within the plan area of the Intermunicipal Development Plans with the City of Brooks, Town of Bassano, Village of Duchess and Village of Rosemary.

EXCEPTIONS FOR THE A-GEN DISTRICT WITHIN THE PLAN AREA OF THE INTERMUNICIPAL DEVELOPMENT PLAN WITH THE VILLAGE OF DUCHESS:

a) The Following Uses are Discretionary:
   i. Agriculture Buildings
   ii. Government Services

b) The Following Uses are Prohibited:
   i. Agriculture (Processing)
   ii. Agriculture (Regulated)
   iii. Bunk House
   iv. Boat Launch
   v. Campground
   vi. Dwelling Unit (Multi Unit) In Hutterite Colony only
   vii. Park
   viii. Pit or Quarry
   ix. Recreation (Indoor)
   x. Recreation (Outdoor)
   xi. Small Wind Energy System
   xii. Solar Panels (Freestanding) greater than 56 m^2, and
   xiii. Tiny Home/Park Model

THE FOLLOWING SUBDIVISION POLICY APPLIES:

General

c) The Municipal Planning Commission may only approve one subdivision on an unsubdivided quarter section within the plan area of the Intermunicipal Development Plan with the Village of Duchess. The Municipal Planning Commission may consider a quarter section to be unsubdivided if previous subdivisions were for the purpose of public or quasi-public use or the quarter section meets the requirements of cut-off or fragmented Agricultural parcel.

Agricultural Uses

d) A subdivision for an Agricultural (Intensive) use may be treated as an agricultural use and may be permitted as one of the allowable subdivisions from a quarter section.

e) The Municipal Planning Commission shall not approve an application for subdivision of a parcel on which an existing or proposed confined feeding operation (CFO) is located.

f) Creation of 32.4 ha (80 acre) parcels is allowed.

Existing Parcels

g) The enlargement, reduction or realignment of an existing separate parcel may be approved provided that:

i. the additional lands required are to accommodate existing or related improvements;

ii. the proposal is to rectify or rationalize existing habitation, occupancy, cultivation, or settlement patterns;

iii. no additional parcels are created over and above those presently in existence;

iv. the proposed new parcel and the proposed residual parcel will continue to have direct legal and physical access to a public roadway, adequate development setbacks, and a suitable building site;

v. the size, location and configuration of the proposed new parcel will not significantly affect any irrigation or transportation system in the area or the urban expansion strategies of the Village of Duchess.

Cut-Off or Fragmented Agricultural Parcels

h) Subdivision of an undeveloped or developed cut-off parcel may be approved if:

i. the proposed parcel is separated from the residual parcel by:

i. a registered exception from the title,

ii. a feature that creates a significant physical barrier to use of both sides as a unit;

ii. the proposed parcel has direct legal and physical access;

iii. neither the proposed parcel nor the residual parcel are occupied by a livestock operation.

i) A quarter section which has been subdivided pursuant to the provisions of the above policy or previous provincial policies may be eligible for the subdivision of:

i. an existing farmstead or vacant parcel provided that the proposal is consistent with the requirements established for rural residential parcels; and

ii. the residual of the fragmented parcel must be at least 1.2 ha (3 acres) in size.

Single Parcel Developed Farmstead

j) A subdivision that proposes to create a single parcel containing a Dwelling or farmstead may be approved provided that the proposed parcel is to be subdivided from a previously unsubdivided quarter section compliant with the farmstead definition with a flexible maximum parcel size based on the improvements.

Single Vacant Parcel

k) A subdivision which proposes to create a single vacant parcel may be approved provided that:

i. the proposed parcel to be created is a maximum of 2.8 ha (7.0 acres) in size; and

ii. the proposed parcel contains, in the opinion of the Municipal Planning Commission, a buildable site; and

iii. the proposed parcel can be serviced to the satisfaction of the Municipal Planning Commission; and

iv. the development on the proposed parcel will not, in the opinion of the Municipal Planning Commission, inhibit public access to or otherwise have a detrimental effect on agriculture or the recreational use of a river valley, water body, environmentally sensitive area or special scenic location; and

v. the proposed parcel and the residual parcel both have direct legal and physical access to a public roadway to the satisfaction of the Subdivision Authority; and

vi. the access is satisfactory to Alberta Transportation where the access is onto or in close proximity to a primary highway; and

vii. the size and location of the proposed parcel will not significantly affect any irrigation system in the area.

Public and Institutional Uses

l) A subdivision application for public or institutional uses may be approved if

i. the Municipal Planning Commission is satisfied that suitable, existing alternative parcels are not reasonably available in another land use district;

ii. the use was functioning. In this case the application should encompass the developed site only;

iii. the legal and physical access, including access to the residual agricultural parcel, satisfies Alberta Transportation, in the case of a provincial highway or County of Newell in the case of municipal roads; and

iv. the Municipal Planning Commission is satisfied that the use is primary, suitable for the proposed parcel, has the ability to be serviced with domestic water and wastewater and will be developed as proposed.

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.

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

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

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:

a) 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.

b) 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 ≤140 m^2	Accessory Building/Structure >140 m^2
Addition	Bed & Breakfast
Dwelling (Single Detached)	Dwelling (Duplex)
Dwelling (Manufactured Home)	Home-Based Business Type Two (HBB2)
Park	Secondary Suite (Internal)
Utilities	Shipping Container
	Small Wind Energy System
	Solar Panels (Freestanding) greater than 28 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 ha
7.0 m for Accessory Buildings/Structures >0.8 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:

a) 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	Tiny Home/Park Model
Addition	Solar Panels (Wall Mounted)
Dwelling (Manufactured Home)	
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.

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:

a) All internal roads shall have a right-of-way width of at least 7.0 m and be hard surfaced, well drained and maintained.

b) 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.

c) All areas occupied by dwelling units, internal roads or pathways shall be fully landscaped to the satisfaction of the Development Authority.

d) A minimum of 5% of the gross site area shall be devoted to recreational space.

e) Each lot shall accommodate two (2) parking stalls.

f) Visitor parking shall be provided as a ratio of at least one space for every two (2) Dwelling (Manufactured Home) units, located at convenient locations throughout the park.

g) One (1) freestanding sign may be erected at the entrance to the manufactured home park.

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	Mixed Use Building
	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**	**Dwelling (Multi-Unit)**
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 Dwelling (Multi-Unit).

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	6.0 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:

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

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)
Addition	Animal Health (Small Animal)
Care Facility (Child)	Alcohol Production
Establishment (Eating & Drinking)	Cannabis Retail
Farmers Market	Care Facility (Clinic)
Government Services	Car/Truck Wash
Office	Establishment (Entertainment)
Park	Establishment (Restricted)
Recreation (Indoor)	Funeral Home
Religious Assembly	Gas Station
Retail (Small)	Hotel/Motel
Vehicle Services	Industrial (Light)
Utilities	Live/Work Unit
	Marina
	Mixed Use Building
	Recycling/Compost Facility
	Retail (General)
	Retail (Outdoor)
	Retail (Restricted)
	Self Storage
	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: 11 m for the Principal Building
7.3 m for Accessory Buildings/Structures

MINIMUM SETBACKS:

MAIN AND ACCESSORY BUILDINGS		
Front Yard	Side Yard	Rear Yard
6.0 m	3.0 m	6.0 m

MAXIMUM SITE COVERAGE: 50%

ADDITIONAL REQUIREMENTS:

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

b) 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 ≤500 m^2	Accessory Building/Structure >500 m^2
Addition	Alcohol Production
Agriculture (Intensive)	Animal Health (Inclusive)
Agriculture (Processing)	Auction Market
Establishment (Eating & Drinking)	Bulk Fuel
Government Services	Establishment (Restricted)
Industrial (Light)	Gas Station
Office	Hangar
Park	Kennel
Retail (Outdoor)	Industrial (Logistics)
Retail (Small)	Industrial (Medium)
Farmers Market	Live/Work Unit
Recreation (Indoor)	Recreation (Outdoor)
Religious Assembly	Recycling/Compost Facility
Shipping Container	Retail (General)
Utilities	Retail (Restricted)
	Self Storage
	Surveillance Suite
	Truck Stop
	Vehicle Sales
	Vehicle Services
	Solar Panels (Freestanding) greater than 28 m^2
	Solar Panels (Wall Mounted)

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

MINIMUM PARCEL SIZE: 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:

a) 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)
Addition	Alcohol Production
Agriculture (Intensive)	Auction Market
Agriculture (Processing)	Bulk Fuel
Animal Health (Inclusive)	Cannabis Production
Gas Station	Cannabis Retail
Industrial (Light)	Industrial (Medium)
Industrial (Logistics)	Industrial (Heavy)
Office	Kennel
Shipping Container	Recreation (Indoor)
Solar Panels (Wall Mounted)	Recreation (Outdoor)
Utilities	Recycling/Compost Facility
	Self Storage
	Solar Panels (Freestanding) greater than 28 m^2
	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:

a) 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.

b) 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.

PERMITTED USES:	**DISCRETIONARY USES:**
Accessory Building/Structure ≤190 m^2	Accessory Building/Structure >190 m^2
Addition	Exhibition Grounds
Government Services	Boat Launch
Park	Campground
School	Recreation (Indoor)
Utilities	Recreation (Outdoor)
	Shipping Container
	Solar Panels (Freestanding) greater than 28 m^2
	Solar Panels (Wall Mounted)

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

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:

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.

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.'

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

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) **BASEMENT** means that portion of a building or structure which is wholly or partially below grade, not exceeding 1.8 m above grade.

b) **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.

c) **CANTILEVER** means a long projecting beam or girder fixed at only one end.

d) **DECK** means an above grade open-sided roofless platform that is detached or adjoining a building.

e) **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.

f) **EAVE** means the overhang or extension of a roof line beyond the vertical wall of a building.

g) **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.

h) **PARAPET** means a low wall or railing to protect the edge of a roof.

i) **PATIO** means an uncovered open platform or area situated directly on the ground.

j) **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.

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. A campground may include accessory buildings, including, but not limited to, administrative offices, eating and cooking shelters, washroom and shower facilities, playgrounds, food concessions, retail, laundry facilities, fire pits, firewood storage, water supply, sewage disposal facilities, waste collection and recycling facilities.

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, 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.

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.

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.

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 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.

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 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 Dwelling (Multi-Unit).

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.

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.

FARMSTEAD means a part of an Agricultural parcel:

(a) that is presently or was formerly used as the site for a dwelling as part of an agriculture operation;
(b) that typically includes agricultural buildings such as quonsets, grain bins, sheds, and ancillary structures such as corrals, dugouts, storage areas for farm machinery, equipment and products;
(c) that is relatively compact and well defined by topography, shelterbelts or other physical characteristics;

(d) that does not include any cultivated farmland, pasture land or lands unsuitable for agricultural production unless included within the shelter belt and/or physically defined area. Fencing alone shall not constitute a physically defined area if it encompasses agricultural land or other lands that are not necessary for habitation, unless it is proven to be impractical to do so.

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) a subordinate 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.

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, 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, or a diversified livestock animal 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.

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 CONSERVATION LANDS means any lands in the County designated as a Provincial Park or Conservation Reserve per the MGA.

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

NON-CONFORMING BUILDING as defined within the MGA.

NON-CONFORMING USE as defined within the MGA.

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

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 include 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.

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.

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^2. 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 (Restricted) or Cannabis Retail.

RETAIL (GENERAL) means a use where the sale of goods and services occur in a building with a Gross Floor Area larger than 1,000.0 m^2. 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 arena shall not be used for horse shows, rodeos, 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.

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.

SCHOOL, COLONY means a place of instruction in a building that is not utilized as a dwelling and located on a farm where the students reside on the farm. This does not include home schooling.

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.

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.

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.

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*.

SUBORDINATE 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.

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,

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 the 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.

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 as defined within the MGA.

USE, PERMITTED as defined within the MGA.

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.

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 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, 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.

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 water body 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: **County of Newell Public Map**

Direct Control Districts

COUNTY OF NEWELL
IN THE PROVINCE OF ALBERTA

BYLAW NO. 1819-15

BEING a bylaw of the County of Newell in the Province of Alberta, to amend Bylaw No. 1755-12, being the Land Use Bylaw;

WHEREAS the County Council is in receipt of an application for a Land Use Bylaw Amendment to redesignate lands within the municipality as shown on the map in Schedule 'A' attached hereto and legally described as:

LOT 9, BLOCK 1, PLAN 831 0515 WITHIN
NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 19, RANGE 14,
WEST OF THE 4TH MERIDIAN

WHEREAS the purpose of proposed Bylaw No. 1819-15 is redesignate portions of the the above-noted lands from "Rural Industrial - RI" to "Direct Control - DC" to accommodate the reconstruction of an residential accessory building and to establish the uses and rules for the Direct Control District pertaining to the above described land and said uses and rules are as described in Schedule 'B' attached hereto;

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the County of Newell in the Province of Alberta duly assembled does hereby enact the following:

1. Lands, illustrated on the map in Schedule 'A' and legally described above shall be redesignated and the Land Use District Map shall be amended to reflect this redesignation.

2. That Schedule 2 Direct Control Land Use District be amended by adding Section 15, as attached in Schedule 'B', which contains specific development details for Lot 9, Block 1, Plan 831 0515.

3. Bylaw No. 1755-12 is hereby amended and consolidated.

4. This bylaw shall come into effect upon third and final reading hereof.

READ a **first** time this 12th day of February, 2015.

***Reeve** – Molly Douglass*

***Chief Administrative Officer** – Kevin Stephenson*

READ a **second** time this 5th day of March, 2015.

***Reeve** – Molly Douglass*

***Chief Administrative Officer** – Kevin Stephenson*

READ a **third** time and finally PASSED this 5th day of March, 2015.

***Reeve** – Molly Douglass*

***Chief Administrative Officer** – Kevin Stephenson*

SCHEDULE 'B'

SECTION 15 Lot 9, Block 1, Plan 831 0515 Portion of the NE¼ 8-19-14 (See Schedule 1, Division 10, Map 12)

15.1 Permitted and discretionary uses are as follows:

(a) Permitted

(i) those uses listed as permitted in Section 1.1 of the Rural Industrial – RI land use district.

(b) Discretionary

(i) those uses listed as discretionary in Section 1.2 of the Rural Industrial – RI land use district;

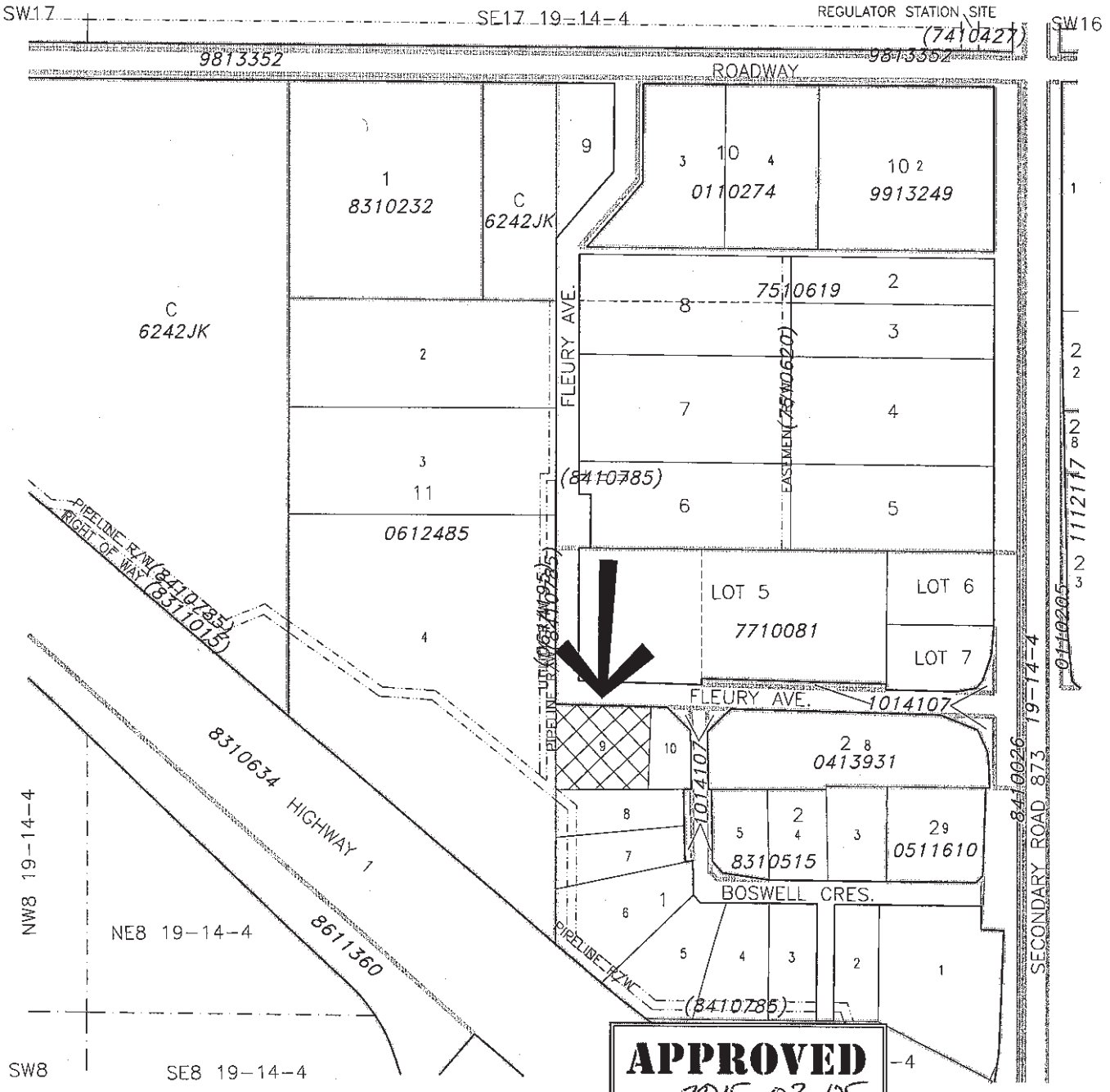
(ii) residential accessory buildings and structures;

(iii) residential additions.

15.2 The decision making authority for permitted uses has been delegated to the Development Officer and discretionary, similar use, and waiver decisions shall be delegated to the Municipal Planning Commission.

15.3 Standards of development for uses listed in Section 1.1 and 1.2 of the Rural Industrial Land Use District shall be as outlined in the Rural Industrial District, Sections 2 through 19.

15.4 All standard of development for residential uses shall be at the discretion of the Municipal Planning Commission.



APPROVED
Date: 2015-03-05
File No.: 15 LUA 001
Bylaw No.: 1819-15
County of Newell

LAND USE DISTRICT REDESIGNATION
SCHEDULE 'A'

FROM: RURAL INDUSTRIAL - RI
TO: DIRECT CONTROL - DC

LOT 9, BLOCK 1, PLAN 8310515
WITHIN NE 1/4 SEC 8, TWP 19, RGE 14, W 4 M
MUNICIPALITY: COUNTY OF NEWELL
DATE: JANUARY 28, 2015

Bylaw #: 1819-15
Date: _____

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

N

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

January 28, 2015 N:\Newell-County\Newell County LUD & Land Use Redesignations\Redesignations\Newell-County Bylaw No.1819-15 Lot 9, Block 1, Plan 8310515.dwg

COUNTY OF NEWELL
IN THE PROVINCE OF ALBERTA

BYLAW NO. 1935-18

BEING a bylaw of the County of Newell in the Province of Alberta, to amend Bylaw No. 1892-17, being the Land Use Bylaw;

WHEREAS the County Council is in receipt of an application for a Land Use Bylaw Amendment to redesignate lands within the municipality as shown on the map in Schedule 'A' attached hereto and legally described as:

PORTION OF LOT C, BLOCK 5, PLAN 152FK WITHIN SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 15, RANGE 13, WEST OF THE 4TH MERIDIAN

WHEREAS the purpose of proposed Bylaw No. 1935-18 is to redesignate portions of the the above-noted lands from "Parks and Recreation - PR" to "Direct Control - DC" to accommodate the location of a moved-in building for the purposes of establishing a post office and to establish the uses and rules for the Direct Control District pertaining to the above described land and said uses and rules as described in Schedule 'B' attached hereto;

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the County of Newell in the Province of Alberta duly assembled does hereby enact the following:

1. Lands, illustrated on the map in Schedule 'A' and legally described above shall be redesignated and the Land Use District Map shall be amended to reflect this redesignation.

2. That Schedule 2 Direct Control Land Use District be amended by adding Section 17, as attached in Schedule 'B', which contains specific development details for a portion of Lot C, Block 5, Plan 152FK.

3. Bylaw No. 1892-17 is hereby amended and consolidated.

4. This bylaw shall come into effect upon third and final reading hereof.

READ a **first** time this 6th day of December, 2018.

***Reeve** – Molly Douglass*

***Chief Administrative Officer** – Kevin Stephenson*

READ a **second** time this 20th day of December, 2018.

***Reeve** – Molly Douglass*

***Chief Administrative Officer** – Kevin Stephenson*

READ a **third** time and finally PASSED this 20th day of December, 2018.

***Reeve** – Molly Douglass*

***Chief Administrative Officer** – Kevin Stephenson*

SCHEDULE 'B'

SECTION 17 Lot C, Block 5, Plan 152FK Portion of the SE¼ 6-15-13 (See Schedule 1, Division 1, Map A: Hamlet of Rolling Hills)

17.1 Permitted and discretionary uses are as follows:

(a) Permitted

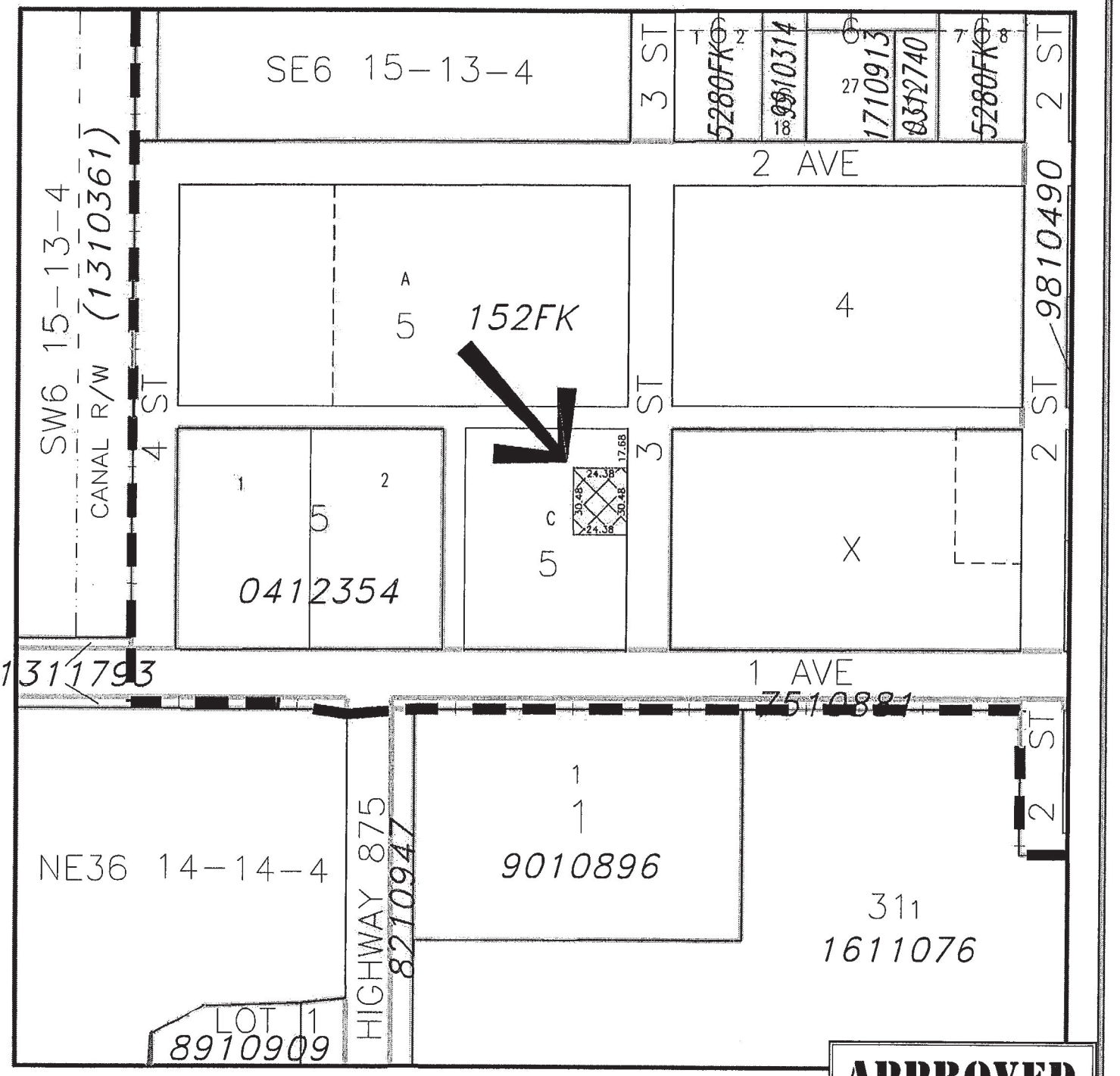
(i) Moved-in buildings

(ii) Post office

(iii) Accessory uses, buildings and structures associated with a post office

17.1 Council shall be the decision making authority for all permit applications.

17.2 Standards of development for uses listed in Section 17.1 shall be at the discretion of Council.



LAND USE DISTRICT REDESIGNATION
SCHEDULE 'A'

Bylaw #:
Date:

FROM: PARKS AND RECREATION - PR
TO: DIRECT CONTROL - DC

PORTION OF LOT C, BLOCK 5, PLAN 152FK
WITHIN SE 1/4 SEC 6, TWP 15, RGE 13, W 4 M
MUNICIPALITY: COUNTY OF NEWELL (HAMLET OF ROLLING HILLS)
DATE: NOVEMBER 20, 2018

APPROVED
Date: 2018-12-20
File No.: 18LUA007
Bylaw No.: 1935-18
County of Newell

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 50 100 150 200

N

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

November 21, 2018 N:\Newell-County\Newell County LUD & Land Use Redesignations\Redesignations\Newell-County Rolling Hills Lot C, Block 5, Plan 152FK.dwg

COUNTY OF NEWELL
IN THE PROVINCE OF ALBERTA

BYLAW NO. 1952-19

BEING a bylaw of the County of Newell in the Province of Alberta, to amend Bylaw No. 1892-17, being the Land Use Bylaw;

WHEREAS the County Council is in receipt of an application for a Land Use Bylaw Amendment to redesignate lands within the municipality as shown on the map in Schedule 'A' attached hereto and legally described as:

LOT 32, BLOCK 2, PLAN 181 1029 AND BLOCK 2, 17868A WITHIN SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 21, RANGE 17, WEST OF THE 4TH MERIDIAN

WHEREAS the purpose of proposed Bylaw No. 1952-19 is the above-noted lands from "Agricultural - A" to "Direct Control - DC" to accommodate the development of a museum and to establish the uses and rules for the Direct Control District pertaining to the above described land and said uses and rules are as described in Schedule 'B' attached hereto;

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the County of Newell in the Province of Alberta duly assembled does hereby enact the following:

1. Lands, illustrated on the map in Schedule 'A' and legally described above shall be redesignated and the Land Use District Map shall be amended to reflect this redesignation.

2. That Schedule 2 Direct Control Land Use District be amended by adding Section 18, as attached in Schedule 'B', which contains specific development details for Lot 32, Block 2, Plan 181 1029 and Block 2, 17868A within in SW ¼ 15 -21-17 W4M.

3. Bylaw No. 1892-17 is hereby amended and consolidated.

4. This bylaw shall come into effect upon third and final reading hereof.

READ a **first** time this 9th day of May, 2019.

Reeve *– Molly Douglass*

Chief Administrative Officer *– Kevin Stephenson*

READ a **second** time this 6th day of June, 2019.

Reeve *– Molly Douglass*

Chief Administrative Officer *– Kevin Stephenson*

READ a **third** time and finally PASSED this 6th day of June, 2019.

Reeve *– Molly Douglass*

Chief Administrative Officer *– Kevin Stephenson*

SCHEDULE 'B'

SECTION 18 Lot 32, Block 2, Plan 181 1029 and Block 2, 17868A of the SW¼ 15-21-17 (See Schedule 1, Division 6, Map 9)

18.1 The intent of this section to establish a site specific direct control district that provides for the operation of a museum attraction on the site of the former Hamlet of Countess. A concept plan has been prepared and approved by council resolution and is sited as the "Countess Country Museum Concept Plan". The plan provides a comprehensive guide to development in the subject area.

18.2 Permitted and discretionary uses are as follows:

(a) Permitted

(i) Museum

(ii) Single detached dwelling

(iii) Accessory use, buildings and structure related to an approved residential dwelling.

18.3 The museum is intended to function as a cohesive site. As such, subdivision shall not be permitted.

18.4 The Standards of Development in Schedule 3 of the Land Use Bylaw shall apply to development on the site, as applicable.

18.5 Minimum Setback Requirements

(a) Principal and accessory buildings shall be located no closer than 7.6 metres (25 ft.) from the property lines not fronting Highway 550. The setback shall also be maintained on either side of the property line between Lot 32, Block 2, Plan 181 1029 and Block 2, 17868A.

(b) Buildings 9.2 m^2 (100 ft^2) or less in size not on a permanent foundation shall be placed no closer than 7.6 metres (25 ft.) from the property lines not fronting Highway 550. The setback shall also be maintained on either side of the property line between Lot 32, Block 2, Plan 181 1029 and Block 2, 17868A.

(c) Alberta Transportation will determine the setback from Highway 550 for all uses.

18.6 Site Coverage

(a) The maximum site coverage of the principal and accessory buildings (permanent and non-permanent foundation) and structures shall not exceed 40 percent of the site.

18.7 Compliance with Alberta Transportation Conditions

(a) The lands shall be subject to a roadside development permit from Alberta Transportation which shall provide direction to the development officer regarding the size, type and location of the following:

(i) outdoor storage and display;

(ii) landscaping and screening;

(iii) access and parking lot locations;

(iv) signage; and

(v) lighting.

18.8 Potable Water, Wastewater/Sewage, and Fire Protection

(a) The applicant shall be responsible for complying with all applicable municipal, provincial and federal requirements for provision of potable water, wastewater/ sewage, and fire protection.

(b) Washroom facilities shall be provided in accordance with applicable municipal and provincial regulations. The type and number of washroom facilities to be provided may be specified as a condition of development.

18.9 A grading and drainage plan may be required as a condition of development, depending on the structures and site coverage.

18.10 Delegation of Authority

(a) Council hereby authorizes the Designated Officer for the purposes of the Land Use Bylaw to serve as the Development Authority and decide upon development permit applications for the following uses in accordance with the standards of this district:

(i) Buildings accessory to dwelling

(ii) Museum

(iii) The "use" museum includes the following uses and structures which will comprise the Countess Country Museum. Development permits shall be required for the following uses:

Site Office

Workshop / restoration building

Motel Unit (Shell)

Café / restaurant

Print Shop

Temporary Shop (Tent Structure)

Existing dwelling - temporary use; Historic Library and Coffee House

Shop

Pump House

Carpentry Shop

Bunkhouse

Homestead House

Shadow Box Maze

Tee Pee Village

Event Centre

Relay Station for Stage Coach

Firehall

School House

CPR Railway and Portable Station complete with track and railway cars

Replica of Countess Building

Small Church

Livery Stable/Blacksmith Shop

Pool Room/Barber Shop

Mercantile Store

Dentist/Doctor's Office

Beauty Salon

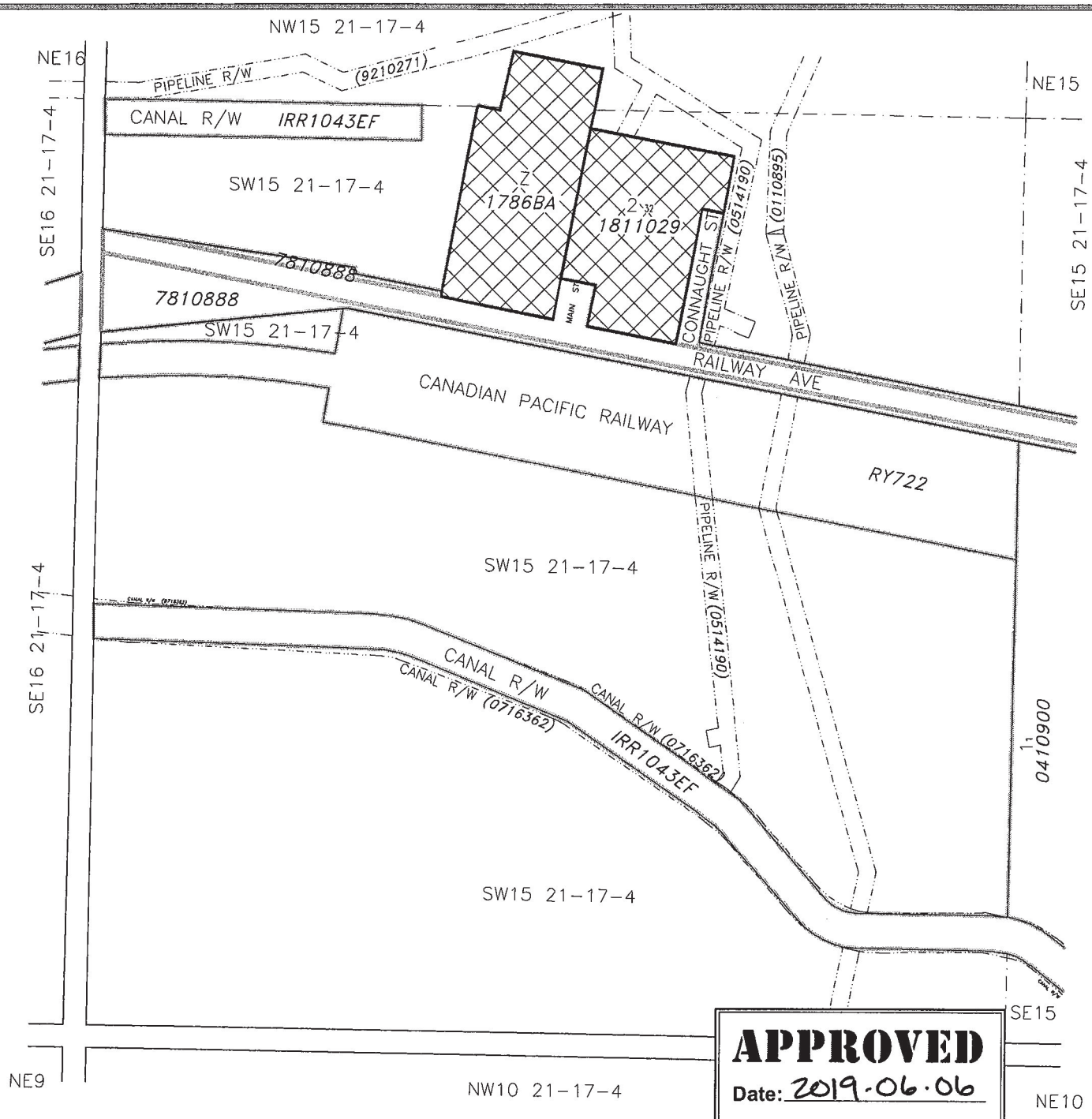
EID Crew Shack

Farm equipment displays.

Road building equipment.

(b) The Designated Officer may refer any development permit application for which he/she is authorized to decide upon to Council for a decision.

(c) Council shall decide upon all other development permit applications in this district, including application for waivers of development standards and intensification of uses in Section 18.10 (a)(iii).



APPROVED
Date: 2019-06-06
File No.: 19 LUA 004
Bylaw No.: 1952-19
County of Newell

LAND USE DISTRICT REDESIGNATION
SCHEDULE 'A'

FROM: A - Agriculture
TO: DC - Direct Control

PLAN 1786BA; BLOCK Z & PLAN 1811029; BLOCK 2; LOT 32
WITHIN SW & NW 1/4 SEC 15, TWP 21, RGE 17, W 4 M
MUNICIPALITY: COUNTY OF NEWELL
DATE: APRIL 29, 2019

Bylaw #: 1952 - 19
Date:

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344

"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

April 29, 2019 N:\Newell-County\Newell County LUD & Land Use Redesignations\Redesignations\Newell SW15-21-17-4.dwg

COUNTY OF NEWELL
IN THE PROVINCE OF ALBERTA

BYLAW NO. 1997-20

BEING a bylaw of the County of Newell in the Province of Alberta, to amend Bylaw No. 1892-17, being the Land Use Bylaw;

WHEREAS the County Council is in receipt of an application for a Land Use Bylaw Amendment to redesignate lands within the municipality as shown on the map in Schedule 'A' attached hereto and legally described as:

PLAN 1380EU, BLOCK PCL C IN THE
NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 20, RANGE 13, WEST OF THE 4TH MERIDIAN

AND WHEREAS the purpose of proposed Bylaw No. 1997-20 is to redesignate the above-noted lands from "Hamlet Residential - HR" to "Direct Control - DC" to accommodate the development of a private school and religious assembly and to establish the uses and rules for the Direct Control District pertaining to the above described land and said uses and rules are as descriped in Schedule 'B' attached hereto;

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the County of Newell in the Province of Alberta duly assembled does hereby enact the following:

1. Lands illustrated on the map in Schedule 'A' and legally described above shall be redesignated.
2. The Land Use District Map shall be amended to reflect this redesignation.
3. Bylaw No. 1892-17 is hereby amended and consolidated.
4. This bylaw shall come into effect upon third and final reading hereof.

READ a **first** time this 23rd day of July, 2020.

_____ _____

Reeve *– Molly Douglass* ***Chief Administrative Officer*** *– Kevin Stephenson*

READ a **second** time this 10th day of September, 2020.

_____ _____

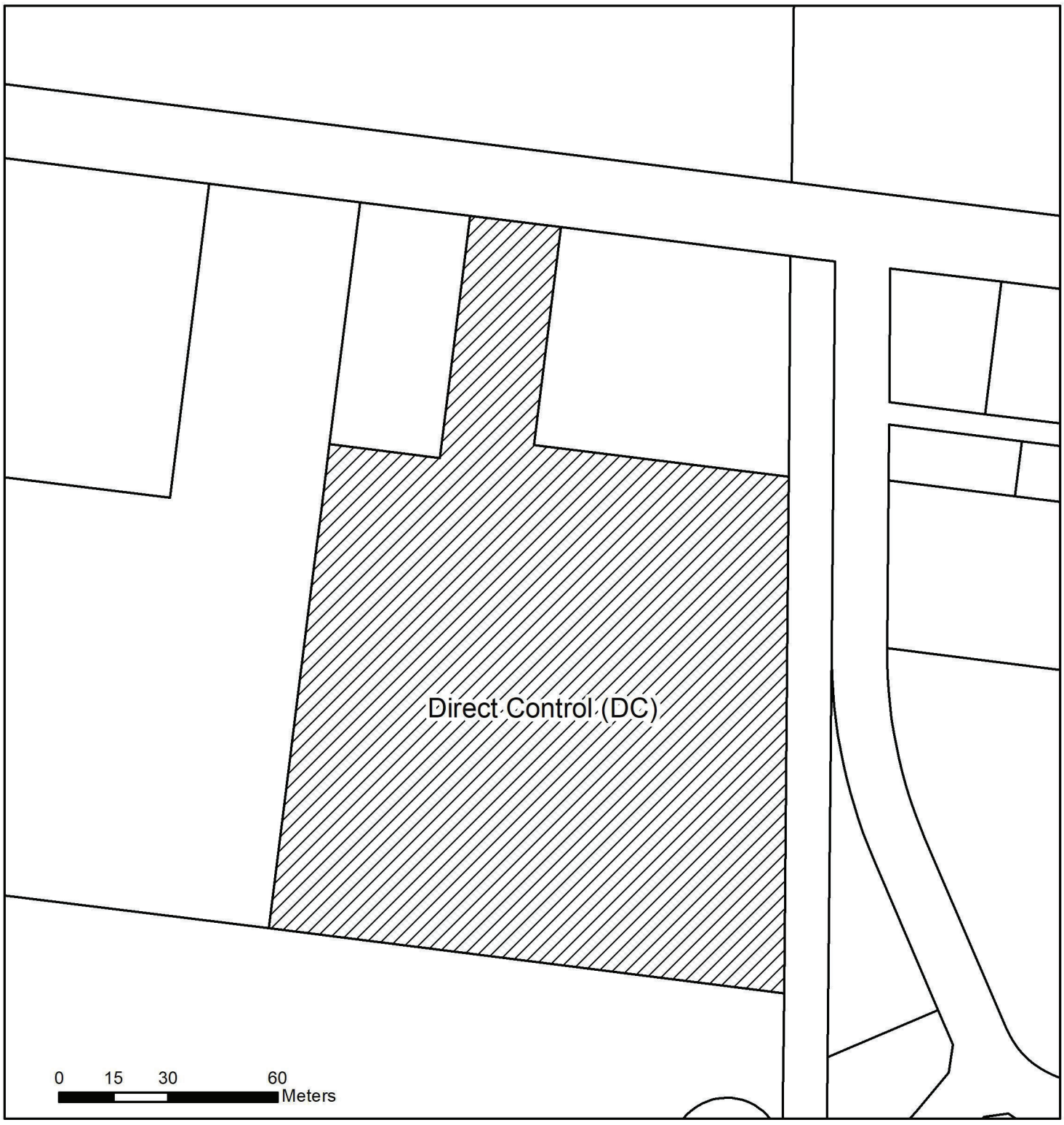
Reeve *– Molly Douglass* ***Chief Administrative Officer*** *– Kevin Stephenson*

READ a **third** time and finally PASSED this 10th day of September, 2020.

Reeve – *Molly Douglass*

Chief Administrative Officer – *Kevin Stephenson*

Land Use Amendment Schedule 'A'



COUNTY OF NEWELL

CHANGE FROM: Hamlet Residential (HR)
TO: Direct Control (DC)
LEGAL LAND LOCATION: Block PCL C, Plan 1380EU
DATE: July 23, 2020
FILE NUMBER: 20-LUA-006
BYLAW NUMBER: 1997-20

N

Aerial Photo Date: 2018

"Schedule B"

SECTION 19 Block PCL C, Plan 1380EU in the NW 13-020-13W4M

19.1 The intent of this section to establish a site-specific direct control district that provides for the operation of a private school with the possibility of the addition of a religious assembly to the site.

19.2 Permitted and discretionary uses are as follows:

a) Permitted

(i) Private School

(ii) Religious Assembly

(iii) Accessory use; buildings and structure related to an approved private school or religious assembly

19.3 Council delegates the decision-making authority for permitted uses in this District to the Development Officer.

19.4 The setback requirements for this district shall be the same as the Hamlet Business District

19.5 Standards of Development in Schedule 3 of the Land Use Bylaw shall be applied to development on the site, as applicable.

19.6 Use Standards in Schedule 4 of the Land Use Bylaw shall be applied to development on the site, as applicable.

19.7 The Development Officer may refer any development permit application for which he/she is authorized to decide upon to Council for a decision.

COUNTY OF NEWELL
IN THE PROVINCE OF ALBERTA

BYLAW NO. 2014-21

BEING a bylaw of the County of Newell in the Province of Alberta, to amend Bylaw No. 1892-17, being the Land Use Bylaw;

WHEREAS the Council of the County of Newell is in receipt of an application for a Land Use Bylaw Amendment to redesignate lands within the municipality as shown on the map in Schedule 'A' attached hereto and legally described as:

PORTIONS OF THE SW ¼ 5-18-14W4M

AND WHEREAS the purpose of proposed Bylaw No. 2014-21 is to redesignate portions of the above-noted lands from "Direct Control - DC/ Agricultural - A" to "Direct Control - DC" to accommodate a residential subdivision.

AND WHEREAS the purpose of Bylaw 2014-21 is to ensure that subdivision and development decisions are compliant with Bylaw 1941-19 the North Headgates Area Redevelopment Plan as shown in Schedule 'B' attached hereto.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the County of Newell in the Province of Alberta duly assembled does hereby enact the following:

1. Lands, illustrated on the map in Schedule 'A' and legally described above shall be redesignated.
2. The Land Use District Map shall be amended to reflect this redesignation.
3. Bylaw No. 1892-17 is hereby amended and consolidated.
4. This bylaw shall come into effect upon third and final reading hereof.

READ a **first** time this 10th day of June 2021.

Reeve *– Molly Douglass*

Chief Administrative Officer *– Matt Fenske*

READ a **second** time this 8th day of July, 2021.

Reeve *– Molly Douglass*

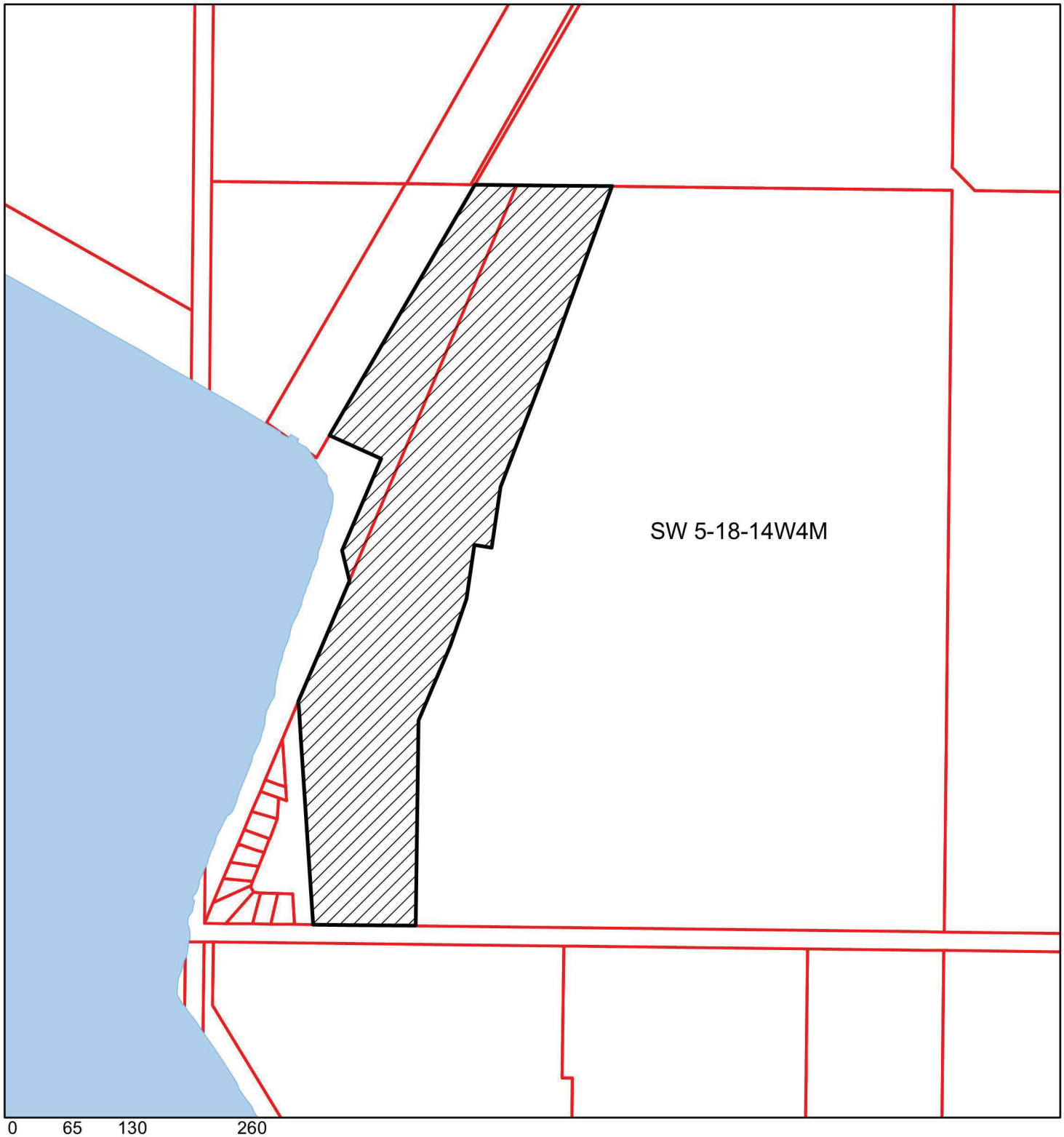
Chief Administrative Officer *– Matt Fenske*

READ a **third** time and finally PASSED this this 8th day of July, 2021.

Reeve *– Molly Douglass*

Chief Administrative Officer *– Matt Fenske*

LAND USE AMENDMENT SCHEDULE 'A'



CHANGE TO: DIRECT CONTROL DISTRICT

COUNTY OF NEWELL

LEGAL LAND LOCATION: PT. OF THE SW 5-18-14W4M
DATE: JUNE 10, 2021
FILE NUMBER: 21-LUA-003
BYLAW NUMBER: 2014-21

N

Aerial Photo Date: 2018

Schedule 'B'

Section 12 Portions of the SW ¼ 5-18-14 (See Schedule 1, Division 5, Map 35)

12.1 USES

(a) Permitted Uses:

Accessory Building
Accessory Structure
Accessory Use
Addition
Deck
Manufactured Home 1
Modular Home 1
Ready-to-Move Home
Single Detached Dwelling

(b) Discretionary Uses:

Alternative Energy, Individual
Bed and Breakfast
Home Occupation 1
Manufactured Home 2
Modular Home 2
Moved-in Building
Moved-in Dwelling
Park Model Recreational Unit
Secondary Suite
Tourist Home

12.2 MINIMUM SETBACKS FROM PROPERTY LINES

(a) the minimum yard depth for any building or structure shall be:

Front Yard		**Side Yard**		**Rear Yard**	
m	**ft.**	**m**	**ft.**	**m**	**ft.**
3	10	1.5	5	3	10

(b) In the case of corner lots, a front yard of at least 3.0 m (10 ft.) shall be provided on one frontage and a secondary front yard of at least 3.0m (10 ft.) shall be provided for the other frontage.

(c) The Development Authority may require increased setbacks other than those listed in 12.2 (a) if, in its opinion, such setbacks would be necessary.

12.3 MAXIMUM LOT COVERAGE

(a) The maximum lot coverage for all permitted and discretionary uses shall be:
  (i) principal residential and accessory buildings – 35 percent
  (ii) all other uses – as required by the Development Authority

12.4 MAXIMUM BUILDING HEIGHT

(a) Principal building shall be 10.9 m (36 ft.)

(b) Accessory building shall be 4.9 m (16 ft.)

12.5 ACCESSORY BUILDINGS

(a) An accessory building shall not be used as a permanent dwelling and shall only be constructed after the principal building has been constructed.

(b) An accessory building may only be used as a temporary dwelling in conjunction with an approved development permit to construct a dwelling, at the discretion of the Municipal Planning Commission.

(c) An accessory building shall be setback a minimum 3.0 m (10 ft.) from the principal dwelling and from all other structures on the same lot.

(d) Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.

12.6 SERVICING REQUIREMENTS

(a) Every development shall be required to install individual potable water system and a wastewater holding tank. No other method of servicing will be permitted in this district.

(b) Each lot, at the time of development, shall enter into a rural water purposes agreement with the Eastern Irrigation District to provide irrigation water to the developed lot.

12.7 PROJECTION OVER YARDS

(a) Except as provided in this section, no portion of the principal building shall project into the minimum setbacks as outlined in Section 12 of the Direct Control District.

12.8 REFUSE COLLECTION AND STORAGE

(a) Refuse and garbage shall be kept in a suitable container or enclosure.

(b) Refuse and garbage shall be effectively screened from public view.

12.9 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

(a) No person shall allow a motor vehicle which has all or part of its superstructure removed, or a motor vehicle which is in a dilapidated or unsightly condition to remain parked on a parcel in this district unless it is suitably housed or screened to that satisfaction of the Development Officer.

(b) No person shall keep or permit in this district:

(i) any dismantled or wrecked vehicle for more than 14 successive days;
(ii) any object or chattel which, in the opinion of the Development Officer, is unsightly or tend to adversely affect the amenities of the district; or
(iii) the storage of materials used in the construction of a development beyond the period which, in the opinion of the Development Officer, is necessary for the completion of a particular stage of construction work.

(c) Not more than one recreational vehicle may be stored or parked on a residential lot.

(d) A recreational vehicle parked on a lot in any district shall not be used for permanent living or sleeping accommodations.

(e) Individual propane tanks used as the primary source of heat for structures will not be permitted to be installed for any new development within this district.

12.10 STANDARDS OF DEVELOPMENT – See Schedule 3.

12.11 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 4.

COUNTY OF NEWELL
IN THE PROVINCE OF ALBERTA

BYLAW NO. 2036-22

BEING a bylaw of the County of Newell in the Province of Alberta, to amend Bylaw No. 2016-21, being the Land Use Bylaw;

WHEREAS the Council of the County of Newell is in receipt of an application for a Land Use Bylaw Amendment to redesignate lands within the municipality as shown on the map in Schedule 'A' attached hereto and legally described as:

PORTIONS OF THE SW 17-18-14-W4, SE 17-18-14-W4 AND PLAN 9311870, BLOCK 1

AND WHEREAS the purpose of proposed Bylaw No. 2036-22 is to redesignate portions of the above-noted lands from "A-GEN Agricultural, General District" to "DC Direct Control District" to accommodate a shooting range and to establish the uses and rules for the Direct Control District pertaining to the above-described land and said uses and rules are described in Schedule "B" attached hereto.

AND WHEREAS the municipality must prepare an amending bylaw and provide for its consideration at a public hearing.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000, as amended, the Council of the County of Newell in the Province of Alberta duly assembled does hereby enact the following:

1. Lands, illustrated on the map in Schedule 'A' and legally described above shall be redesignated.
2. The Land Use District Map shall be amended to reflect this redesignation.
3. Bylaw No. 2016-22 is hereby amended and consolidated.
4. This bylaw shall come into effect upon third and final reading hereof.

July 21, 2022 — **MOVED BY COUNCILLOR NEIL JOHNSON** that Bylaw 2036-22 receive FIRST reading.

MOTION CARRIED

August 11, 2022 — **MOVED BY COUNCILLOR KELLY CHRISTMAN** that Bylaw 2036-22 receive SECOND reading.

MOTION CARRIED

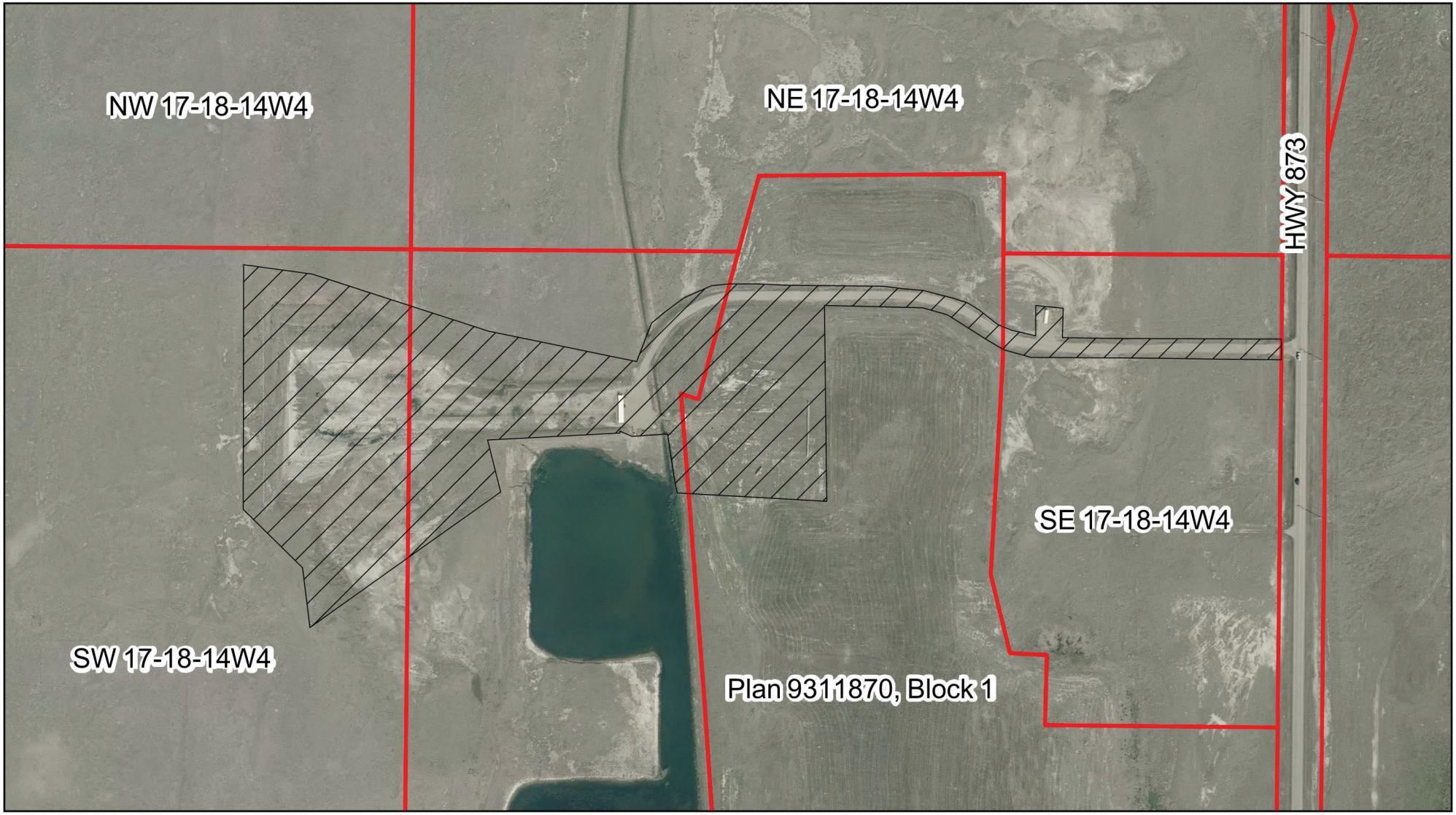
August 11, 2022 — **MOVED BY COUNCILLOR HOLLY JOHNSON** that Bylaw 2036-22 receive THIRD and FINAL reading.

MOTION CARRIED

Reeve – *Arno Doerksen*

Chief Administrative Officer – *Matt Fenske*

LAND USE AMENDMENT SCHEDULE 'A'



0 90 180 360 Meters

COUNTY OF NEWELL

CHANGE FROM: AGRICULTURE - GENERAL DISTRICT
CHANGE TO: DIRECT CONTROL DISTRICT
LEGAL LAND LOCATION: PTS. OF THE SW 17-18-14-W4, SE 17-18-14-W4, PLAN 9311870, BLOCK 1
DATE: JULY 21, 2022
FILE NUMBER: 22-LUA-006
BYLAW NUMBER: 2036-22

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Bylaw 2036-22 Schedule 'B'

PURPOSE: To allow for the development of a shooting range.

LOCATION: Portions of the SW 17-18-14-W4, SE 17-18-14-W4 and PLAN 9311870, BLOCK 1 (See schedule A to Bylaw 2036-22)

PERMITTED USES:	**DISCRETIONARY USES:**
Accessory Building/Structure ≤140 m^2	Accessory Building/Structure >140 m^2
Office	Addition
	Shipping Container
	Shooting Range
	Small Wind Energy System
	Solar Panels (Freestanding)
	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 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
	30.0 from other parcels	30.0 from other parcels

MAXIMUM SITE COVERAGE: 50%

ADDITIONAL REQUIREMENTS:

a) In determining an application for Development Permit approval, the Development Authority shall consider:
   i. the potential nuisance effect the Development may have on nearby properties;
   ii. proximity to environmentally significant areas, designated natural areas, animal and bird habitats, and migratory bird sanctuaries;
   iii. the design of the Development including, but not limited to, setbacks, sound attenuation walls, trenches, berms, partial enclosures, direction of fire, and similar design features;
   iv. the effect in which the surrounding landforms influence the manner in which sound carries
b) The Development Authority may require the applicant to submit:
   i. a report or evidence that the proposed range will conform to the Firearms Act, Shooting Clubs and Shooting Ranges regulations, or other relevant legislation;
   ii. an area plan that identifies lands within a 3 km radius illustrating land uses, existing buildings, and any other information deemed necessary by the Development Authority;
   iii. Any information deemed necessary by the development Authority.