



Council Planning & Economic Development Meeting AGENDA

Tuesday, September 17, 2019

9:00 AM

Council Chambers

County Administration Building

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**
- 3. MINUTES APPROVAL**
- 4. AUGUST 2019 DEVELOPMENT REPORT** David Blades
- 5. 9:30 A.M. PUBLIC HEARING**
 - 5.1 Proposed Re-Designation of Municipal Reserve - Frank & Merle Dyck - Lot P, Plan 3843KS, SE 13-46-1-W5M, Roll #2955.82 - Report** David Blades
- 6. UNFINISHED SUBDIVISIONS**
- 7. NEW SUBDIVISION APPLICATIONS**
- 8. UNFINISHED BUSINESS**
- 9. NEW BUSINESS**
 - 9.1 Proposed Amendments to Land Use Bylaw 2017/48 - Second Edition - Report** David Blades, Jeff Chipley
- 10. INFORMATION ITEMS**
 - 10.1 Rural Municipalities of Alberta (RMA) Advocacy - Tractor Trailer Signs Along Provincial Highways - Report** David Blades, Jeff Chipley
- 11. ADJOURN**



Council Planning & Economic Development Meeting
MINUTES

Thursday, August 8, 2019, 9:00 AM
Council Chambers
County Administration Building

Present Reeve Terry Van de Kraats
 Councillor Josh Bishop
 Councillor Bill Krahn
 Councillor Dale Woitt
 Councillor Ken Adair
 Councillor Kathy Rooyakkers
 Councillor Lyle Seely

Staff Present Rod Hawken, Chief Administrative Officer
 Jarvis Grant, Development Officer
 Amber Tripp, Recording Secretary
 Jason Tran, WCPA
 Naomi Finseth, Municipal Intern

1. CALL TO ORDER

The Council for Planning and Economic Development meeting for the County of Wetaskiwin No. 10 was called to order by Reeve T. Van de Kraats in the Council Chambers, of the County of Wetaskiwin Administration Office, commencing at 9:00 a.m. on Thursday, August 8, 2019.

2. APPROVAL OF AGENDA

Resolution PD20190808.001
MOVED: by Councillor K. Adair

that the agenda be accepted as presented.

Carried Unanimously

3. MINUTES APPROVAL

Resolution PD20190808.002
MOVED: by Councillor D. Woitt

to approve the minutes of the Council for Planning and Economic Development Meeting held Thursday, July 11, 2019 as presented or amended.

Carried Unanimously

4. JULY 2019 DEVELOPMENT REPORT

During the month of July, there were twenty-nine (29) development permits completed with an estimated value of \$6,656,000.00. The following table depicts the activities for the month July 2019.

Agricultural Development Permits	-
Commercial/Industrial Development Permits	5/1
Recreational Development Permits	1
Residential Development Permits	22

Compliance Certificates	5
Request to Operate Business	2
Site Inspections	2
Subdivision Design Reviews/Inspections	2
Approach Inspections	4
Subdivision and Development Appeal Board Hearings	1

Administration recommended that Council approve the Development Report for July 2019 as presented.

Resolution PD20190808.003

MOVED: by Councillor K. Adair

that Council approve the Development Report for July 2019 as presented.

Carried Unanimously

7. UNFINISHED SUBDIVISIONS

7.1 RW/18/21 - First Subdivision Extension - 1634715 Alberta Ltd. (Goodon Industries) - Lot 2, Block 1, Plan 1224895, NW 10-46-1-W5M, Roll #2943.01 - Report

At the March 14, 2013 Council for Planning and Economic Development meeting, Council approved an Area Structure Plan for 1634715 AB Ltd. (Del Neufeld - Goodon Industries) within Lot 2, Block 1, Plan 1224895 within part of NW 10-46-1-W5M. The proposed Area Structure Plan consisted of approximately eighty (80) acres located two (2) miles west of the Village at Pigeon Lake at the intersection of Highways 13 and 771. The plan proposed to develop nineteen (19) lots within the west side of the eighty (80) acres for light industrial land uses. As well, there may also be some commercial components.

(Ref. Resolution #PD20130314.1010)

At the May 9, 2013 Council for Planning and Economic Development meeting, Council approved the rezoning for 1634715 AB Ltd. (Del Neufeld - Goodon Industries) within Lot 2, Block 1, Plan 1224895 within part of NW 10-46-1-W5M. The rezoning was to amend the Land Use By-law by reclassifying part of NW 10-46-1-W5M Plan 1224895, Block 1, Lot 2, from Rural Commercial (RC) to Industrial (IN) as well leave 1.6 hectares (4.0 acres) as Rural Commercial (RC).

(Ref. Resolution #PD20130509.1012)

At the June 13, 2013 Council for Planning and Economic Development meeting, Council approved Subdivision RW/13/18 for 1634715 AB Ltd. to subdivide out Phase 1 consisting of three (3) Industrial lots, one (1) Commercial lot, and two (2) Municipal Reserve parcels.

(Ref. Resolution #PD20131613.1007)

On June 14, 2014, Administration received a request from West Central Planning Agency, on behalf of 1634715 Alberta Ltd. for a twelve (12) month extension, in order to complete the conditions of subdivision. This is the first subdivision extension for subdivision RW/13/18 for 1634715 Ltd. within NW 10-46-1-W5. At that time, none of the approved conditions are satisfied or met by the Applicants. At the July 17, 2014 Council for Planning and Economic Development meeting, Council approved a twelve (12) month extension to June 14, 2015 to complete subdivision conditions for RW/13/18.

(Ref. Resolution #PD20140717.1009)

The approval of RW/13/18 expired on June 14, 2015 and no further extensions had been undertaken. During the early part of 2018, the landowner wished to start the development again, including road works design both internally and with Alberta Transportation as a new subdivision application.

On June 15, 2018, West Central Planning Agency (WCPA) received an application for a multi-lot subdivision from 1634715 AB Ltd. The subject land is located within NW 10-46-1-W5M and the Applicant is prepared to subdivide Phase 1, which consists of twelve (12) lots, two (2) Municipal Reserve (MR) parcels along Highway 771, two (2) Public Utility Lots (PULs), and a portion of the internal roadway from Highway 771 into the proposed subdivision. The Applicant was considering the registration and sale of approximately four (4) of the twelve (12) lots within the next year. At the July 17, 2018 Council for Planning and Economic Development meeting, Council approved subdivision RW/18/21 for 1634715 AB Ltd. (Del Neufeld - Goodon Industries) to subdivide out Phase 1 consisting of twelve (12) lots, two (2) Municipal Reserve (MR) parcels, and two (2) Public Utility Lots (PULs) within Lot 2, Block 1, Plan 1224895 within part of NW 10-46-1-W5M.

(Ref. Resolution #PD20180717.1026)

In early July 2019, the Applicant registered one (1) lot for a buyer, being for a highway maintenance company.

In addition, on July 3, 2019, the Applicant applied for a one (1) year extension on their subdivision RW/18/21 approval within NW 10-46-1-W5M as they require more time to complete the conditions of the subdivision to the satisfaction of the County. On the application, their reason for the extension is because the Applicants are waiting for the gas company to complete their required tasks before they can finish the roadway.

As the subdivision and development of the business park is being undertaken in a staged process, several conditions have been partially completed based on the subdivision approval dated July 18, 2018.

Council has the discretion to either approve or not approve a first extension to a subdivision approval.

Administration recommended that Council approve a twelve (12) month extension for subdivision RW/18/21 for 1634715 AB Ltd. (Del Neufeld - Goodon Industries), located within NW 10-46-1-W5M until July 18, 2020, as per Section 7.7.1 Land Use Bylaw 2017/48 of the County of Wetaskiwin No.10. to complete all the subdivision conditions for RW/18/21 approval.

Resolution PD20190808.004

MOVED: by Councillor L. Seely

that Council approve a twelve (12) month extension for subdivision RW/18/21 for 1634715 AB Ltd. (Del Neufeld - Goodon Industries), located within NW 10-46-1-W5M until July 18, 2020, as per Section 7.7.1 Land Use Bylaw 2017/48 of the County of Wetaskiwin No.10. to complete all the subdivision conditions for RW/18/21 approval.

Carried Unanimously

7.2 RW/17/17 - Second Subdivision Extension - Dennis Pohl - NE 35-45-1-W5M, Roll #2897.00 - Report

On August 10, 2017, Administration approved a first parcel out subdivision, under application RW/17/17 for Dennis, Melva and Curtis Pohl within NE 35-45-1-W5M subject to the following conditions:

1. Engage an Alberta Land Surveyor to prepare a descriptive plan or plan of subdivision as shown on the West Central Planning Agency (WCPA) subdivision drawing dated May 23, 2017 for registration at Land Titles Office.
2. Service the site with three of the following improvements:
 - a. Power pole and transformer

- b. Water well
 - c. Shelterbelt (exists)
 - d. Approach onto County road (see condition #4 as it is a requirement)
 - e. House (to basement stage)
3. If necessary, upgrade the existing approach into the remainder of the quarter section to meet County of Wetaskiwin standards. County standards require a minimum 400mm (16 inch) steel culvert with a 7m (23 foot) driving surface. On completion of the work, contact the County's Planning and Economic Development Department to arrange for inspection. Please note that there will be a fee of \$100 per approach for site inspection of approaches for new subdivisions, this includes the initial site inspection of the approach(es). If deficiencies are noted and subsequent inspections required, an additional fee of \$100 will be levied for each subsequent inspection. All payments must be received by the County prior to any site inspections.
4. Construct a new approach into the proposed lot to meet County of Wetaskiwin standards. County standards require a minimum 400mm (16 inch) steel culvert with a 7m (23 foot) driving surface. On completion of the work, contact the County's Planning and Economic Development Department to arrange for inspection. Please note that there will be a fee of \$100 per approach for site inspection of approaches for new subdivisions, this includes the initial site inspection of the approach(es). If deficiencies are noted and subsequent inspections required, an additional fee of \$100 will be levied for each subsequent inspection. All payments must be received by the County prior to any site inspections.
5. Property taxes must be at a zero (\$0) balance on the quarter section.
6. Pay an endorsement fee of \$200 to West Central Planning Agency when the plan is submitted for endorsement.

On August 14, 2018, Council for Planning & Economic Development approved the first extension for subdivision RW/17/17 for Dennis, Melva and Curtis Pohl within NE 35-45-1-W5M until August 10, 2019.

(Ref Resolution No. PD20180814.1006)

On July 31, 2019, the Applicants applied for another one (1) year extension on their subdivision RW/17/17 approval within NE 35-45-1-W5M as they require more time to complete the conditions of the subdivision to the satisfaction of the County. On the application, their reason for the extension is because the Applicants just need to finish the conditions on the subdivision approval.

At the time of writing this report, the Applicants did submit a survey plan from Integrated Geomatics while the rest of the other conditions are still outstanding based on the subdivision approval dated August 10, 2017.

Council has the discretion to approve or not approve an extension.

Administration recommended that Council approve a second twelve (12) month extension for subdivision RW/17/17 within NE 35-45-1-W5M for Dennis, Melva & Curtis Pohl until August 10, 2020 as per Section 7.7.1 Land Use Bylaw 2017/48 of the County of Wetaskiwin No.10. to complete all the subdivision conditions for RW/17/17.

Resolution PD20190808.005

MOVED: by Councillor K. Adair

that Council approve a second twelve (12) month extension for subdivision RW/17/17 within NE 35-45-1-W5M for Dennis, Melva & Curtis Pohl until August 10, 2020 as per

Section 7.7.1 Land Use Bylaw 2017/48 of the County of Wetaskiwin No.10. to complete all the subdivision conditions for RW/17/17.

Carried Unanimously

11. NEW BUSINESS

11.1 Winfield & District Agricultural Society – Request for Street Closure – August 9, 2019 – Report

Correspondence was received from Janet Magnuson, Winfield & District Agricultural Society, on July 31, 2019 requesting a street closure for a family friendly street dance during Ugetuk Days on August 9, 2019.

The Ag Society is holding a potluck BBQ supper followed by a family dance on the street in front of the Winfield Hall; more specifically at the T-intersection of 6th Street and 4th Avenue, from 5:00 p.m. to midnight. A map showing the requested area is attached.

In 2017, Council approved a similar request.

(Ref. Resolution #PW20170413.1008)

The road segments requested for temporary closure would be the intersection at 6th Street E and 4th Avenue, directly adjacent to the Winfield Agriplex. On 6th Street E, the road would be closed from the north end of the Agriplex to the south end of the Agriplex allowing traffic from the north and south to access parking. On 4th Avenue, the road would be closed from the intersection of 6th Street E westerly for approximately seventy-five (75) metres.

A temporary street closure can be completed by resolution and no Bylaw is required. The authority that provides for a temporary street/road closure is Section 13(1)(n) "General Powers of Municipality" under the *Traffic Safety Act* and Section 18(1) "Control of Roads" of the *Municipal Government Act*. The area to be temporarily closed would be used by the Society for the purposes of a family dance.

The County of Wetaskiwin will require proof from the event organizer that the County of Wetaskiwin will be named as additional insured under their insurance company and also the event must be in compliance with the Public Assembly By-law 86/11 that provides for the regulation and control of public assemblies within the County of Wetaskiwin. Under Section 3(a) states, "that Council upon receiving written application, may authorize the holding from time to time of public assemblies". Section 3(b) states, "such applications must be submitted to Council no less than thirty days before the event". Section 5(c) of By-law 86/11 states, "The Council, upon application, may waive the prohibition of Subsection 5(a) no person shall install or use a loudspeaker system or other device for the amplification of sound in any open public place". Council may approve to waive this section.

Administration recommended that Council approve the request received from the Winfield & District Agricultural Society to temporarily close to public travel, 6th Street E, from the north end of the Agriplex to the south end of the Agriplex, allowing all traffic from the north and south to access parking and on 4th Avenue, from the intersection of 6th Street E westerly for approximately seventy-five (75) metres. The closure would be in effect on August 9, 2019 commencing at 5:00 p.m. and ending at 12:00 a.m. Also, in accordance with County of Wetaskiwin Public Assembly By-law 86/11, that Section 5(c) be waived and:

1. Under Section 5(c) of By-law 86/11 and Subsection 5(a), Council waive the prohibitive use of a loudspeaker system or other devices for the amplification of sound in an open public place;
2. The Winfield Ag Society provide proof that the County of Wetaskiwin is named as an additional insured under their insurance policy; and
3. Following the event, the Winfield Ag Society restore the road and area to its pre-event condition.

Resolution PD20190808.006

MOVED: by Councillor L. Seely

that Council approve the request received from the Winfield & District Agricultural Society to temporarily close to public travel, 6th Street E, from the north end of the Agriplex to the south end of the Agriplex, allowing all traffic from the north and south to access parking and on 4th Avenue, from the intersection of 6th Street E westerly for approximately seventy-five (75) metres. The closure would be in effect on August 9, 2019 commencing at 5:00 p.m. and ending at 12:00 a.m. Also, in accordance with County of Wetaskiwin Public Assembly By-law 86/11, that Section 5(c) be waived and:

1. Under Section 5(c) of By-law 86/11 and Subsection 5(a), Council waive the prohibitive use of a loudspeaker system or other devices for the amplification of sound in an open public place;
2. The Winfield Ag Society provide proof that the County of Wetaskiwin is named as an additional insured under their insurance policy; and
3. Following the event, the Winfield Ag Society restore the road and area to its pre-event condition.

Carried Unanimously

11.2 Wetaskiwin & District Heritage Museum – 2019 Alberta Museums Association Leadership Award – Report

An email was recently received on July 25, 2019 from Karen Aberle at the Heritage Museum advising that the Wetaskiwin & District Heritage Museum has been selected for the 2019 Alberta Museums Association (AMA) Leadership Award for Sustainability - Building Organizational Vibrancy.

Ms. Aberle further advised that the award will be presented at the Opening Reception and Awards Ceremony of the AMA on September 19th at 7:00 p.m. at TELUS World of Science Edmonton, held in conjunction with their annual conference. The reception will include refreshments and hors d'oeuvres, along with special programming in the Zeidler Dome.

This honour belongs to the community of Wetaskiwin City, County, and Maskwacis and their enthusiasm to come together to engage in the history and culture of our district. On behalf of the Wetaskiwin & District Museum Society Board and the Heritage Museum staff and volunteers, Ms. Aberle invited Reeve and Council to be their guest at the awards ceremony to help celebrate the achievement by the community. Ms. Aberle further indicated that this is a tremendous honour for their 'small' community museum.

The award description is as follows:

"The SUSTAINABILITY AWARD reflects the recipient's focus on the future and their engagement in a variety of partnerships that enhance the well-being and vitality of their communities to promote long-term success. They play an important role in creating a thriving future for the sector by proactively engaging in environmental and social issues, implementing operating models that recognize the need for both financial health and program impact, and supporting exhibitions, programming, and research that are relevant to their community's needs.

Winners of this award since its inception in 2011 have been:

- *Eleanor Luxton Historical Foundation based in Banff (2018);*
- *Medicine Hat Clay Industries National Historic District (2016);*
- *Multicultural Heritage Centre in Stoney Plain (2014);*
- *Reynolds-Alberta Museum (2013); and*
- *Heritage Park in Calgary (2011)."*

Ms. Aberle is requesting an RSVP by Thursday, August 8, 2019.

Administration recommended that Council advise of who wishes to attend the Alberta Museums Association Awards Ceremony at the Telus World of Science on Friday,

September 19, 2019 and that Administration provide RSVP to Ms. Karen Aberle by August 8, 2019.

Council discussed that Reeve T. Van De Kraats and Councillor D. Woitt will be attending, and Councillors K. Adair and B. Krahn are tentatively attending.

Resolution PD20190808.007

MOVED: by Councillor K. Adair

that Council advise of who wishes to attend the Alberta Museums Association Awards Ceremony at the Telus World of Science on Thursday, September 19, 2019 and that Administration provide RSVP to Ms. Karen Aberle by August 8, 2019.

Carried Unanimously

5. 9:30 A.M. PUBLIC HEARING

Reeve T. Van de Kraats declared the Public Hearing open at 9:30 a.m. and a delegation consisting of Linda Bartlett, Blake Bartlett, Albert Durges, Stephanie Billard, Matt Smith, Melissa Foley, Janice Schwonik, and Roheta Fairhrotter entered the meeting.

5.1 Proposed Rezoning - Country Residential (CR) to Agricultural Hobby Farm (AHF) - Melissa Foley - Lot 3, Block 1, Plan 1221646, SE 13-46-23-W4M, Roll #750.04 - Report

On May 28, 2019, Administration received an application from Melissa Foley to rezone approximately 4.05 acres (1.64 hectares) within Lot 3, Block 1, Plan 1221646, SE 13-46-23-W4M from Country Residential (CR) to Agricultural Hobby Farm (AHF). If rezoning is approved, the existing land uses would be more compatible with the proposed zoning.

On June 5, 2019, referral letters were sent to West Central Planning Agency, the Alberta Energy Regulator (AER), Alberta Sustainable Resource Development (ASRD), Alberta Environment, Alberta Transportation, and Administration.

At the time of report submission, Administration received responses regarding the proposed rezoning, which are as follows:

Alberta Transportation

- "Thank you for the above noted referral to rezone Lot 3, Block 1, Plan 122 1646 to Agricultural Hobby Farm. The department would offer no objections in principal to the rezoning as proposed. A Roadside Development Permit is required from this office for new or changes to existing developments as this parcel is located within Alberta Transportations development control zone. If upgrades are required to the approach as a result of the rezoning and/or additional developments on the parcel, upgrades would be the responsibility of the applicant/county and to Alberta Transportations specifications and standards."

Administration

- "As was outlined to Mr. & Mrs. Foley in a meeting on May 22, 2019, based solely on farmland rating and the size of the proposal being under the minimum five (5) acres, Administration must follow what is set in the Land Use Bylaw as established by direction of Council and recommend refusal. However, due to the nature of this proposal, Council may choose to go outside of their established Bylaws, Policies, and procedures and choose to allow this rezoning to occur, which is what Mr. and Mrs. Foley were informed.
- What was outlined in the above comment is correct and that as Administration we are to follow the Bylaws and Policies put forth by Council and base our recommendations on those documents. He is also correct in stating that based on the size of the parcel being below the 5 acres outlined within the Land Use Bylaw as the minimum size for an Agricultural Hobby Farm as well as having a soil assessment rating above the 30% threshold outlined by the County's MDP we are required to recommend refusal. However, there are a couple of relevant planning points that need to be taken into consideration by Council outside of Administration's recommendation and these are:

- *On June 10, 2010, in the Council for Planning and Economic Development meeting Council granted a waiver of Area Structure Plan to the previous owner of Plan 7922894 Block C who wanted to subdivide the Foley's current lot out of it. Within the minutes of this meeting I found information speaking to the soil assessment of the entirety of the previous 20 acres of Plan 7922894 Block C which would include the area covered by the Foley's current lot. The paragraph stated the following:*
 - *'It should be noted, that the soil rating is 57% on the 20 acre parcel. The MDP discusses good farmland rating at 30% or more. If the land were undeveloped and comprising a larger area, Administration would not recommend approval based on the percentage soil rating.'*

Building on this, the intent of the 30% soil assessment threshold is to help protect good agricultural land from development. However, seeing as the Foley's lot was subdivided out of the quarter section originally in 1979 as a part of Plan 7922894 Block C and then further subdivided out of the 20 acre parcel in 2012, the relevance of the 30% threshold does decrease. With the parcel already being subdivided out of the quarter they would not be taking good farmland out of further production, in fact it may be able to be argued that by rezoning from Country Residential to Agricultural Hobby Farm they are trying to re-establish the agricultural use of the lands in a manner compatible with the surrounding land uses.

Administration has reviewed the respective sections under the Land Use Bylaw that may afford a variance in certain cases. Although Section 3.7 of the Bylaw is not directly specifying variance to size and soil characteristics, it does provide a general statement related to "the use prescribed for the land" (highlighted below). If the Development Authority including Council and the Development Officer both interpret this provision to vary the size and the intent of the proposed districting to bring the lands into an Agricultural use, the Section below would provide support to a variance:

3.7 Use or Building Not Provided in the Bylaw

3.7.1 If a proposed use of land or of a building is not provided under a district of this Bylaw the Development Officer may determine that the proposed use or building is similar to a permitted or discretionary use prescribed for the district and may issue a development permit for the use or building but only as a discretionary use.

3.7.2 The Development Officer may decide on an application for a development even though the proposed development does not comply with the Bylaw or is a non-conforming building if, in the opinion of the Development Officer:

a) the proposed development will not:

- i. *unduly interfere with the amenities of the neighbourhood; or*
- ii. *materially interfere with or affect the use, enjoyment or value of neighbouring properties; and*

b) the proposed development conforms with the use prescribed for the land or building in this Bylaw.

Once comments were received from referral agencies/departments, a Public Hearing was set. The Notice of Public Hearing was advertised in the July 25, 2019 and August 1, 2019 issues of the Pipestone Flyer. The Notice of Public Hearing was mailed to the landowner and adjacent landowners on July 19, 2019.

Copies of the proposed rezoning application, relevant maps, land report outlining soil ratings of the property, and the Agricultural Hobby Farm (AHF) District provisions as contained within the Land Use Bylaw have been provided for review by Council.

Administration recommends that Council adhere to the established provisions in the Land Use Bylaw and defeat Bylaw 2019/43 at First Reading as the proposal does not meet provisions for the Agricultural Hobby Farm (AHF) District as currently contained within the Land Use Bylaw of the County of Wetaskiwin. Specifically, the size of the lot

is under the 5 acre minimum stated, as well as the entire soil assessment rating for the property is 57% while the district requires 80% of the land be under 30% assessment rating.

Melissa Foley addressed Council with the following:

- Operates a non-profit rescue home for farm animals,
- Partners with various schools for educational sessions,
- The property 4 acres with their current Road Allowance lease of approximately an acre; and
- Believes that this non-profit business is a positive influence within the community.

Stephanie Billard supports the rezoning, as she works in animal rescue, and thinks that Ms. Foley is proving a public service, which provides great care to the animals, and at her own cost at most times.

Jarvis Grant, Development Officer said the use is compatible with adjacent land uses, however County Policies do not allow for the proposal.

Councillor B. Krahn stated that this is a good business in the community, and is in favour of the rezoning being approved.

Council questioned the accessory building size, Administration stated that if rezoning is approved since Agricultural Hobby Farm is an Agricultural zoning the property would be exempt from the Accessory Building size.

Reeve T. Van de Kraats declared the Hearing closed at 9:47 a.m. and Council thanked the delegation for attending and they left the hearing.

Council discussed the following:

- The soil rating should not matter as the applicant is bringing the property back into Agricultural Use; and
- They have no issues with the 4 acre parcel size.

Resolution PD20190808.008

MOVED: by Councillor K. Rooyakkers

By-law 2019/43 is a By-law in the County of Wetaskiwin No. 10, in the Province of Alberta, for the purpose of amending the Land Use By-law by reclassifying approximately 4.05 acres (1.64 hectares) within SE 13-46-23-W4M, Plan 1221646, Block 1, Lot 3 from Agricultural (AG) to Agricultural Hobby Farm (AHF) for Melissa Foley.

Carried Unanimously

Resolution PD20190808.009

MOVED: by Councillor K. Adair

that By-law 2019/43 be given Second Reading.

Carried Unanimously

Resolution PD20190808.010

MOVED: by Councillor D. Woitt

that By-law 2019/43 be presented for Third Reading.

Carried Unanimously

Resolution PD20190808.011

MOVED: by Councillor J. Bishop

that By-law 2019/43 be given Third Reading and it be declared finally passed and the Reeve and Chief Administrative Officer be authorized to sign and affix thereto the corporate seal of the County of Wetaskiwin No. 10.

Carried Unanimously

6. 10:30 A.M. PUBLIC HEARING

Reeve T. Van de Kraats declared the Public Hearing open at 10:30 a.m. and a delegation consisting of Linda Bartlett, Blake Bartlett, Mel Carrol, Rick Pries, Harvey Nordstrom, and Gail Nordstrom entered the meeting.

6.1 Proposed Amendments to Land Use Bylaw 2017/48 - Report

On April 12, 2018, Council approved Bylaw 2017/48, also known as the Land Use Bylaw. Since approval, the Land Use Bylaw Committee has deemed it necessary to make several amendments. Some of these amendments are minor and can be made by Administration through simple text or word changes other amendments are more substantive and have undergone significant discussion and review by the Committee. Please note that Policy Numbers have been changed and that these changes are reflected in the proposed amendments and that both Metric and Imperial units are now included in the Bylaw.

A general amendment to the Bylaw has been advised by the Alberta Safety Codes Council regarding setback standards. As a result of fire occurrences involving multiple residences in recent years, the Alberta Safety Codes Council has directed that there be greater setbacks from property lines and buildings. Historically, the standard side-yard setback from property lines to structures was 1.5 metres or 5 feet. With the direction from the Safety Codes Council, this standard has now been increased to 2.44 metres or 8 feet. These amendments have been made within the appropriate districts listed within the Land Use Bylaw.

At the June 13, 2019 Council for Planning and Economic Development meeting, Council approved for Administration to commence the referral process and schedule a Public Hearing for amendments provided at the Council meeting, along with an additional few amendments.

(Ref Resolution No. PD20190613.1015)

A copy of the Land Use Bylaw, which includes the highlighted proposed amendments, is provided for review by Council, with the overview of the proposed amendments in red text and ~~strikethrough~~.

Once Council had resolved to move forward with the proposed amendments, they were referred to adjacent municipalities and other Governing Agencies on June 14, 2019. Their proposed changes, along with other minor changes, are shown in blue in the provided document showing changes.

The Public Hearing was advertised in the July 25, 2019 and August 1, 2019 issues of the Pipestone Flyer. The Notice of Public Hearing was also placed on the County Website and Facebook Page on July 19, 2019. Also, on the County Website, was a copy of the proposed amendments along with a Public Comment sheet that could be emailed directly to the Planning and Economic Development Department.

Council has the discretion to approve the proposed amendments in their entirety, only certain amendments, or not approve any of the amendments.

Melinda Carrol discussed the following:

- Section 10.10.7 setbacks what prompted the setback to be 8 feet;

- Section 10.10.3 concerns with age/state of moved in Dwellings that can be approved; and
- Mentioned that Ponoka County honors Restrictive Covenants , and is there any way the County of Wetaskiwin would work with Developers and uphold Restrictive Covenants put on by the developer.

Gayle Nodstrom stated that other Municipalities have a 6 year restriction to build, and would support that type of building guidelines be put in place by the County.

Blake Bartlett stated that he had concerns with setbacks especially in the lake areas of the County.

Council then discussed the following:

- Stated that the 8 foot setback is a Provincial Standard now;
- Stated that the County does not have the legal right to enforce the Restrictive Covenant; and
- Discussion about an age limit on the mobile units/moved in dwellings can be

Mr. Grant went over setbacks, within districts and which circumstances would be grandfathered.

Council discussed rear yard access, Administration stated in Urban Residential District they must provide a larger side yard setback to provide rear yard access dependent on rear yard access.

Council stated the County will have to watch what kind of restrictions they may look into for mobile/moved in homes, as the applicants could be restoring the older homes to code.

Reeve T. Van de Kraats declared the Hearing closed at 10:50 and Council thanked the delegation for attending and they left the hearing.

Council stated their concern with inconsistency of wording from Administration with what Council/Committee directed. Administration found problems/technicalities and tried to fix but kept intent.

Council suggested the following amendment:

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3.10.3 d) i) mail a notice in writing to all registered owners *of land* as listed on title of land who are directly adjacent or in proximity to the property, *or any other stakeholder in the opinion of the Development Officer, may be affected by the decision*; and/or

Bylaw 2019/44 is a Bylaw in the County of Wetaskiwin No. 10 in the Province of Alberta, for the purpose of amending the Land Use Bylaw 2017/48.

Resolution PD20190808.012

MOVED: by Councillor K. Rooyakkers

that By-law 2019/44 be given First Reading.

Resolution PD20190808.013

MOVED: by Councillor J. Bishop

that By-law 2019/44 be given Second Reading.

Carried Unanimously

Resolution PD20190808.014

MOVED: by Councillor B. Krahm

that By-law 2019/44 be presented for Third Reading.

Carried Unanimously

Resolution PD20190808.015

MOVED: by Councillor K. Adair

that By-law 2019/44 be given Third Reading and it be declared finally passed and the Reeve and Chief Administrative Officer be authorized to sign and affix thereto the corporate seal of the County of Wetaskiwin No. 10.

Carried Unanimously

13. ADJOURN

Resolution PD20190808.016

MOVED: by Councillor L. Seely

that the Council for Planning & Economic Development meeting be adjourned at 11:00 a.m.

Carried Unanimously

REEVE

CHIEF ADMINISTRATIVE OFFICER

MINUTES APPROVED:

Ref: Resolution #



Development Report, August 2019 – Report

Meeting Date (Report Reference Only): 2019/09/17

Meeting (Report Reference Only): Council Planning & Development

Background

During the month of August, there were thirty (30) development permits completed with an estimated value of \$1,018,500.00. The following table depicts the activities for the month August.

Agricultural Development Permits	1
Commercial Development Permits	4
Recreational Development Permits	0
Residential Development Permits	25
Compliance Certificates	8
Request to Operate Business	2
Site Inspections	4
Subdivision Design Reviews/Inspections	0
Approach Inspections	multiple
Subdivision and Development Appeal Board Hearings	3

Recommendations

Administration recommends that Council approve the Development Report for August 2019 as presented.

Recommended Resolution

that Council approve the Development Report for August 2019 as presented.

DEVELOPMENT REPORT

August 2019

Development Permit Backlog (21)

Details of outstanding Permits are shown in the attached Development Report

Other: (0)

Site Inspections (Director/Development Officer): (4)

1. R#843.02 – Pt. SW 36-46-23-W4M – Inspection leading up to SDAB hearing for updated photos
2. R#2733.96 – Plan 9222637, Block 8, Lot 22 – Inspection leading up to SDAB hearing for updated photos
3. R#1684.00 – Plan 9822855 Block 5 – Inspection confirming removal of living quarters in shop.
4. R#847.00 – Remainder of SW 1-47-23-W4M – Request to remove portion of Top of Bank Trees (Refer to Section 9.3 – Environmental Protection Measures, Land Use Bylaw 2017/48)

NRCB REFERRALS: (0)

Development Inspections and Approved Multi Parcel Subdivision Status: (0)

Development Agreements and Land Title Registrations: (0)

Subdivision and Appeal Board Hearings: (3):

Appeal of Unauthorized Development Rolland & Rosalie Begg

THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION:

That the Subdivision and Development Appeal Board deny the appeal as submitted by Rolland and Rosalie Begg and uphold the issued Stop Order for an unauthorized third dwelling E1/2 SW 16-46-27-W4M which requires decommissioning the dwelling located within the barn structure to the point of meeting the County's definition of an Uninhabitable Dwelling by November 1, 2019.

Appeal of Stop Order Gian & Tress Gibson, Ken Taylor

THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION:

That the Subdivision and Development Appeal Board deny the appeal and amend the Stop Order with the following conditions:

Immediately cease the construction of the dwelling subject of Development Permit 15/072

DEVELOPMENT REPORT

August 2019

AND

submit a completed development permit by February 28, 2020 to leave as sited the dwelling and accessory buildings as identified on the attached Real Property Report dated March 2019 should the County approve the lease, purchase or encroachment of the undeveloped road allowance;

OR

submit a completed development permit by February 28, 2020 to structurally alter the dwelling to meet the minimum required setbacks from the undeveloped road allowance and to leave as sited the accessory buildings (other than the garage) identified on the attached Real Property Report dated March 2019; and remove the accessory building (garage) from the undeveloped road allowance as identified on the attached Real Property Report dated March 2019 to the satisfaction of the County of Wetaskiwin by July 1st, 2020.

Appeal of Development Permit D19/139

Darren & Tanya Murphy

THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION:

That the Subdivision Development and Appeal Board refuse the appeal of Development Permit D19/139 for the 'Used Mobile, two (2) sheds and RV Use during construction' within NW 14-47-289-W4M, Plan 9222637, Block 8, Lot 22 and Development Permit D19/139 be upheld with an amendment to the wording of condition #14 to the following:

14. At the discretion of the Development Authority the ability to occupy a recreational unit in accordance with the terms of recreational unit use during the placement of the mobile home is recognized as compatible with the intent of Section 3.12.1.(e) of the County's Land Use Bylaw 2017/48. The recreational unit must not be utilized for recreational unit use once the mobile becomes habitable or October 31, 2019, dependent on which arrives first. After this date, the recreational unit on your property may be stored. Once the mobile home becomes habitable short-term camping as defined by the County's Land Use Bylaw 2017/48 may occur along with recreational unit storage.

Design Reviews/Inspections: (1)

1. Terry Wright Country Residential 11 Lot development – South Half of SW4-47-24-W4M

Service Road Agreement: (0)

DEVELOPMENT REPORT

August 2019

Approach Inspections: (#)

1. Lazzo – NE 2-46-5-W5M and SE 11-46-5-W5M – Wet conditions and delays.
2. Dallas Vikse has performed multiple approach inspections while acting as East End Foreman.

Other:

Pipeline Review – Standard Clean Up Release Form Approval (Approved by Landowners and County) – Wolf Carbon Pipeline Project in Division One.



Application Category: Commercial

Increment	Application Category	Application Number	Received Date	Deemed Complete Date	Dev. Description	Electoral District Number	Status	Estimated Cost
1	Commercial	D19/174	8/8/2019	8/12/2019	Existing Patio and Arbor (20' 3" x 36') for Liquor and Food Service	7	Approved-Discretionary	\$5,000.00
2	Commercial	D19/179	8/7/2019		Rainbow Dogs/ Paws in the County (Training, Grooming and Dog Accessory Business)	4	Requires AT Approval	\$0.00
3	Commercial	D19/182	8/13/2019		Demolition of Existing Structure to be replaced by a 80' x 50' x 20' Timberframe Steel Structure	2	Requires AT Approval	\$0.00
4	Commercial	D19/189	8/15/2019		Garage (40' x 30')	3	Requires AT Approval	\$25,000.00
Total (4 Apps):								\$30,000.00

Application Category: Compliance Certificate

Increment	Application Category	Application Number	Received Date	Deemed Complete Date	Dev. Description	Electoral District Number	Status	Estimated Cost
1	Compliance Certificate	CC19/035	8/2/2019	8/8/2019		5	Compliance Certificate - Non-Conforming	\$0.00
2	Compliance Certificate	CC19/036	8/1/2019	8/9/2019		7	Compliance Certificate - Non-Conforming	\$0.00
3	Compliance Certificate	CC19/037	8/1/2019	8/9/2019		7	Compliance Certificate - Non-Conforming	\$0.00
4	Compliance Certificate	CC19/038	8/12/2019			5	New	\$0.00
5	Compliance Certificate	CC19/039	8/16/2019	8/21/2019		4	Compliance Certificate - Non-Conforming	\$0.00
6	Compliance Certificate	CC19/040	8/28/2019	8/30/2019			Compliance Certificate - Conforming	\$0.00
7	Compliance Certificate	CC19/041	8/28/2019	9/4/2019		3	Compliance Certificate - Non-Conforming	\$0.00
Total (7 Apps):					0 days			\$0.00

Application Category: Request to Operate Bus.

Increment	Application Category	Application Number	Received Date	Deemed Complete Date	Dev. Description	Electoral District Number	Status	Estimated Cost
1	Request to Operate Bus.	RTOB19/004	8/13/2019	8/27/2019	An existing liquor store	7	RTOB-Approved	\$0.00
2	Request to Operate Bus.	RTOB19/005	8/19/2019	8/19/2019	Fire Extinguisher Inspections	5	RTOB-Approved	\$0.00
Total (2 Apps):								\$0.00

Application Category: Residential

Increment	Application Category	Application Number	Received Date	Deemed Complete Date	Dev. Description	Electoral District Number	Status	Estimated Cost
1	Residential	D19/172	8/7/2019	8/30/2019	Moved-In Garage (33ft x 24ft)	7	Approved-Discretionary	\$10,500.00
2	Residential	D19/173	8/7/2019	8/9/2019	Patio Cover (13ft x 30ft)	7	Approved-Permitted	\$2,000.00
3	Residential	D19/175	8/8/2019	8/9/2019	Fifth Wheel (36.5 ft)	5	Approved-Permitted	\$25,000.00
4	Residential	D19/176	8/8/2019		Porch (20' x 12')	4	Requires AT Approval	\$0.00
5	Residential	D19/177	8/8/2019	8/22/2019	Shed (16ft x 12ft)	7	Approved-Permitted	\$3,000.00
6	Residential	D19/178	8/7/2019	8/16/2019	Recreational Unit Use (3 year permit)	7	Approved-Discretionary	\$0.00
7	Residential	D19/180	8/8/2019		Garage Addition with Living Area (63' x 42' x 30')	4	New	\$0.00
8	Residential	D19/181	8/13/2019		Garage (39' x 26' x 20')	7	Waiting for Information from Applicant	\$0.00
9	Residential	D19/183	8/13/2019		Existing Garage, Canopy and Deck	5	Requires AT Approval	\$0.00
10	Residential	D19/184	8/13/2019		Two Storey House (28' x 40' x 26')	5	Approved-Discretionary	\$0.00
11	Residential	D19/185	8/13/2019	8/30/2019	New House with attached Garage and Deck	2	Approved-Permitted	\$300,000.00
12	Residential	D19/186	8/13/2019	8/22/2019	Existing Decks, and Relocation of Existing Gazebo	4	Approved-Permitted	\$0.00
13	Residential	D19/187	8/13/2019	8/22/2019	Existing Deck and Landing	5	Approved-Discretionary	\$0.00
14	Residential	D19/188	8/15/2019	8/16/2019	12' x 24' Shed	7	Approved-Discretionary	\$9,600.00

Increment	Application Category	Application Number	Received Date	Deemed Complete Date	Dev. Description	Electoral District Number	Status	Estimated Cost
15	Residential	D19/190	8/19/2019	8/27/2019	Used Mobile (70' x 40') Garage (54' x 30')	6	Approved-Discretionary	\$80,000.00
16	Residential	D19/191	8/19/2019	8/30/2019	Relocate Existing Gazebo (10' x 10'), Resize Deck	5	Approved-Permitted	\$0.00
17	Residential	D19/192	8/14/2019	8/30/2019	1 Storey with Residence with Walkout Basement and Attached Garage	2	Approved-Permitted	\$350,000.00
18	Residential	D19/193	8/15/2019		New Moved in Dwelling (64' X 30')	7	Waiting for Information from Applicant	\$300,000.00
19	Residential	D19/194	8/22/2019	9/3/2019	Deck (40' X 12')	4	Approved-Permitted	\$7,000.00
20	Residential	D19/195	8/22/2019		Pavilion (14' X 12')	5	Waiting for Information from Applicant	\$6,000.00
21	Residential	D19/196	8/21/2019	8/30/2019	Shop (40' x 32') existing structure	2	Approved-Discretionary	\$70,000.00
22	Residential	D19/197	8/27/2019	8/30/2019	Addition (14ft x 38ft) to Existing Detached Garage	3	Approved-Permitted	\$12,000.00
23	Residential	D19/198	8/27/2019	8/27/2019	Shed		Cancelled/Withdrawn	\$0.00
24	Residential	D19/199	8/27/2019		Convert Existing Mobile Home to a Storage Building	4	Requires AT Approval	\$0.00
25	Residential	D19/200	8/27/2019		Covered Deck (12'x14')	4	In Progress	\$0.00
26	Residential	D19/201	8/28/2019		Detached Shop (2 Stories)	7	Requires AT Approval	\$100,000.00
Total (26 Apps):								\$1,275,100.00

Application Category: Walking Trail Request

Increment	Application Category	Application Number	Received Date	Deemed Complete Date	Dev. Description	Electoral District Number	Status	Estimated Cost
1	Walking Trail Request	TR19/005	8/1/2019			7	Waiting for Information from Applicant	\$0.00
2	Walking Trail Request	TR19/006	8/5/2019			7	Waiting for Information from Applicant	\$0.00
3	Walking Trail Request	TR19/007	8/27/2019			7	Waiting for Information from Applicant	\$0.00

Increment	Application Category	Application Number	Received Date	Deemed Complete Date	Dev. Description	Electoral District Number	Status	Estimated Cost
Total (3 Apps):					0 days			\$0.00



Type of Development: Agricultural

No.	Type of Development	Permit #	Roll Number	Estimated Cost	Proposed Use	Deemed Complete Date	Electoral District Number	Received Date	Status
1	Agricultural	D19/168	463001	\$0.00	Barn (24' x 40')	8/22/2019	7	7/29/2019	Approved-Discretionary
Total (1 Apps):				\$0.00					

Type of Development: Commercial

No.	Type of Development	Permit #	Roll Number	Estimated Cost	Proposed Use	Deemed Complete Date	Electoral District Number	Received Date	Status
1	Commercial	D19/038	478806	\$3,400.00	Mobile Food Vendor, Existing Shed to produce Ice for Business,	8/12/2019	7	3/26/2019	Approved-Discretionary
2	Commercial	D19/076	340902	\$0.00	Restaurant, Convenience Store, Fuel Sales, Change in Use of Existing Mobile Home & Proposed Highway Sign	8/19/2019	6	4/29/2019	Approved-Discretionary
3	Commercial	D19/169	446546	\$0.00	Expansion of DW Septic Solutions (Employees and to include Installing and Repairing Septic Tanks)	8/21/2019	7	7/31/2019	Approved-Discretionary
4	Commercial	D19/174	468001	\$5,000.00	Existing Patio and Arbor (20' 3" x 36') for Liquor and Food Service	8/12/2019	7	8/8/2019	Approved-Discretionary
Total (4 Apps):				\$8,400.00					

Type of Development: Compliance Certificate

No.	Type of Development	Permit #	Roll Number	Estimated Cost	Proposed Use	Deemed Complete Date	Electoral District Number	Received Date	Status
1	Compliance Certificate	CC19/003	455729	\$0.00		8/29/2019	7	2/25/2019	Compliance Certificate - Conforming
2	Compliance Certificate	CC19/004	455207	\$0.00		8/27/2019	7	2/22/2019	Compliance Certificate - Conforming
3	Compliance Certificate	CC19/034	284508	\$0.00		8/1/2019	5	7/31/2019	Compliance Certificate - Non-Conforming
4	Compliance Certificate	CC19/035	301004	\$0.00		8/8/2019	5	8/2/2019	Compliance Certificate - Non-Conforming

No.	Type of Development	Permit #	Roll Number	Estimated Cost	Proposed Use	Deemed Complete Date	Electoral District Number	Received Date	Status
5	Compliance Certificate	CC19/036	409350	\$0.00		8/9/2019	7	8/1/2019	Compliance Certificate - Non-Conforming
6	Compliance Certificate	CC19/037	450610	\$0.00		8/9/2019	7	8/1/2019	Compliance Certificate - Non-Conforming
7	Compliance Certificate	CC19/039	166903	\$0.00		8/21/2019	4	8/16/2019	Compliance Certificate - Non-Conforming
8	Compliance Certificate	CC19/040	131810	\$0.00		8/30/2019		8/28/2019	Compliance Certificate - Conforming
Total (8 Apps):				\$0.00	0 days				

Type of Development: Request to Operate Bus.

No.	Type of Development	Permit #	Roll Number	Estimated Cost	Proposed Use	Deemed Complete Date	Electoral District Number	Received Date	Status
1	Request to Operate Bus.	RTOB19/004	446557	\$0.00	DD'S Liquore Store	8/27/2019	7	8/13/2019	RTOB-Approved
2	Request to Operate Bus.	RTOB19/005	249202	\$0.00	Fire Extinguisher Inspections	8/19/2019	5	8/19/2019	RTOB-Approved
Total (2 Apps):				\$0.00					

Type of Development: Residential

No.	Type of Development	Permit #	Roll Number	Estimated Cost	Proposed Use	Deemed Complete Date	Electoral District Number	Received Date	Status
1	Residential	D19/082	249701	\$0.00	Existing Shed on Skids (12' x 8')	8/12/2019	5	4/26/2019	Approved-Discretionary
2	Residential	D19/149	285878	\$0.00	RV Relocation within lot, Deck with landing (28' 3" x 12' 1") and Deck with Gazebo (12' x 14')	8/16/2019	5	7/4/2019	Approved-Discretionary
3	Residential	D19/152	450938	\$50,000.00	New Moved in Dwelling (16' x 40')	8/12/2019	7	7/8/2019	Approved-Permitted
4	Residential	D19/157	297501	\$0.00	One Storey Moved In Cabin (14' x 40')	8/21/2019	6	7/12/2019	Approved-Permitted
5	Residential	D19/159	451137	\$30,000.00	Detached Garage 24' x 24 ,Addition to House 8' x 12 and Deck 10' x 16'	8/13/2019	7	7/12/2019	Approved-Permitted
6	Residential	D19/163	129817	\$4,000.00	New Deck (14' x 14' 8" x 4')	8/15/2019	4	7/18/2019	Approved-Permitted

No.	Type of Development	Permit #	Roll Number	Estimated Cost	Proposed Use	Deemed Complete Date	Electoral District Number	Received Date	Status
7	Residential	D19/164	271602	\$9,000.00	Addition of Deck (16' x 28' x 1.5 ')	8/21/2019	5	7/19/2019	Approved-Discretionary
8	Residential	D19/166	82101	\$0.00	Existing Addition to House	8/15/2019	2	7/26/2019	Approved-Permitted
9	Residential	D19/170	125621	\$0.00	Existing Garage Decks (4.51 m x 7.03 m & 3.66 m x 4.29 m)	8/15/2019	2	7/31/2019	Approved-Permitted
10	Residential	D19/171	450604	\$55,000.00	Addition (28' x 20' x 15')	8/16/2019	7	7/31/2019	Approved-Permitted
11	Residential	D19/172	455615	\$10,500.00	Moved-In Garage (33ft x 24ft)	8/30/2019	7	8/7/2019	Approved-Discretionary
12	Residential	D19/173	455262	\$2,000.00	Patio Cover (13ft x 30ft)	8/9/2019	7	8/7/2019	Approved-Permitted
13	Residential	D19/175	285884	\$25,000.00	Fifth Wheel (36.5 ft)	8/9/2019	5	8/8/2019	Approved-Permitted
14	Residential	D19/177	455242	\$3,000.00	Shed (16ft x 12ft)	8/22/2019	7	8/8/2019	Approved-Permitted
15	Residential	D19/178	455682	\$0.00	Recreational Unit Use (3 year permit)	8/16/2019	7	8/7/2019	Approved-Discretionary
16	Residential	D19/185	36100	\$300,000.00	New House with attached Garage and Deck	8/30/2019	2	8/13/2019	Approved-Permitted
17	Residential	D19/186	130307	\$0.00	Existing Decks, and Relocation of Existing Gazebo	8/22/2019	4	8/13/2019	Approved-Permitted
18	Residential	D19/187	301004	\$0.00	Existing Deck and Landing	8/22/2019	5	8/13/2019	Approved-Discretionary
19	Residential	D19/188	455682	\$9,600.00	12' x 24' Shed	8/16/2019	7	8/15/2019	Approved-Discretionary
20	Residential	D19/190	321205	\$80,000.00	Used Mobile Home (70' x 14') and Garage (54' x 30')	8/27/2019	6	8/19/2019	Approved-Discretionary
21	Residential	D19/191	285856	\$0.00	Relocate Existing Gazebo (10' x 10'), Resize Deck	8/30/2019	5	8/19/2019	Approved-Permitted
22	Residential	D19/192	131822	\$350,000.00	1 Storey with Residence with Walkout Basement and Attached Garage	8/30/2019	2	8/14/2019	Approved-Permitted
23	Residential	D19/196	126501	\$70,000.00	Shop (40' x 32')	8/30/2019	2	8/21/2019	Approved-Discretionary
24	Residential	D19/197	119617	\$12,000.00	Addition (14ft x 38ft) to Existing Detached Garage	8/30/2019	3	8/27/2019	Approved-Permitted
25	Residential	D19/198	128601	\$0.00	Shed	8/27/2019		8/27/2019	Cancelled/Withdrawn

No.	Type of Development	Permit #	Roll Number	Estimated Cost	Proposed Use	Deemed Complete Date	Electoral District Number	Received Date	Status
Total (25 Apps):				\$1,010,100.00					

Status: New

Application Number	Roll Number	Application Category	Dev. Description	Received Date	Status	Electoral District Number	Deemed Complete Date
CC19/038	295608	Compliance Certificate		8/12/2019	New	5	

Status: Waiting for Information from Applicant

Application Number	Roll Number	Application Category	Dev. Description	Received Date	Status	Electoral District Number	Deemed Complete Date
D19/009	118301	Commercial	Lot Grading for an Equipment Storage Area	1/23/2019	Waiting for Information from Applicant	3	
D19/086	43500	Residential	Ground Mount Solar PV Array (40 square metres)	5/7/2019	Waiting for Information from Applicant	2	
D19/161	233407	Commercial	24' x 40' x 10 Cold Equipment and Storage Building	7/17/2019	Waiting for Information from Applicant	5	
D19/181	454736	Residential	Garage (39' x 26' x 20')	8/13/2019	Waiting for Information from Applicant	7	
D19/193	407201	Residential	New Moved in Dwelling (64' X 30')	8/15/2019	Waiting for Information from Applicant	7	
D19/195	285859	Residential	Pavilion (14' X 12')	8/22/2019	Waiting for Information from Applicant	5	
TR19/005	452418	Walking Trail Request		8/1/2019	Waiting for Information from Applicant	7	
TR19/006	452417	Walking Trail Request		8/5/2019	Waiting for Information from Applicant	7	
TR19/007	452414	Walking Trail Request		8/27/2019	Waiting for Information from Applicant	7	

Status: Requires AT Approval

Application Number	Roll Number	Application Category	Dev. Description	Received Date	Status	Electoral District Number	Deemed Complete Date
D19/156	294301	Commercial	South Lake RV Storage	6/19/2019	Requires AT Approval	5	
D19/179	214001	Commercial	Rainbow Dogs/ Paws in the County (Training, Grooming and Dog Accessory Business)	8/7/2019	Requires AT Approval	4	
D19/182	117400	Commercial	Demolition of Existing Structure to be replaced by a 80' x 50' x 20' Timberframe Steel Structure	8/13/2019	Requires AT Approval	2	
D19/189	111601	Commercial	Garage (40' x 30')	8/15/2019	Requires AT Approval	3	

Status: In Progress

Application Number	Roll Number	Application Category	Dev. Description	Received Date	Status	Electoral District Number	Deemed Complete Date
D19/176	125302	Residential	Porch (20' x 12')	8/8/2019	In Progress	4	
D19/180	128800	Residential	Garage Addition with Living Area (63' x 42' x 30')	8/8/2019	In Progress	4	
D19/183	273490	Residential	Existing Garage, Canopy and Deck	8/13/2019	In Progress	5	
D19/184	259207	Residential	Two Storey House (28' x 40' x 26')	8/13/2019	In Progress	5	
D19/199	166903	Residential	Convert Existing Mobile Home to a Storage Building	8/27/2019	In Progress	4	
D19/200	133404	Residential	Covered Deck (12'x14')	8/27/2019	In Progress	4	
D19/201	418523	Residential	Detached Shop (2 Stories)	8/28/2019	In Progress	7	



Proposed Re-Designation from Municipal Reserve (MR) to Lakeshore Residential (LR) – Frank & Merle Dyck – Lot P, Plan 3843KS, SE 13-46-1-W5M, Roll #2955.82 – Report

Meeting Date (Report Reference Only): 2019/09/17

Meeting (Report Reference Only): Council Planning & Development

Background

On March 1, 2019, Administration received a request from Frank Dyck for a delegation to propose purchasing a portion of Municipal Reserve (MR) legally described as Lot P, Plan 3843KS, adjacent to his lot located within SE 13-46-1-W5M, Lot 28, Block 2, Plan 1523MC. The purpose of the purchase and consolidation would be to rectify the encroachment of a fence, small boat shed, and drainage onto the Municipal Reserve. Additionally, the Applicant is proposing to construct a new residence, but the existing parcel is not large enough for the proposed house plan.

The subject property being considered was registered as a "Reserve for Park" on November 25, 1957 in the amount of 1.52 Acres. On the 1957 survey, this portion of Viola Beach was of a lower elevation. This in part would be the reason for the designation versus the other areas that were considered for building site lots. Historically, the designation "P" was often used generally whether the land was abutting a creek, water body, or land not abutting a water body. In this case, the land is abutting Pigeon Lake and if this land were to be registered in 2019, the majority of the land immediately abutting the lake would be considered Environmental Reserve (ER).

On March 14, 2019, Council directed Administration to proceed with the re-designation and sale of the relevant portion of the affected Municipal Reserve lands with the landowner being responsible for one hundred percent (100%) of all associated costs.
(Ref. Resolution #PD20190314.011)

On July 4, 2019 Administration received direction in writing from Mr. Dyck to proceed with the re-designation of Municipal Reserve to Lakeshore Residential with the goal of purchasing the lands.

As a part of the administrative referral process, referral letters were sent to West Central Planning Agency, the Alberta Energy Regulator (AER), Alberta Sustainable Resource

Development (ASRD), Alberta Environment, Alberta Transportation, the four (4) First Nations Bands that comprise the First Nations Reserve at Pigeon Lake, and Administration.

At the time of report submission, Administration has received responses regarding the proposed re-designation, which are as follows:

Louis Bull Tribe

- *"Thank you for providing this request for our review and comments. Please be advised that Louis Bull Tribe is concerned with the continued degradation of the shoreline of Pigeon Lake. Pigeon Lake is important to the cultural well being of the Louis Bull Tribe members that reside at the lake as well as those who utilize the area for cultural activities. The loss of municipal reserve lands may result in the loss of critical wildlife habitat, wildlife which is fundamental to the practice of Indigenous Rights and uses. Does the county have plans to offset the loss of this land?"*

Administration

- *"No objections to this re-designation.*
- *Do not support the sale of Municipal Lands, especially so close to an amenity like a lake.*
- *The County should sell this small parcel to the Dyck's.*
- *Save the parcel for future boat launch/parking.*
- *Adverse possession cannot be applied to public lands. The County has been falling into the habit of selling lands rather than enforcing Bylaws and keeping lands for the Public Use as originally intended.*
- *Perhaps place it for public tender to allow the opportunity of all to purchase?"*

Additionally, on September 12, 2019, Audrey Dowler provided the following comments:

- *"I am writing in connection with Frank Dyck's application to purchase land adjacent to the counties property at by Viola Beach. I am totally in support of his request. I didn't reply earlier because I thought only objections were to be registered. So now I am sending you my approval of his purchase. Thank you very much, Audrey Dowler"*

Once comments were received from referral agencies/departments, a Public Hearing was set. The Notice of Public Hearing was advertised in the August 29, 2019 and September 5, 2019 issues of the Pipestone Flyer. The Notice of Public Hearing was mailed to the landowner and adjacent landowners on August 23, 2019. The Notice of Public Hearing was posted on the Municipal Reserve on August 23, 2019.

Copies of the proposed correspondence, relevant maps, and the Lakeshore Residential (LR) District provisions as contained within the Land Use Bylaw have been provided for review by Council.

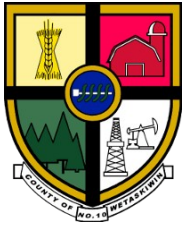
Should Council wish to re-designate a portion of the aforementioned Municipal Reserve (MR), three (3) readings of Bylaw 2019/47 would need to be approved by Council. Should Council wish to deny the request, the same Bylaw would need to be defeated. Regardless, in such cases, it is extremely important to conduct the Public Hearing and ensure the input from the adjacent landowners is considered prior to making a recommendation to Council.

Recommendations

Administration recommends that Council provide direction on whether a portion of Lot P, Plan 3843KS, SE 13-46-1-W5M is re-designated from Municipal Reserve (MR) to Lakeshore Residential (LR) following further information being received through the Public Hearing process, which will guide further recommendation from Administration.

Recommended Resolution

that Council provide direction on whether a portion of Lot P, Plan 3843KS, SE 13-46-1-W5M is re-designated from Municipal Reserve (MR) to Lakeshore Residential (LR) following further information being received through the Public Hearing process, which will guide further recommendation from Administration.



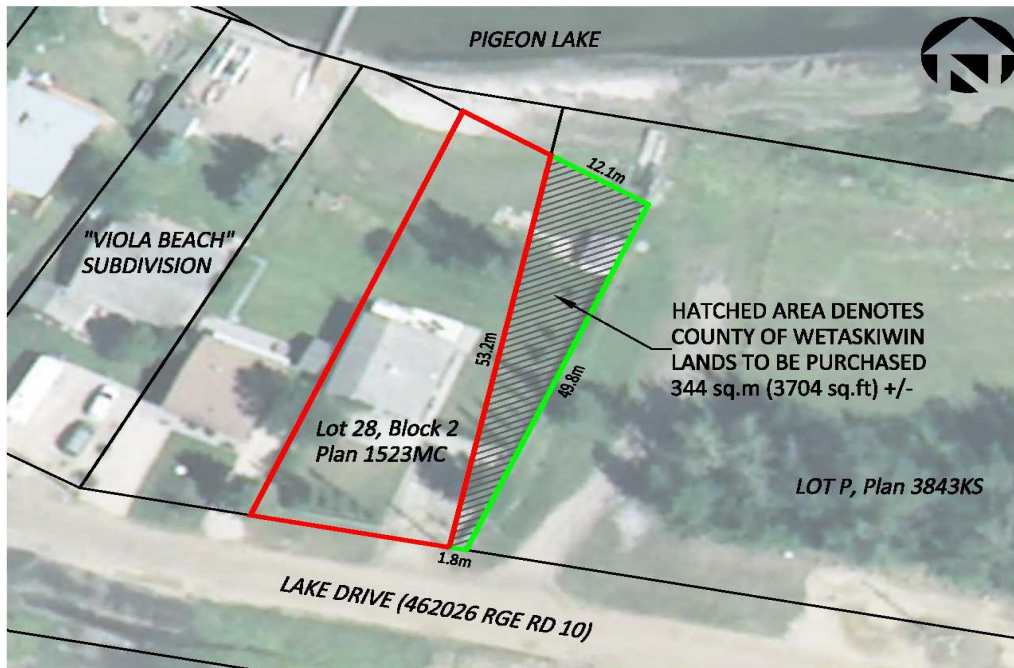
COUNTY OF WETASKIWIN NO. 10

Box 6960, Wetaskiwin, AB T9A 2G5
Tel 780-352-3321, Fax 780-352-3486

NOTICE OF PUBLIC HEARING

County of Wetaskiwin No. 10 - Notice of proposed change in land use classification

TAKE NOTICE that a Public Hearing will be held before Council pursuant to Section 674 of the Municipal Government Act for the removal of the Municipal Reserve Designation located SE-13-46-1-W5M, Lot P, Plan 3843KS:



The Public Hearing is required to allow the adjacent landowner to purchase 344 square metres (3704 square feet) of Municipal Reserve. A copy of the **Lakeshore Residential District** outlining permitted and discretionary uses can be obtained from the County Office or by emailing wpermits@county10.ca

Before proceeding further with the proposal, Council will hold a Public Hearing at which any person claiming to be affected by the proposed rezoning may ask questions or make their views known. As per the Municipal Government Act, any person affected, has the right to petition this proposal.

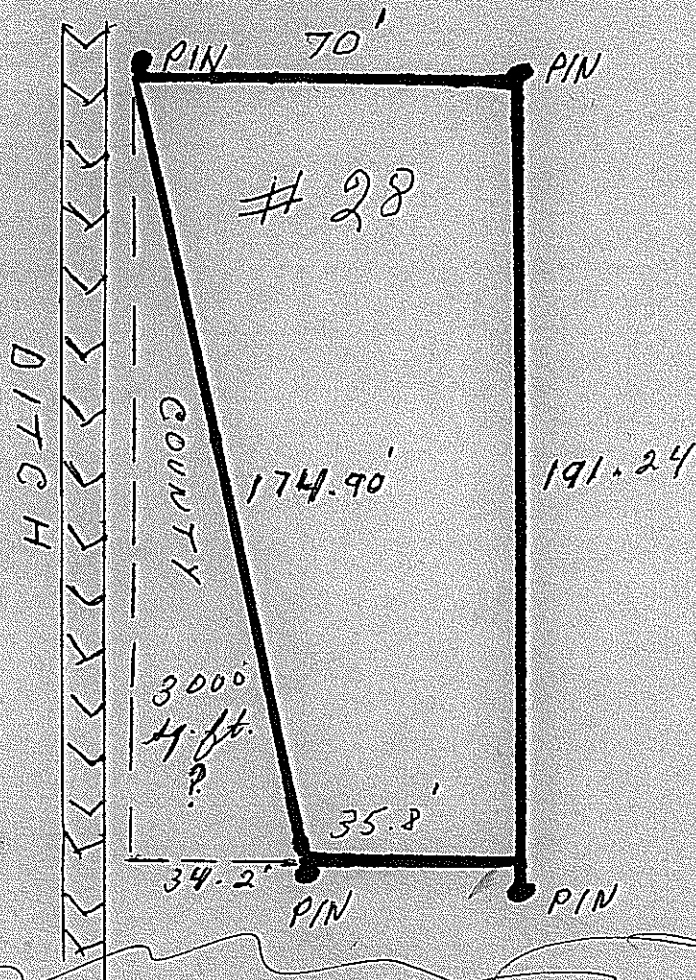
The hearing will be held in the Council Chambers, County Office, 2.4 kilometres west of Wetaskiwin on Highway 13, at 9:30 a.m., Tuesday, September 17, 2019.

Written submissions will be accepted up to the time of the hearing and should be addressed to the undersigned at the County Office.

DAVID BLADES, A. Sc. T., LGA
Director of Planning & Economic Development
County of Wetaskiwin No. 10

Dates to be Advertised: August 29 & September 5, 2019 Contact Person: Erin Ballhorn (Email wpermits@county10.ca)

VIOLETA LAKE ROAD



LAKE

Policy is connected directly to the Municipal Development Plan of the County of Wetaskiwin. A review of the Municipal Development Plan was undertaken to ensure there were no conflicts with direction for the Policy as set forth by Council.

This policy has been approved by Directors and is provided for review by Council. (Ref. Resolution #DM20181212.010)

Administration recommended that Council approve the amendments to Commercial and Industrial Development in the Highway 2 Corridor Policy #61.1.12 as presented.

Council discussed a reference within Policy 61.1.12, Section 4 which reads "ASPs should address the four quarter sections which surround the interchange and discussed which of them are suitable for development and which should remain in agricultural or other use."

Administration advised amendments can be made to ensure developers understand additional areas within the Highway 2 corridor may also be considered. These developments are subject to approval from Alberta Transportation. Map Appendix A of the Policy was also reviewed.

Resolution PD20190314.010

MOVED: by Councillor J. Bishop

That Council approve the amendments to Commercial and Industrial Development in the Highway 2 Corridor Policy #61.1.12 with the additional amendment of including the statement:

*3.1 There are four locations within the County of Wetaskiwin where traffic from other roads can join Highway 2, and which could be considered for development. They are shown on the attached map, labelled Appendix A. **Additional quarters may be considered within the Highway 2 corridor.***

Carried Unanimously

6. DELEGATION: 10:00 A.M. - Frank Dyck

A delegation consisting of Frank Dyck entered the meeting at 10:01 a.m.

6.1 Municipal Reserve Encroachment - SE 13-46-1-W5M, Lot 28, Block 2, Roll #2955.55

On March 1, 2019, Administration received a request from Frank Dyck for a delegation to propose purchasing a portion of Municipal Reserve Lot P, Plan 3843KS, adjacent to his lot located within SE 13-46-1-W5M, Lot 28, Block 2, Plan 1523MC. The purpose of the purchase and consolidation would be to rectify the encroachment of a fence, small boat shed, and drainage onto the Municipal Reserve.

The letter Administration received from Mr. Dyck reads as follows:

"Dear Sir,

Re: Plan 1523MC, Block 2, Lot 28

Viola Beach, Alberta

On Oct. 9, 1992 I purchased the above property from William Chohey for \$90,000.00. Dimensionally it was/is 70' wide (south roadside) and 35.8' wide (north lakeside) — the west boundary runs in a straight line towards the lake for 191.24' while the east boundary runs at an angle towards the lake for 174.9' (see drawing). At the time of purchase the County drainage ditch to the east of the property ran more or less in a straight line from the road towards the lake for about V2 the total distance following which it became progressively more shallow to the extent there was virtually no ditch. Because of this some drainage water dispersed on the property as opposed to going directly into the lake. It is for this reason that the lakeside boundary is 34.2' narrower than the roadside.

I believe it was in 1993 I spoke to County Councilors Clayton Monaghan and Melvin Balthorn about me purchasing the county land between my property and the drainage ditch. This was unofficial after a Hospital Board Meeting we were a part of. Clayton indicated he would check it out. Shortly thereafter he got back to me stating that

while be appreciated the land in question was of no value to the County because of odd dimensions and nearness to the drainage ditch, they did not want to sell it because it necessitated public advertising which they did not consider worthwhile. I was giving authority to use and improve the land in question but could not build on it. With permission I hired a contractor who used a small backhoe to straighten out the ditch and install a culvert in order to cause water to drain directly into the lake. Because the lake has receded considerably I have since installed a second culvert (used one provided by the County).

I also built a fence following the contour of the ditch and done a considerable amount of landscaping. I have maintained the shoreline to ensure compliance with Albert Environment Standards.

In February of 2018, I had the house demolished in order to build a new one. Because of a high ground water table we intend to build above ground only (no basement). We have tried several plans to make fit on our lot, but none seem to work. (Enclosed is the house we would like to build on an expanded lot).

In view of the aforementioned we would like your Council to consider selling me the portion of land as indicated on the attached drawing. The new boundaries will allow me to build a larger house in compliance with building standards. Because of its odd shape it appears to be of no value to the County or anyone else other than the owner of lot 28. It seems to me the county would benefit more by way of taxes. I point out that when initially talking to Clayton Monaghan in a rather committal obscure sort of way, the term "Grand fathering/adverse possession" could eventually come into play.

In any event, I would like to appear before Council to discuss, my desire to obtain the bit of property in question. Wanting to build this year — time is now of essence and I would like to attend your March Council Meeting if possible. Please note that yesterday I met with your Director of Planning and Development, Mr. David Blade, at Lot 28 to view this situation including survey markers as I had both lots #28 and #29 surveyed in the fall of 2018. We briefly discussed my situation in general and I thank him for his assistance and cooperation.

Respectfully,

Frank Dyck"

In regard to this matter the *Municipal Government Act* states:

Disposal of municipal and school reserve

674(1) Despite section 70, if

(a) a council wishes to sell, lease or otherwise dispose of municipal reserve or community services reserve, or

(b) a council and a school board wish to sell, lease or otherwise dispose of municipal and school reserve, a public hearing must be held in accordance with section 230 and must be advertised in accordance with section 606.

Removal of designation as municipal reserve

675(1) A council in the case of municipal reserve or community services reserve or a council and a school board in the case of municipal and school reserve may, after taking into consideration the representations made at a public hearing under section 674(1), direct a designated officer to notify the Registrar that the provisions of this Division have been complied with and request the Registrar to remove the designation of municipal reserve, community services reserve or municipal and school reserve.

(2) If the Registrar is satisfied that this Part has been complied with, the Registrar must remove the designation in accordance with the request made under subsection (1).

(3) On removal of the designation, the municipality or the municipality and the school board may sell, lease or otherwise dispose of the land, but the proceeds from the sale, lease or other disposition may be used

- (a)** in the case of the sale, lease or other disposition of a municipal reserve or a municipal and school reserve, only for any or all of the purposes referred to in section 671(2) or for any matter connected to those purposes, and
- (b)** in the case of the sale, lease or other disposition of a community services reserve, only for any or all of the purposes referred to in section 671(2.1) or for any matter connected to those purposes.

In similar situations where there has been an encroachment issue, the County has made the party responsible for the encroachment responsible for all costs associated with rectifying the situation, which includes all costs to the County. Lands that are sold in such situations must be sold at fair market value in accordance with the *Municipal Government Act*.

Options for Consideration by Council Include:

1. That Council direct Administration to proceed with the redesignation and sale of the relevant portion of the affected Municipal Reserve lands with the County being responsible for one hundred percent (100%) of all associated costs;
2. That Council direct Administration to proceed with the redesignation and sale of the relevant portion of the affected Municipal Reserve lands with the landowner being responsible for one hundred percent (100%) of all associated costs.
3. That Council direct Administration to proceed with entering into a lease of the affected Municipal Reserve lands in accordance with Section 674(1) of the *Municipal Government Act*:

Section 674(1) Despite section 70, if

- a. a council wishes to sell, lease or otherwise dispose of municipal reserve or community services reserve, or
 - b. a council and a school board wish to sell, lease or otherwise dispose of municipal and school reserve, a public hearing must be held in accordance with section 230 and must be advertised in accordance with section 606.
4. That Council accept the presentation made by Mr. Frank Dyck as information, thereby not directing Administration to move forward with the potential redesignation and sale of the affected Municipal Reserve.

Administration recommended that Council direct Administration to proceed with the redesignation and sale of the relevant portion of the affected Municipal Reserve lands with the landowner being responsible for one hundred percent (100%) of all associated costs.

Mr. Frank Dyck addressed the following:

- The history of the properties;
- The intention to build a new residence on the lot, but that the current shape of the lot restricts the type of development which may take place;
- Drainage through the ditch located within the municipal reserve;
- That with the approval of Council, he intends to purchase approximately 344 square metres of Municipal Reserve Lot P, Plan 3843KS and adjust the lot line to create a larger lot; and
- That he currently maintains the area between the drainage ditch and his fence line.

Council discussed the following:

- The process required in the event a sale was agreed upon;
- The precedence set by selling portions of reserves which have been encroached upon;
- The characteristics and topography of the Municipal Reserve Lot P, Plan 3843K and in relation to the Dyck property;
- The future compliance of the Dyck property;
- The remaining access to the lake through the Municipal Reserve lot;
- Potentially referring the application to Public Works to ensure there is adequate setbacks from the drainage ditch to the property line for proper maintenance.

Administration provided the following comments:

- That consultation was held with the Director of Assessment, Rene Boutin, and Director of Planning & Economic Development, David Blades, to establish fair market value for the indicated portion Municipal Reserve equaling approximately 344 square metres. The values can vary significantly depending on the suitability of building within the property;
- That the *Municipal Government Act* set requirements for redesignation and sale of Municipal Reserves.
- The location of the drainage ditch within Municipal Reserve Lot P, Plan 3843K; and
- The appropriate Departments will be consulted, including Public works and Recreation to ensure their comments are received.

Resolution PD20190314.011

MOVED: by Councillor L. Seely

that Council direct Administration to proceed with the redesignation and sale of the relevant portion of the affected Municipal Reserve lands with the landowner being responsible for one hundred percent (100%) of all associated costs, including all relevant and applicable referrals.

Carried Unanimously

The delegation exited the meeting at 10:31 a.m.

11. NEW BUSINESS

11.1 Alberta Development Officers Association Sponsorship Application - Conference 2019

On March 4, 2019, a letter was received from the Alberta Development Officers Association (ADOA) requesting sponsorship to help offset costs in holding their "35th Anniversary" September 25th to September 27, 2019 in Drayton Valley at the Mackenzie Conference Centre, Drayton Valley. The theme of the conference is "Welcome to the West! We are Open for Business".

The sponsorship categories for the Conference are:

- Titanium Sponsor - \$5,001.00+
- Platinum Sponsor - \$2,001.00 - 5000.00
- Gold Sponsor - \$1,001.00 to \$2,000.00
- Silver Sponsor - \$501.00 to \$1000.00
- Bronze Sponsor – Up to \$500.00

The County of Wetaskiwin has an Association Fees Policy #12.1.13 that recognizes the importance of employees being members in Associations related to their role with the County and accepts responsibility for payment of the applicable Association fees. In accordance with Policy, both the Director of Planning & Economic Development and Development Officer are ADOA Members.

The County has not provided sponsorships to organizations other than payment of association fees listed in Association Fees Policy #12.1.13.

Administration recommended that Council receive the sponsorship request letter from the Alberta Development Officers Association as information.

Resolution PD20190314.012

MOVED: by Councillor J. Bishop

That Council receive the sponsorship request letter from the Alberta Development Officers Association as information.

Carried Unanimously

10. UNFINISHED BUSINESS

NE-16-46-28-W4





COUNTY OF WETASKIWIN NO. 10

Box 6960, Wetaskiwin, AB T9A 2G5
Tel 780-352-3321, Fax 780-352-3486

May 29, 2019

File Number:295555

DYCK, MERLE ALMA & FRANK SIDNEY
4024 53 ST
WETASKIWIN AB T9A 1P6

RE: Application LUA19/005 for redesignation and sale of the affected Municipal Reserve Land

At the March 14, 2019 Council for Planning and Economic Development Meeting, Council approved for Administration to proceed with the redesignation and sale of the affected Municipal Reserve Land, subject that you are responsible for one hundred percent (100%) of all associated costs, including all relevant and applicable referrals.

Administration has finished with the referral process for the proposal, and would just like to confirm that you are wanting to proceed with the sale of the land.

If you are wanting to proceed with the redesignation and sale of land please contact the Planning and Development Department by **Thursday, June 13, 2019**.

If you have any questions please contact the undersigned.

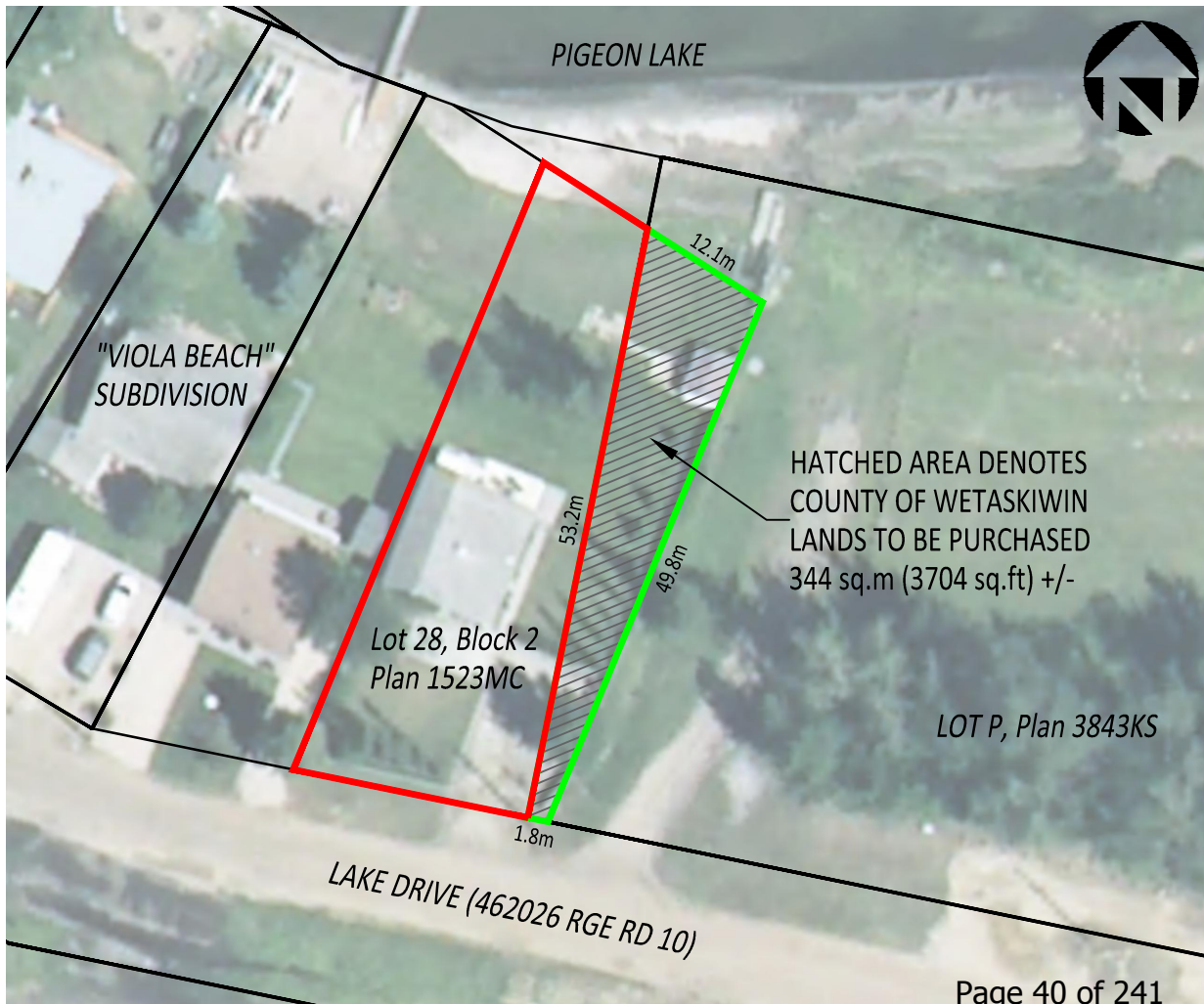
Sincerely,

Assistant Development Officer
County of Wetaskiwin No. 10

July 4th, 2019

This is to advise that I am prepared to proceed.

J. S. Dyck





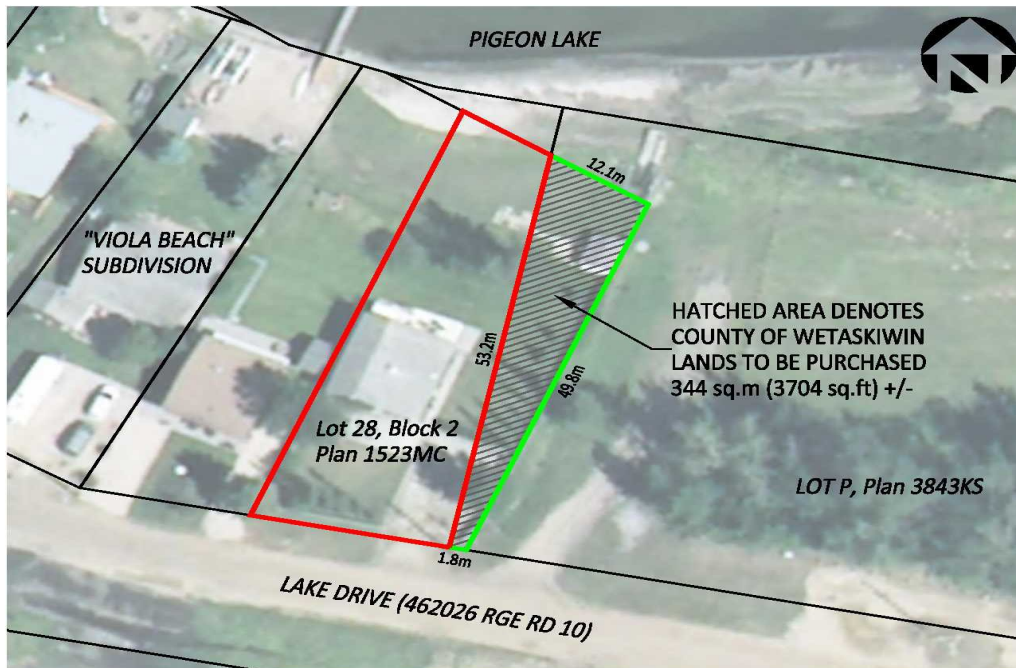
COUNTY OF WETASKIWIN NO. 10

Box 6960, Wetaskiwin, AB T9A 2G5
Tel 780-352-3321, Fax 780-352-3486

NOTICE OF PUBLIC HEARING

County of Wetaskiwin No. 10 - Notice of proposed change in land use classification

TAKE NOTICE that a Public Hearing will be held before Council pursuant to Section 674 of the Municipal Government Act for the removal of the Municipal Reserve Designation located SE-13-46-1-W5M, Lot P, Plan 3843KS:



The Public Hearing is required to allow the adjacent landowner to purchase 344 square metres (3704 square feet) of Municipal Reserve. A copy of the **Lakeshore Residential District** outlining permitted and discretionary uses can be obtained from the County Office or by emailing wpermits@county10.ca

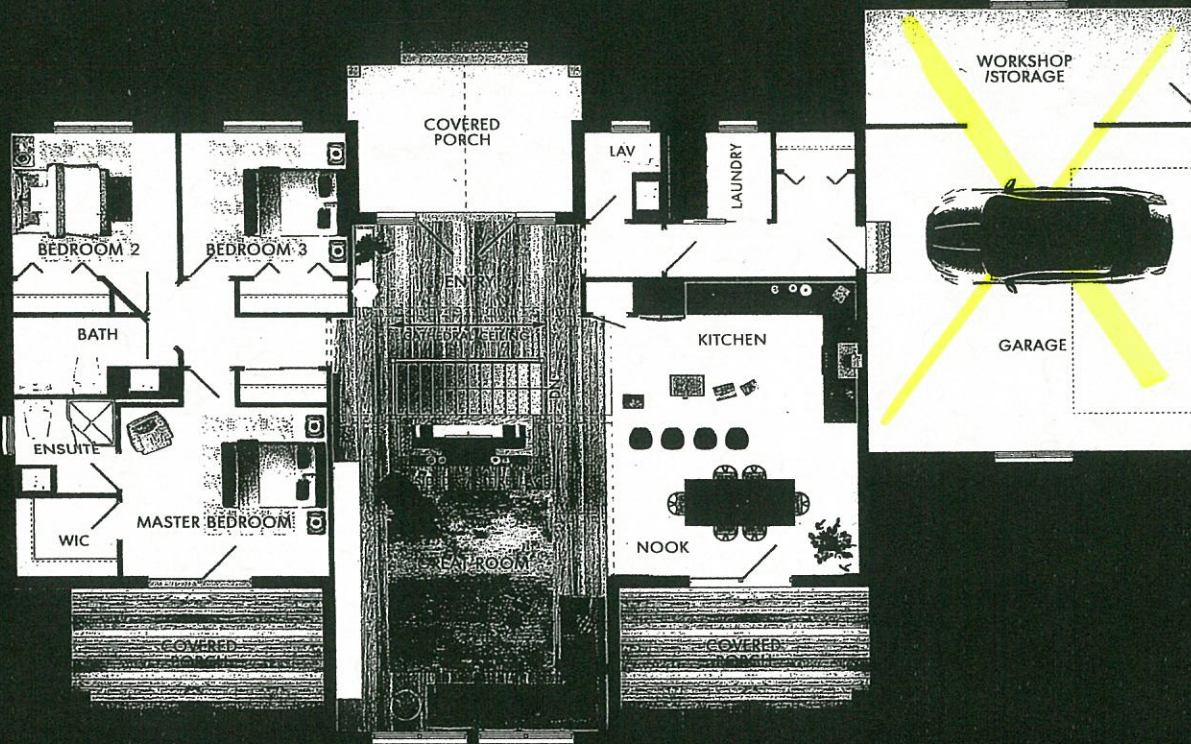
Before proceeding further with the proposal, Council will hold a Public Hearing at which any person claiming to be affected by the proposed rezoning may ask questions or make their views known. As per the Municipal Government Act, any person affected, has the right to petition this proposal.

The hearing will be held in the Council Chambers, County Office, 2.4 kilometres west of Wetaskiwin on Highway 13, at 9:30 a.m., Tuesday, September 17, 2019.

Written submissions will be accepted up to the time of the hearing and should be addressed to the undersigned at the County Office.

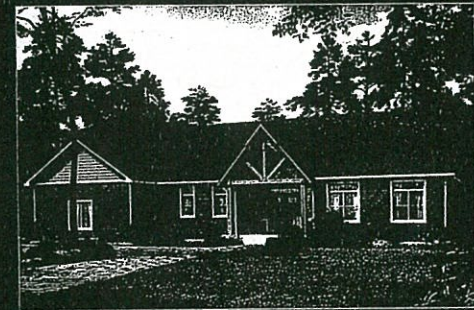
DAVID BLADES, A. Sc. T., LGA
Director of Planning & Economic Development
County of Wetaskiwin No. 10

Dates to be Advertised: August 29 & September 5, 2019 Contact Person: Erin Ballhorn (Email wpermits@county10.ca)



GREAT FIT FOR WATERFRONT

The design of the Kearney was spawned from the popularity of the Dorset and Rideau models by drawing on many their prevalent features. The versatility of two characteristic facades makes this a great fit for waterfront and rural properties with a view. The Kearney is a little larger than the other models in this family, but the biggest advantage is the double attached garage and workshop/storage area.



118

GETAWAY
COLLECTION

MODEL NAME

KEARNEY

SIZE

1716 SQ. FT.

DIMENSIONS

75'-9" w x 48'-0" d

ROOM DIMENSIONS

Great Room: 17'-1" x 18'-2"

Kitchen: 16'-1" x 9'-3"

Nook: 16'-1" x 10'-0"

Garage: 21'-2" x 23'-1"

Workshop/Storage 21'-2" x 7'-6"

Master Bedroom: 13'-1" x 11'-1"

Bedroom 2: 10'-4" x 9'-5"

Bedroom 3: 10'-4" x 9'-5"

ADDITIONAL DIMENSIONS

Garage/Workshop
Covered Porches:

MODEL NO: 2854-65

Garage deleted - no stairs

Google Maps Lake Ave

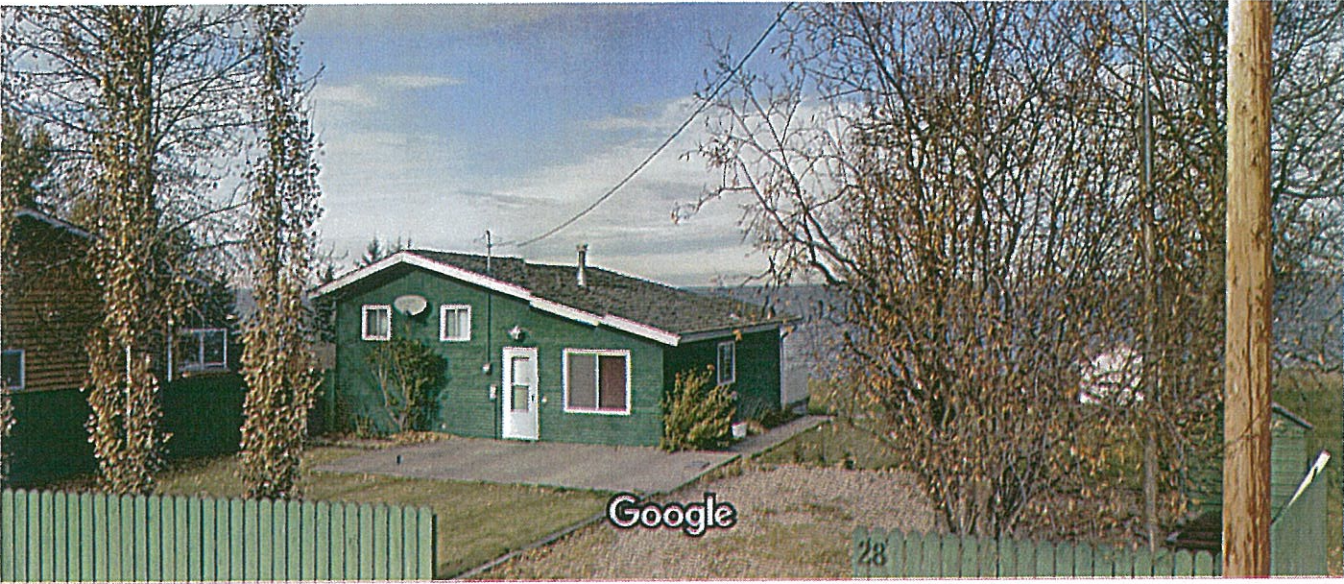


Image capture: Oct 2012 © 2019 Google

Lake Ave - Google Maps

Page 1 of 1

Google Maps Lake Ave



Image capture: Oct 2012 © 2019 Google

Westerose, Alberta

Google

Street View - Oct 2012



INTREPID
SURVEYS LTD.

BILL TO: Frank Dyck
Lot 28, 29, Block 2, Plan 1523MC

Professional Services related to the survey of a residential property and staking the lot boundaries. Survey completed on August 16, 2018.

DESCRIPTION	Unit Price	AMOUNT
Lot 28 & 29, Block 2, Plan 1523MC		
Locate and record sufficient lot/block corner posts to accurately define and stake the boundaries of lot 28 & 29 using wooden lath. Price includes person hours, equipment, vehicle kilometers and materials.	Lump Sum	\$ 675.00
PD Sept. 13 By cheque		
SUBTOTAL		\$ 675.00
GST (719527293)		\$ 33.75
TOTAL		\$ 708.75

Make all cheques or e-transfers payable to Intrepid Surveys Ltd.
If you have any questions concerning this invoice, Adam Berg,
780.720.9459, adam@intrepidsurveys.com

Terms: All accounts outstanding over 30 days will be charged interest at a rate of 2% per month until paid.

Attn: Frank



LAND TITLE CERTIFICATE

S
 LINC SHORT LEGAL
 0013 972 989 1523MC;2;28
 TITLE NUMBER
 922 349 984

LEGAL DESCRIPTION
 PLAN 1523MC
 BLOCK 2
 LOT 28
 EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
 ATS REFERENCE: 5;1;46;13;SE

MUNICIPALITY: COUNTY OF WETASKIWIN NO. 10

REFERENCE NUMBER: 902 181 222

REGISTRATION	DATE (DMY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
922 349 984	12/11/1992	TRANSFER OF LAND	\$90,000	\$90,000

OWNERS

MERLE ALMA DYCK

AND

FRANK SIDNEY DYCK

BOTH OF:

4024-53 ST. WETASKIWIN

ALBERTA T9A 1P6

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
NO REGISTRATIONS		

TOTAL INSTRUMENTS: 000

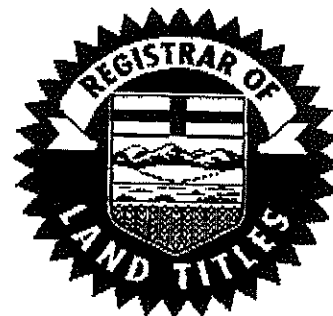
(CONTINUED)

PAGE 2
922 349 984

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 25 DAY OF
FEBRUARY, 2019 AT 11:26 A.M.

ORDER NUMBER: 36759445

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



VIOLA BEACH PLAN

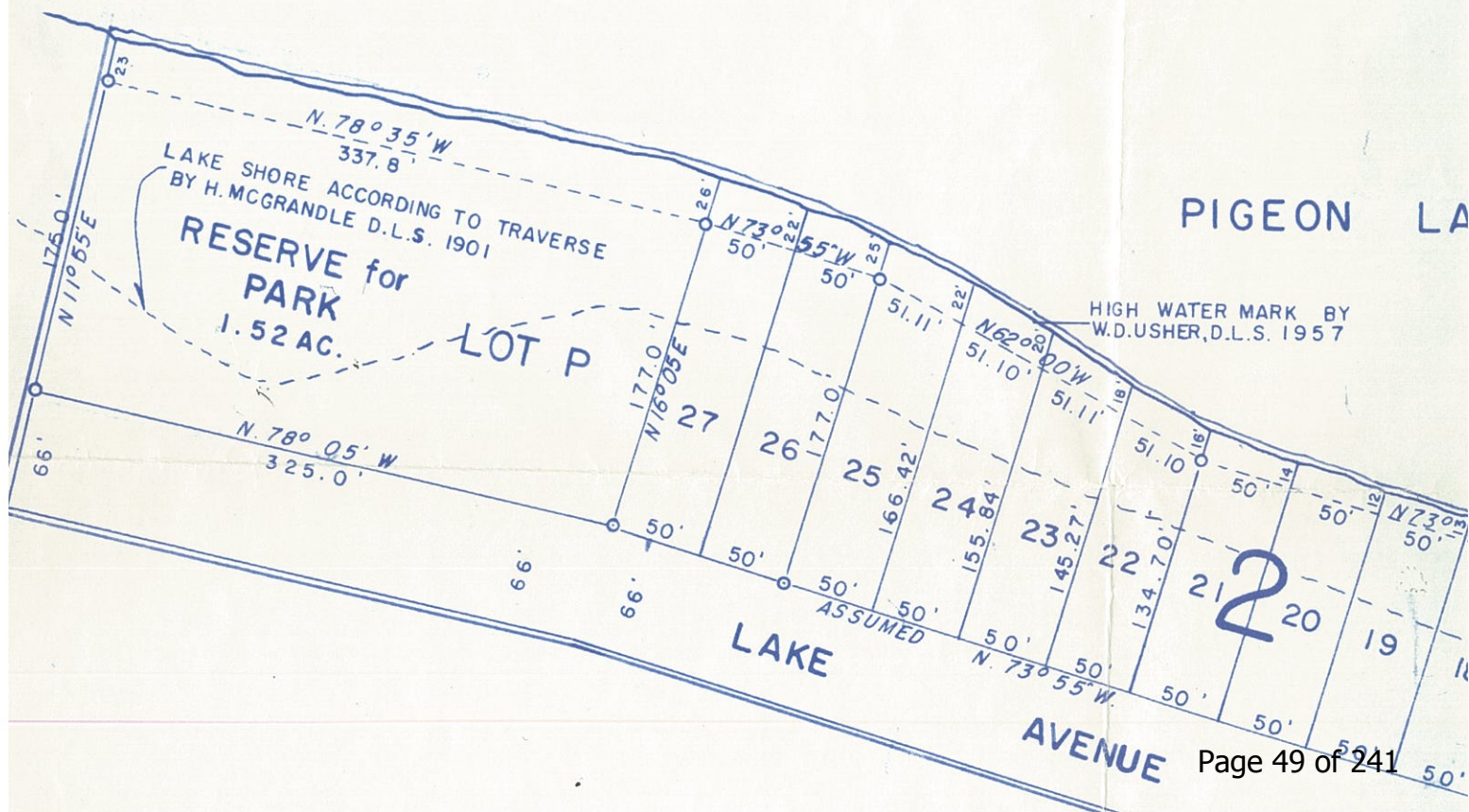
SHOWING SUBDIVISION OF
LOT P BLOCK 2 - PLAN 4683 HW and p
S.E. 1/4 SEC 13 - TR. 46-RG. 1-W 5MER.
PIGEON LAKE — ALBERTA

W. D. USHER, A.L.S. 1957 SCALE 1" = 100'

NOTE: PORTION TO BE REGISTERED SHOWN OUTLINED IN RED.
IRON POSTS PLACED SHOWN THUS ○
IRON " FOUND " THUS ◆

AREA REQ'D

LOT P - PLAN 4683 HW = 0.54 AC.
WITHIN C. of T. III - W-143 = 3.19 AC.
WITHOUT C. of T. III - W-143 = 1.96 AC.
TOTAL = 5.69 AC.



Erin Ballhorn

From: audrey Dowler <adowler47@gmail.com>
Sent: September-12-19 9:51 AM
To: wpermits
Subject: VIOLA BEACH

Dear David blades,

I am writing in connection with Frank Dyck's application to purchase land adjacent to the counties property at by Viola Beach.

I am totally in support of his request. I didn't reply earlier because I thought only objections were to be registered. So now I am sending you my approval of his purchase. Thank you very much, Audrey Dowler /at property70-462026

Sent from my iPhone



Proposed Amendments to Land Use Bylaw 2017/48 – Second Edition – Report

Meeting Date (Report Reference Only): 2019/09/17

Meeting (Report Reference Only): Council Planning & Development

Background

Administration and the Land Use Bylaw Committee have been meeting over the last several months discussing proposed amendments to Land Use Bylaw 2017/48. The following amendments the Committee has deemed ready for Council to review and advise Administration to proceed with the referral process and to begin the process for an upcoming Public Hearing to amend Bylaw 2017/48. This would be the second edition of amendments, with the first edition being approved by Council at the August 8, 2019 Council for Planning and Economic Development meeting through Bylaw 2019/44.

The proposed amendments for Bylaw 2017/48 in this second edition of amendments include the following major topics:

Accessory Buildings

With the adoption of Land Use Bylaw 2017/48 came new limitations to accessory buildings that were not present in the previous Land Use Bylaw 1995/54. The rationale for the restriction was to stop the construction of overly large accessory buildings on smaller parcels of land and unintentionally promote larger scale business operations from smaller parcels within multi-lot subdivisions. With some time having passed with this new regulation in affect, Administration has found that the 1,506 square foot restriction as it is presently may not be practical, especially on larger acreage properties.

Animal Units

Administration has been receiving numerous phone calls requesting information on the number of animals that are allowed on their properties within multi-lot subdivisions or first parcels out. Within the current Land Use Bylaw 2017/48 and previously in 1995/54, approvals were under the discretion of the Development Officer, as well as subject to a development permit. In order to promote efficiencies, Administration and the Land Use Bylaw Committee has proposed specific animal unit limits to deal with these types of inquiries and potential approvals.

Home Occupation

At the February 15, 2018 Council for Planning and Economic Development meeting, Council provided the following direction:

"That the Land Use Bylaw Committee review the definitions and allowances for Minor and home-based business within the Land Use Bylaw."

(Ref. Resolution #PD20190215.003)

Regard specifics, the proposed amendments in this second edition of amendments are shown in **bold**, **red**, and strikethrough as follows:

Page 6:

Accessory Building or Structure means for the purpose of administering the provisions of Part Nine of the Building Code, a building or structure which is subordinate, exclusively devoted and incidental to the principal building or use located on the same lot but in no instance shall be used as a dwelling. Parking may be an accessory use when it serves the main use and does not serve uses on other sites. ~~Kitchen facilities and bathroom facilities are not allowed.~~ May include play structures. The building or structure ~~shall not~~ may precede the principal building or use subject to the developer providing proof of a sufficient, safe, and suitable building site for the principal building and use. ~~unless deemed by the Development Authority as an acceptable discretionary use.~~ Typical structures may include garages, sheds, swimming pools, frame and fabric structure and wind turbines and solar panel arrays. When a building is attached to the principal building by a roof, floor or foundation above or below grade, it is considered to be part of the principal building. A washroom **and small kitchenette** may be allowed **in one** accessory building ~~provided that the accessory is a garage or shop not any other accessory building.~~

Page 12:

Domestic Pet means, but may not be restricted to, Dogs, Cats, and Rabbits.

Page 16:

~~**Grade, Building** means for a building, the ground elevation established for the purpose of regulating the number of storeys and building height. One building grade shall be the level adjacent to the walls of the building if the finished grade is level. If the grade is not entirely level, the grade shall be determined by averaging the elevations of the ground for each face of the building; for drainage, the ground elevation established in a lot drainage plan attached to the application for a development permit for the purpose of controlling the flow of surface water on the parcel.~~

Grade, Building means the ground elevation established for the purpose of regulating the number of storeys and building height. One building grade shall be the level adjacent to the walls of the building if the finished grade is level. If the grade is not entirely level, the grade shall be determined by averaging the elevations of the ground for each face of the building

Grade, Drainage means the ground elevation established in a lot drainage plan attached to the application for a development permit for the purpose of controlling the flow of surface water on the parcel.

Page 17:

~~**Home Occupation** means any occupation, trade, profession or craft carried on by an occupant of a dwelling as a use secondary to the residential use of the dwelling or a farm building but where there are only minimal business visits, product storage, or deliveries.~~

Page 18:

Kitchenette is a small cooking area, which may include **only** a fridge, sink and a microwave. A kitchenette will only be allowed in **one** accessory building per property and is not to be utilized for human habitation.

Livestock, Large means, but may not be restricted to, Cattle, Swine, Horses, Bison, Cervid, and Wild Boar.

Livestock, Medium means, but may not be restricted to Goats, Sheep, Miniature Horses, Miniature Swine and Miniature Cattle.

Livestock, Small means, but may not be restricted to, Poultry and Meat Rabbits.

Page 19:

~~**Minor Business** means a business operated from but subordinate to an agricultural operation or residential use.~~

Page 21-22:

Offsite Home Occupations (Type1): means business or commercial activities that operate within the following requirements:

- Allowed in all districts (excepting Commercial and Industrial districts which have respective regulations);
- No employees coming to the site, only resident/landowner;
- No clients coming to the site (not including multiple deliveries per day);
- 500 sq. ft of outdoor storage (pertaining to the Home Occupation);
- Company vehicles limited to one (1) and such vehicle to be restricted to a one (1) ton truck and max of 30' trailer (No trailer allowed in the following

districts Recreational Resort Holding-Dorchester Ranch Resort, Mobile Home, High Density Rural Residential, Lakeshore Residential);

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply.

Offsite Home Occupation (Type 2): means business or commercial activities that operate within the following requirements:

- Allowed in all Agricultural, Residential, and Watershed Protection Districts, excluding the Recreational Resort Holding-Dorchester Ranch Resort, Mobile Home, High Density Rural Residential, Lakeshore Residential, and Urban Residential districts;
- 2 employees coming to site not including the resident/landowner;
- No clients to site (not including multiple deliveries per day);
- 1000 sq. ft of outdoor storage (pertaining to the Home Occupation);
- Up to three (3) company vehicles up to a one (1) ton truck and 30ft trailer;
- Allowance for only one of the three vehicles to be over a one (1) ton truck in size but is restricted to not having a trailer in any district.

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply

Onsite Home Occupation (Type 1): means business or commercial activities that operate within the following requirements:

- Allowed in all Residential, and Agricultural districts;
- Up to 12 hours a day, 7 days a week;
- 1 employee, not including the owner/resident of the property;
- Up to 1 ton truck with a maximum of 30' trailer; (No trailer allowed in the following districts RRHD, MH, HDR, LR, UR)
- No outdoor storage allowed;
- Must be internal to existing residence or accessory building.

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply.

Onsite Home Occupation (Type 2): means business or commercial activities that operate within the following requirements:

- Allowed in Agricultural, Country Residential, Rural Residential, Watershed Protection, Restricted County Residential, Lakeshore Mixed districts;
- Up to 12 hours a day, 7 days a week, multi lot 12 hours a day 6 days a week;
- 3 employees, not including the owner/ resident of the property;
- Up to three (3) company vehicles and trailers, only one can be larger than a one (1) ton up to and including a tractor unit and trailer. Within multi-lot subdivisions tractor units or tandem axle vehicles or larger shall not be allowed trailers;
- 500 square feet of outside storage, screening is required (pertaining to the Home Occupation);

- Must be internal to existing residence or accessory building;
- Average Number of Vehicles to Site a day 6.

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply.

Onsite Home Occupation (Type 3): means business or commercial activities that operate within the following requirements:

- Allowed in Agricultural, Country Residential (2nd parcel out), Rural Residential, Watershed Protection, and Urban Fringe districts, no multi-lot subdivisions regardless of zoning;
- Up to 12 hours a day, 7 days a week;
- 5 employees, not including the owner/ resident of the property;
- Up to three (3) company vehicles and trailers, only one can be larger than a one (1) ton up to and including a tractor unit and trailer;
- 1000 square feet of outside storage, screening is required and should be located behind principal residence (pertaining to the Home Occupation);
- Must be internal to existing residence or accessory building;
- Average Number of Vehicles to Site a day: 6.

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply.

Page 59:

9.2.1 Animal Restrictions

~~With the exception of the Agricultural, and Watershed Protection districts,~~

- ~~a) the number of livestock other than domestic pets on a parcel smaller than 1.2 hectares (3 acres) in size shall be at the discretion of the Development Officer but should not exceed the equivalent of 1 animal unit for properties less than 0.8 hectare (2.0 acres) and 2 animal units for property between 0.8 and 1.2 hectares (2.0 and 3.0 acres); and~~
 - ~~b) livestock other than domestic pets on parcels larger than 1.2 hectares (3 acres) shall be at the discretion of the Development Officer who shall consider the impact to adjacent land uses.~~
- a) Including within Hamlets, Lakeshore Residential, Lakeshore Mixed Use, Recreational Resort Holding, Mixed Recreational Resort, Mobile Home, Rural Conservation, and Urban Residential districts (excluding those lots adjacent to lakeshores or County Reserve land bordering on lakeshore) there shall be allowed four (4) small livestock, but shall be subject to an approved discretionary development permit, which shall be issued solely at the discretion of the Development Officer.

- b) The Rural Residential, County Residential, and Restricted County Residential districts are subject to the following:
 - i. 0.44 animal units (Animal units are as outlined and defined by the AOPA in Appendix A of this Bylaw) per titled acre with no development permit required. A permit shall not be issued for any proposals above the 0.44 animal unit per acre threshold.
 - ii. Where a lot is located within a multi-lot subdivision and section 9.2(b)(i) would enable more than fifty (50) individual animals based on the 0.44 animal units per acre, there shall be no more than a maximum of fifty (50) individual animals allowed on a lot. If after two (2) years of keeping this maximum number of livestock on the lot, the owner of the lot and animals may apply for a development permit for a 25% increase in the number of small livestock to be kept on the lands. (i.e. If a property had 10 horses and 40 chickens the 25% increase would allow a total of 50 chickens to be kept on the property along with the existing 10 horses. If a property had 50 chickens the 25% increase would allow 62 chickens to be kept on the property, but no other livestock could be kept as the maximum of 50 individual animals had already been reached).
- c) Sensitive natural areas, such as naturally occurring wetlands and riparian areas should be fenced from livestock;
- d) Manure shall be handled, stored and disposed of in accordance with Provincial and Federal Regulations

Page 64:

9.8.2 Number of Dwellings on a Lot

- a) Permit the construction or location of a secondary dwelling on a parcel with a minimum area of 32.3 hectares (80 acres) where the dwelling is a permitted or discretionary use for the district;

Page 75-77:

9.16 Home Occupation

~~9.16.1 A home occupation shall not change the character or have any exterior evidence on the dwelling or farm building that it is carried out from.~~

~~9.16.2 A home occupation shall not employ more than one paid employee other than the resident and the resident's family.~~

Home Occupations within this Bylaw have been categorized either as Onsite or Offsite use. Both Onsite and Offsite then are broken up into different types (1, 2 or 3) depending on their intensity as defined in the definition section and listed in the respective Land Use Districts.

9.18 Accessory Buildings

~~9.18.3 Except where allowed in Agricultural, Commercial, Industrial and Institutional Districts, the total area of accessory buildings on an individual site shall not exceed a site coverage of 14% nor an area of 140.0 square meters (1506 square feet) and shall not exceed a 4.8 meters (16 ft.) wall height unless approved by the Development Officer.~~

- ~~a) Within Rural Residential and Country Residential lots over one (1) acre in size the total area of accessory buildings on an individual site shall not exceed a site coverage of 14% nor an area of 140.0 square meters (1506 square feet) except at the discretion of the Development Officer who may allow up to an additional 50 % of square footage of the 140.0 square meters (1506 square feet), up to but not exceed a overall site coverage of 14%. (amended by Bylaw 2019/**)~~

9.18.3 Accessory buildings on an individual site shall not exceed a site coverage and wall height (unless otherwise specified in a District) as follows

- a. Within Lakeshore Residential, Urban Residential, Lakeshore Mixed, Mobile Home, Mixed Recreational Residential, Recreational Resort Holdings (Up to a maximum of 140 square metres (1506 square feet.) and shall not exceed a 4.26 metre (14ft) wall height unless approved by the Development Officer.
- b. Country Residential Lots, High Density Rural Residential, Rural Conservation, Restrictive County Residential, Rural Residential, Recreational (>5acres), Watershed Protection (>80 acres), Recreational Resort Holdings (>5 acres), Wizard Lake Watershed (>80 acres) accessory building square footage shall not exceed a square footage equal to that of **3.5%** of the titled area of the lot, with no one building larger than 4,000 square feet and a maximum cumulative square footage of ~~7,000~~ 6,000 square feet. The buildings shall not exceed a 4.88 metre (16ft) wall height unless approved by the Development Officer.

Exemptions: Districts not listed above, as well as any buildings and uses that are the principle building and use as allowed by the County's Land Use Bylaw are exempt from these size and height restrictions limitations. Principal uses such as dwellings still may be subject to any square footage and height minimums and maximums established within each specific district.

Page 79-80:

10.1.3, Agricultural District:

~~j) Home Occupation~~

~~v) Minor Business~~

z) Offsite Home Occupation (Type 1)

- aa) Offsite Home Occupation (Type 2)
- bb) Onsite Home Occupation (Type 1)
- cc) Onsite Home Occupation (Type 2)
- dd) Onsite Home Occupation (Type 3)
- ee) Market Garden

Page 83:

10.2.4 Severed Agriculture District:

- ~~h) Home Occupation~~
- ~~n) Minor Business~~
- s) Offsite Home Occupation (Type 1)
- t) Offsite Home Occupation (Type 2)
- u) Onsite Home Occupation (Type 1)
- v) Onsite Home Occupation (Type 2)
- w) Onsite Home Occupation (Type 3)
- x) Market Garden

Page 85-86:

10.3.4 Agricultural Hobby Farm:

- ~~j) Home Occupation~~
- ~~l) Minor Business~~
- o) Offsite Home Occupation (Type 1)
- p) Offsite Home Occupation (Type 2)
- q) Onsite Home Occupation (Type 1)
- r) Onsite Home Occupation (Type 2)
- s) Onsite Home Occupation (Type 3)

Page 87-88:

10.4.3 Rural Residential District:

- ~~g) Home Occupation~~
- ~~j) Minor Business~~
- m) Offsite Home Occupation (Type 1)
- n) Offsite Home Occupation (Type 2)
- o) Onsite Home Occupation (Type 1)
- p) Onsite Home Occupation (Type 2)
- q) Onsite Home Occupation (Type 3)
- r) Market Garden

Page 91:

10.5.3 Country Residential District:

- ~~f) Home Occupation~~
- j) Offsite Home Occupation (Type 1)
- k) Offsite Home Occupation (Type 2)
- l) Onsite Home Occupation (Type 1)
- m) Onsite Home Occupation (Type 2)
- n) Onsite Home Occupation (Type 3) * 2nd Parcel out only
- o) Market Garden (allowed only in lots not located in a subdivision)

Page 93:

10.6.3 Restricted Country Residential District:

- c) Offsite Home Occupation (Type 1)
- d) Offsite Home Occupation (Type 2)
- e) Onsite Home Occupation (Type 1)
- f) Onsite Home Occupation (Type 2)

Page 95:

10.7.4 Lakeshore Residential District:

- ~~g) Home Occupation~~
- m) Offsite Home Occupation (Type 1)
- n) Offsite Home Occupation (Type 2)
- o) Onsite Home Occupation (Type 1)

Page 98-99:

10.8.4 Lakeshore Mixed Use District:

- ~~g) Home Occupation~~
- q) Offsite Home Occupation (Type 1)
- r) Onsite Home Occupation (Type 1)
- s) Onsite Home Occupation (Type 2)

Page 100-101:

10.9.3 Recreational Resort District:

- ~~e) Home Occupation~~
- o) Offsite Home Occupation (Type 1)

Page 103:

10.10.3 Mixed Recreational Residential District:

- ~~e) Home Occupation~~
- i) Offsite Home Occupation (Type 1)
- j) Offsite Home Occupation (Type 2)

k) Onsite Home Occupation (Type 1)

Page 105:

10.11.3 Mobile Home District:

- b) ~~Home Occupation~~
- e) Offsite Home Occupation (Type 1)
- f) Onsite Home Occupation (Type 1)

Page 107:

10.12.3 High Density Rural Residential District:

- e) Offsite Home Occupation (Type 1)
- f) Onsite Home Occupation (Type 1)

Page 110:

10.13.3 Rural Commercial District:

- ff) Market Garden

Page 112:

10.14.3 Urban Residential District:

- h) ~~Home Occupation~~
- m) Offsite Home Occupation (Type 1)
- n) Onsite Home Occupation (Type 1)

Page 116:

10.15.3 Urban Commercial District:

- x) ~~Offsite Home Occupation (Type 1)~~
- y) Market Garden

Page 119:

10.17.2 Highway Interchange District:

- l) ~~Offsite Home Occupation (Type 1)~~

Page 121:

10.18.3 Industrial District:

- m) ~~Offsite Home Occupation (Type 1)~~

Page 123:

10.19.3 Institutional District:

- i) ~~Offsite Home Occupation (Type 1)~~

Page 125:

10.20.3 Urban Fringe District:

- k) ~~Home Occupation~~
- o) ~~Minor Business~~
- q) Offsite Home Occupation (Type 1)
- r) Offsite Home Occupation (Type 2)
- s) Onsite Home Occupation (Type 1)
- t) Onsite Home Occupation (Type 2)
- u) Onsite Home Occupation (Type 3)
- v) Market Garden

Page 127:

10.21.2 Recreational District:

- l) Offsite Home Occupation (Type 1)

Page 129-130:

10.22.3 Watershed Protection District:

- b) ~~Home Occupation~~
- n) Offsite Home Occupation (Type 1)
- o) Offsite Home Occupation (Type 2)
- p) Onsite Home Occupation (Type 1)
- q) Onsite Home Occupation (Type 2)
- r) Onsite Home Occupation (Type 3)
- s) Market Garden

Page 132:

10.23.3 Rural Conservation District:

- d) ~~Home Occupation~~
- g) Offsite Home Occupation (Type 1)

Page 134:

10.24.3 Wizard Lake Watershed District:

- e) ~~Home Occupation~~
- n) Offsite Home Occupation (Type 1)
- o) Onsite Home Occupation (Type 1)

Page 137:

10.25.3 Agricultural/Intermunicipal Development Plan District:

j) ~~Home Occupation~~

l) Offsite Home Occupation (Type 1)

m) Offsite Home Occupation (Type 2)

n) Onsite Home Occupation (Type 1)

o) Onsite Home Occupation (Type 2)

Page 144:

10.31.3 Recreational Resort Holdings District – Dorchester Ranch Resort:

b) ~~Home Occupation~~

g) Offsite Home Occupation (Type 1)

Regarding the proposed amendments, Administration requests direction from Council to schedule a Public Hearing for the advertisement of the proposed amendments to the public and referral to relevant parties prior to formal consideration and approval from Council to ensure that the proposed amendments are adequate enough in the opinion of Council to proceed to referral and Public Hearing. Council may provide support to all amendments proposed or only some of the amendments above.

Recommendations

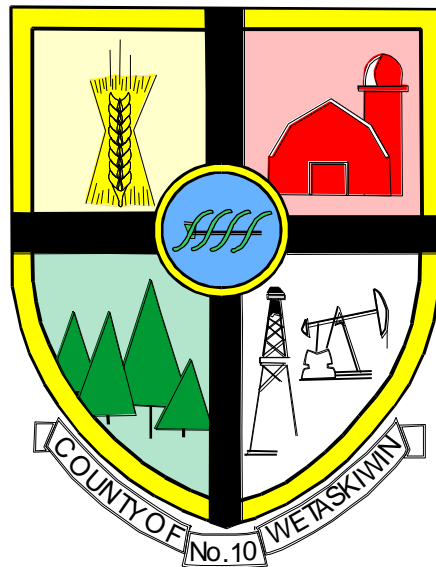
Administration recommends, in accordance with direction received by the Land Use Bylaw Committee, that Council direct Administration to commence the referral process and schedule a Public Hearing for the proposed amendments to Land Use Bylaw 2017/48 as presented.

Recommended Resolution

that Council direct Administration to commence the referral process and schedule a Public Hearing for the proposed amendments to Land Use Bylaw 2017/48 as presented.

County of Wetaskiwin No. 10

Land Use Bylaw 2017/48



Updated to *****

Prepared by:
Scheffer Andrew Ltd.



Scheffer Andrew Ltd.
Planners & Engineers

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Section 1 General

1.1 Purpose

1.1.1 The Land Use Bylaw is a non-statutory Bylaw approved by Council and its' purpose is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly, economic and beneficial development of land. To achieve this goal, this Bylaw, among other things:

- a) divides the municipality into districts;
- b) prescribes and regulates for each district, other than Direct Control districts, purposes for which land and buildings may be used;
- c) prescribes and regulates for each district, other than Direct Control districts, subdivision and development standards;
- d) establishes a process for making decisions on development permit applications and the issuance of development permits; and
- e) establishes a process for notification of landowners affected by development permits issued; and
- f) provides appropriate guidance for the development of land as per Division 5 of the Municipal Government Act at the expected level in the hierarchy of municipal statutory documents. The Municipal Development Plan is the general overarching document; the Land Use Bylaw provides more detailed regulations on a district basis; site specific detail is provided in an Area Structure Plan/Outline Plan; Rezoning, subdivision and development permit allow for the specific development for the parcel which is the end product.

1.2 Definitions

All illustrations are for clarification and convenience only and do not form part of this Bylaw.

Terms and words in this Bylaw defined in the Act have the same meaning expressed in the Municipal Government Act 2000 Chapter M-26 (MGA) and include any amendment thereto. Any provincial ministry, agency, regulation or act is referenced to the designation at the time of adoption of the Bylaw and shall be applicable to any name change, successor or amendment thereto. Other terms and words, unless the context otherwise requires, are defined as follows:

Abandoned farmsite means land on which a farmsite is no longer in active use and is lacking some or all of the following improvements: a habitable dwelling, an approach and driveway, outbuildings, a power pole and transformer, a working well or a working private sewer system.

Abandoned yardsite means land on which an agricultural, residential, commercial or industrial site is no longer in active use and is lacking in some or all of the following improvements: a habitable dwelling, an operational building, an approach and driveway, outbuildings, a power pole and transformer, a working well or a working private sewer system.

Abattoir means a lot or a building where livestock are slaughtered and butchered and may include the packing, treating, storing and sale of the products.

Abut or abutting means immediately contiguous to or physically touching, and when used with respect to a site, means that the site physically touches upon another site and shares a property line with it.

Access means an access and/or egress for vehicles to a site which conforms to the Municipality's Policy on rural approaches, as amended from time to time.

Act means the Municipal Government Act, 2000, Chapter M-26, as amended from time to time.

Accessory Building or Structure means for the purpose of administering the provisions of Part Nine of the Building Code, a building or structure which is subordinate, exclusively devoted and incidental to the principal building or use located on the same lot but in no instance shall be used as a dwelling. Parking may be an accessory use when it serves the main use and does not serve uses on other sites. ~~Kitchen facilities and bathroom facilities are not allowed.~~ May include play structures. The building or structure ~~shall not~~ may precede the principal building or use subject to the developer providing proof of a sufficient, safe, and suitable building site for the principal building and use. ~~unless deemed by the Development Authority as an acceptable discretionary use.~~ Typical structures may include garages, sheds, swimming pools, frame and fabric structure and wind turbines and solar panel arrays. When a building is attached to the principal building by a roof, floor or foundation above or below grade, it is considered to be part of the principal building. A washroom **and small kitchenette** may be allowed **in one** accessory building ~~provided that the accessory is a garage or shop not any other accessory building.~~

Accessory Development means a use or building that is incidental and subordinate to a principal use or principal building located on the same lot.

Adjacent means land that is contiguous to a lot of land that is subject of a development or subdivision application and includes land that would be contiguous if not for a highway, public roadway, public walkway, railway, river, stream, pipeline, power-line, utility lot or reserve lot.

Adult Entertainment Facility means the provision of live performances, motion pictures, videos, books or other reproductions for the amusement of patrons, the central feature of which is generally deemed unsuitable for minors.

Advertisement means a message carried in a communications medium including but not limited to a newspaper, radio, television, sign or billboard for the purposes of informing the public of a matter of public or private interest.

AER means the Alberta Energy Regulator or its successor.

Agricultural Land, Productive means

- a) land with a farmland assessment rate of 30% or more;

- b) grey-wooded soil producing hay, forage or other crops;
- c) bush-covered soil with agricultural potential (where potential is determined on the basis of the farmland assessment value the land would have if cleared); and
- d) land used for grazing cattle.

except where an Area Concept Plan has been adopted by Council, good productive land has the meaning set out in that Area Concept Plan.

Agriculture, Extensive means agricultural uses including but not limited to cultivation of grains, oilseeds, forage, pasture and/or grazing of cattle or other animals.

Agriculture, Intensive means agricultural uses which of an intensified or specialized in nature. This use includes, but not limited to, horse breeders and/or trainers, cow-calf operators, exotic animal breeders, greenhouses, market gardens, fruit farms, tree farms and horticulture operations.

Agriculture, Processing means the use of land or a building for the processing of agricultural and food products for distribution or sale, but does not include an abattoir.

Airstrip means a parcel of land as regulated by Transport Canada or their successors.

Animal Grooming Facility or Dog Training means a development that provides a service for the training or care and appearance of animals but does not include kennel, or the overnight boarding of such animals.

Animal Unit means, for a type of livestock, the number determined by dividing the number of individuals of the type of livestock by the factor listed in Schedule 1 of *Agricultural Operations Practices Act, Part 2 Matters Regulation*. See Appendix A.

AOPA means the Agricultural Operations Practices Act.

Apartment, Dwelling see Dwelling, Multiple.

Apiary means land and buildings used for the production of honey, including facilities for the maintenance of hives and bees and the extraction, processing, and packaging of raw honey.

Applicant means the registered owner of land or persons authorized by the registered owner to act as the representative, or agent.

Approach means a direct built access to a road or highway which conforms to the Municipality's Policy on rural approaches, as amended from time to time.

Area Concept Plan (ACP) means a non-statutory plan passed by resolution that sets out principles and policies to act as a guideline for new developments or growth in a predetermined area as identified by Council.

Area Structure Plan (ASP) means a statutory plan prepared pursuant to Section 633 of the Act that applies to a defined area of land that provide a framework for more detailed subdivision and development, staging of development, land uses and infrastructure matters that must be addressed as defined by County Policy.

Assistant Development Officer means that person appointed according to the procedures authorized by County Council to act as Assistant Development Officer.

Aquaculture means land devoted to the hatching, raising, and breeding of fish or other aquatic plants or animals.

Auction Facility means a development intended for the auctioning of livestock, goods, and equipment, including the temporary storage of such livestock, goods and equipment.

Auto Salvage and Auto Recycling Yard means a site in an industrial district used in whole or partially for the collection of damaged or aged vehicles for the purpose of salvaging and recycling automotive parts which are sold for re-use.

Auto Wrecking Yard means a site on which vehicle bodies are stored and processed for parts and other materials and may include a crusher.

Bank Break means the point at which the land begins to slopes sharply downward to a water-body, watercourse or valley floor and is above the elevation of a floodplain.

Bareland Condominium means a condominium development with bareland units as defined in the Condominium Property Act, RSA 2000, (C-22).

Basement means a storey or storeys of building located below the first storey

Basement, Walkout means a storey or storeys of a building located below the first level and having at least one wall above grade.

Bathroom means a sink, toilet, shower, bathtub or a combination thereof.

Bed and Breakfast means an accessory use of a dwelling to provide commercial accommodation in guest-rooms and where breakfast may be provided to registered guests in a common room. This use shall be subordinate to the principal use of the dwelling and does not include a hotel, motel or guest house. The residential character of the dwelling unit must be retained.

Bingo Hall see Casino (gambling establishment).

Boat-house means a building intended solely for the storage of boats.

Borrow Site means an area from which sub-soils and/or clay has been or is to be taken for use in constructing or maintaining roads or other earth structures.

Building means anything constructed or placed on, in, over, or under land but does not include a highway or public roadway or a bridge forming part of a highway.

Building Height means the vertical distance from the finished ground elevation to the top of the building at all points within the parcel. The following structures are not included when measuring building or structure height: elevator housing, mechanical housing, roof stairway entrance, ventilation fan, skylight, steeple, smokestack, parapet wall, flag pole, or similar device not structurally essential to the building.

Bulk Fuel Depot means lands, buildings, and structures for the bulk storage and distribution of petroleum products. This does not include Service Stations.

Bulk Fuel Dealer means a development for the purposes of storing fuel oil and other hydrocarbons for sale and distribution.

Bunk House see Guest Cabin

Business means an establishment for carrying on a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other service for gain or profit. This includes home business.

Business Service means services which include but are not limited to printing; photographic processing; the provision of office maintenance; custodial services; office security; the sale, rental, repair or servicing of business equipment, furniture, supplies and machines, computers, cellular telephones, and fax machines.

Bylaw means the County of Wetaskiwin No. 10 Land Use Bylaw.

Caliper means the diameter of a tree trunk measured at a point 300 mm above the top of the root ball.

Campground means a development on an area of land which has been planned and improved for the use of tents and/or recreational users, not exceeding 180 days. Related facilities that are accessory to and support the campground may include an administrative office, Laundromat, picnic grounds and playgrounds that are on site.

Cannabis Accessory means Cannabis accessory as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time and includes, but is not limited to; rolling papers or wraps, holders, pipes, water pipes, bongs, vaporizers, or anything that is deemed to be used in the consumption of Cannabis.

Cannabis Accessory Store means a retail store unlicensed by the Province of Alberta where Cannabis Accessories are sold at the premises and does not include the sale of any Cannabis. *(amended by Bylaw 2018/55)*

Cannabis Production Facility means an enclosed building, licensed by the Federal Government, where Cannabis is grown for distribution (for medical or private retail purposes), and typically includes the cultivating, propagating and/or harvesting of the Cannabis plant. Other processes may include the packaging, shipping, testing and storage of Cannabis and Cannabis related products. Note: Growing licences will be through the Federal Government that will include Federal restrictions on the maximum size of buildings. *(amended by Bylaw 2018/55)*

Cannabis Storage and Distribution Facilities means an enclosed building, licensed by the Provincial Government, where Cannabis is stored, but not grown (for medical or private retail purposes), and may include processes such as the packaging, shipping, storage and distribution of Cannabis and Cannabis related products. Note: Growing licences will be through the Federal Government that will include Federal restrictions on the maximum size of buildings. *(amended by Bylaw 2018/55)*

Casino (gambling establishment) means a facility licensed by *Alberta Gaming and Liquor Commission*, where the principal activity is gaming with the chance of monetary loss or gain through playing such games. Types of gaming may include card or other table games, video lottery terminal, slot machines, or other electronic or mechanical gambling devices. Development may include restaurants, drinking establishments, commercial, retail service and bingo halls.

Cemetery means a site used for the entombment of deceased corpse and may include crematories and mausoleums and includes but is not limited to memorial parks, burial grounds, and gardens of remembrance.

Certificate of Title means a certificate issued by the Province of Alberta Land Titles Office identifying the owner(s) of a particular parcel of land.

Chief Administrative Officer (CAO) as defined under the Act.

Child Care Facility means buildings and lands used for the provision of care, instruction, maintenance or supervision of five or more children by a person other than one related by blood or marriage for periods not exceeding twenty-four (24) consecutive hours and includes all day care centres, early childhood services, nurseries, and after school or babysitting programs which meet this definition and are licensed by the Province of Alberta.

Commercial Storage means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature.

Commercial Unit means a separate or self-contained area or area of one building which contains one commercial unit.

Common Lot means a bareland condominium lot collectively owned by the owners of the condominium subdivision. The lot is reserved for the exclusive use of the residents of the subdivision for purposes such as providing private open space, temporary recreation facilities or storage or access to public parks or reserve land.

Communal Dwelling see Dwelling, Communal.

Communication Tower see Telecommunication Tower

Community Hall means a building, which is available to the public for the purposes of assembly for community, cultural, political or social events.

Community Lot means a bareland condominium lot collectively owned by the owners of a subdivision plan. The lot is reserved for the exclusive use of the residents of the subdivision for purposes such as providing private open space, temporary recreation facilities or storage or access to public parks or reserve land.

Condominium Unit means a condominium unit as defined by the Condominium Property Act, RSA 2000, (C-22).

Confined Feeding Operation (CFO) as defined by the AOPA means an activity on land that is fenced or enclosed or within buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing, but does not include seasonal feeding and bedding sites. The County has no jurisdiction over confined feeding operations.

Convenience Store means a building where retail goods and food products are sold as required by area residents on a day-to-day basis and may include fuel pumps. Retail Liquor Store is not included within this definition.

Convention Facility means a development that provides accommodation for meetings, seminars, conventions, product and trade fairs and other exhibitions, with or without eating and drinking facilities.

Conventional Construction or Conventional Stick Built means a building frame or constructed on-site of conventional building materials in accordance with the Alberta Building Code.

Corner Lot or Site means a lot or site located at the intersection of two public roads, other than lanes.

Council means the Council of the County of Wetaskiwin No. 10.

County means the County of Wetaskiwin No. 10.

CSA means the Canadian Standards Association.

Day Care means any child care program provided to 7 or more children (under the age of 7 who are not attending school on a full time basis) for 4 or more consecutive hours in each day the program is provided and operates in accordance with Schedule 1 of the Child Care Licensing Regulation.

Day Home means a child care program providing child care to no more than 6 children 0 to 12 years old in private residence of the child care provider.

Deck means a structure with the top of the floor 0.6 meters (2 feet) or greater in height above finished grade without a roof or walls, except for railings, which is designed and intended for use as an outdoor amenity area.

Deemed Complete means an application for a development permit is in order such that it may be processed.

Deemed Incomplete means a decision to refuse a development or subdivision application because the applicant has provided insufficient information to process the application, or where the applicant indicates in writing that they no longer wish to continue with the application.

Density means the ratio of the number of dwelling units to the lot area or, the maximum number of dwelling units per developable hectare.

Designated Officer means a Development Officer or any other official appointed by the Chief Administrative Officer (CAO) to enforce the provisions of this Bylaw.

Detached Dwelling see Dwelling, Detached.

Detention/Correction Service means the confinement and treatment of persons in a secure facility with controlled access for the general public. Typical facilities would include prisons, mental institutions, jails, remand centres and correction centres.

Development means:

- a) an excavation or stockpile and the creation of either of them;
- b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land;
- 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 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 Authority see Designated Officer.

Development Officer means an official of the County of Wetaskiwin No. 10 appointed, according to the procedures authorized by County Council, to act as development authority according to the Municipal Government Act.

Development Permit means a document or permit which may include attachments issued pursuant to the Bylaw authorizing a development.

Development, Temporary means a development for which a development permit has been issued for a limited time only at the discretion of the Development Officer.

Discretionary Use means a use of land or of a building provided for in this Bylaw for which a development permit may be issued with or without conditions as provided for in this Bylaw.

Disposal Area means those areas of a parcel of land that has been used and will not be used again for the placing of waste material or where waste processing or a burning activity is conducted in conjunction with a sanitary landfill, modified sanitary landfill, hazardous waste management facility or dry waste site.

Dog means as defined in the County's Dog Control Bylaw and any amendments thereafter.

Domestic Pet means, but may not be restricted to, Dogs, Cats, and Rabbits.

Drive-In Food Service means a development or part of a development that can include a restaurant, designed to serve customers remaining in their vehicles.

Driveway means a privately developed roadway on private land that provides access to a specific development or area. Private driveways (excluding the approaches within County

Road Allowances) are not subject to being developed to any predetermined County standard except where developed for commercial purposes. For commercial developments an all-weather road surface is required to provide emergency access.
(amended by Bylaw 2019/44)

Dwelling means a building or a part of a building containing one or more habitable rooms in which the primary use is human habitation and is self-contained for that use with facilities containing bathroom(s), and may include a washroom, a kitchen, and sleeping areas for a single household for year-round residential accommodation. Dwelling does not include Recreational Units or Guest Cabin,

Dwelling, Communal means dwelling that are an arrangement of buildings that are an integral part of an agricultural, educational, recreational or religious facility, operated by a recognized communal organization such as a Hutterite colony. Accessory buildings may include a communal kitchen, dining room or both.

Dwelling, Detached means a dwelling that is built on a foundation or base extending below grade. The building is constructed on-site using conventional construction methods and materials and, is separate from other buildings on all sides. Detached dwelling excludes modular dwelling.

Dwelling, Mobile means a dwelling that is a building or structure that may be a 'single-wide' or 'double-wide' that is designed to be transported as a complete single unit or in two parts on wheels to a building site on which it is placed at grade or on a foundation and meets the requirements for a residence under the Canadian Standards Association. A mobile dwelling is also called a manufactured home but does not include a Recreational Units or Recreational Unit, Park Model.

Dwelling, Modular means a dwelling that is assembled on a building site from components manufactured off-site and is built to the CSA-277 standard, including Ready to Move Homes (R.T.M). The completed building may be located on a foundation or base extending below grade and is separate from other buildings on all sides. Dwelling, Modular excludes Dwelling, Detached.

Dwelling, Moved in means a dwelling previously occupied or used that is transported in whole or in parts to a new building site provided that permits can be issued under Alberta Safety Codes and does not include Recreational Units or Park Model.

Dwelling, Multiple means a building containing three (3) or more dwelling units which may include an apartment, row house, or adult living complex.

Dwelling, Principal means the dwelling determined by the Development Authority to be primary for the purpose of assigning secondary status to an additional dwelling under this Bylaw.

Dwelling, Side by Side (Duplex, side by side) means a building containing two (2) dwelling units with individual and separate entrances where the units are situated beside each other and may be subdivided onto separate lots.

Dwelling, Secondary means an additional dwelling that is ancillary to a dwelling, principal on the same lot, and may include but not limited to a modular, mobile, moved in building or guest cabin.

Dwelling, Secondary Suite means a designated area within a dwelling, detached, providing accommodation as a separate dwelling that may include a kitchen independent from the primary dwelling and may include rental or lease arrangements.

Dwelling, Uninhabitable means a building or structure that is no longer used as a dwelling and has had all cooking facilities, washroom and bathroom facilities, sleeping quarters removed or permanently disabled to the satisfaction of the Development Authority to enable the building to be utilized exclusively as an accessory building.

Dwelling, Vertical (Duplex, Vertical) means a building containing two (2) dwelling units situated one on top of the other in whole or in part with an individual and separate entrance to each dwelling unit.

Dugout means a site excavation of earth, rock, concrete or other natural material designed to capture and retain water for agricultural, commercial, industrial or fire prevention uses but does not include a lagoon for the purpose of processing waste water.

Eave means the projecting overhang at the lower edge of a roof.

Education Facility is a development developed for instruction, training, and education purposes, and may include administration offices, dormitories, and accessory uses/structures.

Engineer means a practicing member and a member in good standing of the Association of Professional Engineers, Geologists and Geophysicists of Alberta (APEGGA).

Engineer's Report means a document that bears the professional stamp of an engineer who is a member in good standing of the Association of Professional Engineers, Geologists and Geophysicists of Alberta (APEGGA).

Environmental Impact see Nuisance Effect.

Equestrian Center means a commercial facility used for the training of horses and riders and includes facilities to board horses, grooming, horse shows, and equestrian competitions.

Existing Dwelling and Related Improvements means a dwelling in active use with an approach and driveway, shelterbelt, outbuildings, and water, power and sewer services associated with the dwelling to form an integrated development in a rural area.

Farm Building means a structure other than a dwelling used to store agricultural products, house farm equipment or is otherwise associated with an agricultural use but does not include dwellings or buildings for the confinement of animals in an intensive animal use.

Farm Site means the first farm site situation on a single lot in an agricultural district that is improved for residential use, including a working well or on which proof of a water supply

has been demonstrated pursuant to the standards of this Bylaw. This is the same as Yard Site.

Farm Supply and Services Dealer means a development where farm vehicles, equipment, supplies and services are stored, offered or kept for sale at retail prices and includes storage within the premises of supplies necessary only to service the business.

Fence means a vertical structure used to prevent visual intrusions, unauthorized access or to provide sound abatement.

Fire Hall means a building used to store fire fighting vehicles and equipment and other emergency vehicles and equipment.

Fire Separation means a construction assembly that acts as a barrier against the spread of fire as defined in the Alberta Safety Codes.

Floodplain means land lying within the 1% flood risk (1 in 100 year flood event) area of a water feature as calculated using methods acceptable to Alberta Environment.

Forestry means woodlot management, selective cutting, silviculture but excludes clearing of land for agricultural purposes.

Foundation means the lower portion of a building usually concrete or masonry, and includes footings that transfer the weight of, and loads on a building to the ground.

Frame and Fabric Structure means a building designed and constructed with a rigid frame that supports an exterior fabric covering and may also include some rigid exterior wall panels containing windows and/or doors.

Front Yard means, in the case of an interior lot, a line separating the lot from the road; or in the case of a corner lot, a line separating the narrowest road frontage of the lot from the road not including a corner rounding or corner cut; or in the case of a yard (flanking), the front lot shall be determined by a Development Authority based on the location of permitted access and the orientation of other development on the block. In the case of a lot abutting a watercourse, the front lot line is the lot line abutting the road

Funeral Service means a facility used for the preparation of a corpse for burial, the purification and the reduction of the human body (corpse) by heat, and the keeping of bodies other than in a cemetery and the holding of associated services. Typical use includes funeral home.

Garage means an accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles.

General Contractor means the use of land and/or building for a business which provides construction, repairing and storing services including but not limited to road construction, oilfield maintenance, pipeline construction, sand and gravel hauling, and water and sewer projects. Buildings for sales office or residential use may also be included as accessory uses to the principal use.

GFA means gross floor area.

Golf Course means land developed for golfing purposes including a driving range, fairways and greens, and may include a professional shop, clubhouse with a lounge, and/or restaurant.

Government Service means a Crown-owned area of land or facility providing services to the travelling public and includes but is not limited to a rest area, maintenance yard or weigh-scale facility.

Grade means the average ground elevation calculated at the perimeter of a site as determined by the Development Authority or by an Engineer.

~~**Grade, Building** means for a building, the ground elevation established for the purpose of regulating the number of storeys and building height. One building grade shall be the level adjacent to the walls of the building if the finished grade is level. If the grade is not entirely level, the grade shall be determined by averaging the elevations of the ground for each face of the building; for drainage, the ground elevation established in a lot drainage plan attached to the application for a development permit for the purpose of controlling the flow of surface water on the parcel.~~

Grade, Building means the ground elevation established for the purpose of regulating the number of storeys and building height. One building grade shall be the level adjacent to the walls of the building if the finished grade is level. If the grade is not entirely level, the grade shall be determined by averaging the elevations of the ground for each face of the building

Grade, Drainage means the ground elevation established in a lot drainage plan attached to the application for a development permit for the purpose of controlling the flow of surface water on the parcel.

Grain Elevator means a Warehouse use of a building or structure used to store grains and oilseeds for shipment by rail or truck.

Greenhouse means the growing, acclimating, propagating, harvesting, displaying and selling of edible, bedding, household and ornamental plants and may include accessory uses related to the storing, displaying and selling of gardening, nursery and related products.

Gross Floor Area (GFA) means the total area of all floors of all buildings including accessory buildings located on a parcel.

Group Home means a dwelling that is recognized, authorized, licensed or certified as a social care facility by a public authority to provide room and board for foster children, disabled persons, or for persons with physical, mental, social or behavioural problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance and supervision.

Guest Cabin means a building not to exceed 29.7 square metres (320 square ft.) with a maximum of six beds used for sleeping accommodation but does not contain a kitchen facility, bathroom or washroom facility and where the maximum occupancy shall not exceed 240 days in one calendar year. Sleeping accommodation attached to or above a

garage or another accessory building may be deemed to be a Guest Cabin. This use does not include hotel, motel, manufactured homes and/or Recreational Units of any type.

Hamlet means an unincorporated community.

Health Facility means a public use development providing room, board and surgical or other medical treatment for the sick, injured or infirm including out-patient services and accessory staff residences, and includes but is not limited to clinics, hospitals, psychiatric hospitals, nursing homes, convalescent homes, isolation facilities and detoxification facilities.

Heliport means a lot or lots used or intended for the use of helicopters landing or taking off as regulated by Transport Canada or their successors.

Highway, Provincial means a highway as defined in the Highways Development and Protection Act and is subject to the direction, control and management by the Province.

Highway as defined under the Traffic Safety Act.

Historic Resource, Historic Site, Provincial Historic Resource and Registered Historic Resource have the same meanings as defined in the provincial legislations and federal regulations.

~~**Home Occupation** means any occupation, trade, profession or craft carried on by an occupant of a dwelling as a use secondary to the residential use of the dwelling or a farm building but where there are only minimal business visits, product storage, or deliveries.~~

Hotel means a commercial development which provides rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor(s) and may be equipped with individual kitchen facilities, and may also include accessory eating and drinking establishments, conference facilities, meeting rooms and personal service businesses.

Inclusionary Housing means the provision of dwelling unit or land or money in place of dwelling units or land, for the purpose of affordable housing as a condition of subdivision approval or of being issued a development permit.

Industry Work Camp means one or more buildings, including sleeping and eating quarters, established to accommodate persons who are employed in the agricultural, mining, lumbering, construction, drilling, resource exploration, utility installation or any similar industry, and includes the land on which the building or buildings are situated. The Development Authority may issue a development permit for an Industry Work Camp for a maximum of one year after which a re-application must be made. Consideration to approve any application is subject to a review of the compatibility of the Industry Work Camp with the neighbouring land uses and all other conditions including transportation, water and sewer services. The decision on such application is at the discretion of the Development Authority.

Intensive Livestock Operation or Use means a Confined Feeding Operation that is of a scale smaller than those requiring provincial permits and at a smaller scale than a confined feed operation, but where livestock are still confined at a density of at least one animal unit per

2,000 square feet for the purpose of breeding, sustaining, growing, or finishing by means other than grazing. It does not include a seasonal feeding site where livestock are confined from November to May, or are used for short term assembling, sorting, branding, or health management. See APPENDIX B. *(amended by Bylaw 2019/44)*

Kennel means any premises on which small domestic animals are maintained, boarded, bred, or cared for in return for remuneration, kept for the purposes of sale, or recreational use. Typical facilities include dog boarding, recreational sled dog use, and animal rescue homes. This does not include veterinary clinic, dog training or animal grooming facility.

Kitchen means facilities for the preparation or cooking of food, and includes any room containing sinks, appliances for cooking food, refrigeration, wiring, cabinets, or a combination thereof when taken together may be intended or used for the preparation of cooking food.

Kitchenette is a small cooking area, which may include only a fridge, sink and a microwave. A kitchenette will only be allowed in **one** accessory building per property and is not to be utilized for human habitation.

Landscaping Improvements means physical man-made additions to the natural landscape such as flag poles, paving stones/hard surfacing, retaining walls, raised flower bed, water fountains, decorative rocks and family signs. *(amended by Bylaw 2019/44)*

Legal Access means an access and/or egress for vehicles from/or to a site or parcel and to/from a road or highway located on land dedicated as a road (for example, a road allowance, internal subdivision road) and constructed to meet a standard for County traffic, or otherwise deemed at law to be, a public highway, that serves as a motor vehicle access route.

Livestock, Large means, but may not be restricted to, Cattle, Swine, Horses, Bison, Cervid, and Wild Boar.

Livestock, Medium means, but may not be restricted to Goats, Sheep, Miniature Horses, Miniature Swine and Miniature Cattle.

Livestock, Small means, but may not be restricted to, Poultry and Meat Rabbits.

Local Improvement means improvements including, but not limited to, roads and accesses which are or will become owned by the municipality and shall mean the same as Municipal Improvements.

Long Term means a minimum of one year (365 days) or more.

Lot means

- a) a quarter section;
- b) a river lot shown on an official plan referred to in Section 32 of the Surveys Act that is filed or lodged in a Land Titles office;
- c) a settlement lot shown on an official plan referred to in Section 32 of the Surveys Act that is filed or lodged in a Land Titles office;

- d) a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or
- e) a part of a parcel 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.

Note: An individual campground lot, site or unit that is not defined above is not considered a Lot, however, maybe part of a broader group of campground lots, sites or units within a Lot.

Lot Grading means the addition or removal of soil (or other material) on a parcel of land that alters its natural topography to promote a building site the drainage of water and/or to create an aesthetically appealing area. (Excludes any drainage associated with agricultural operations). *(amended by Bylaw 2019/44)*

Lumber Yard means Warehouse use of a lot and/or building where bulk supplies of lumber and other building materials are stored for retail sale.

Major Renovations mean work carried out which changes the use, size, structural elements and/or shape of a development.

Manse means the dwelling for, but not limited to, a clergyman or minister of a parish, if accessory to a Place of Worship.

Manufacturing and/or Processing Plant means a use which may involve outdoor storage of raw materials, storage and/or processing of hazardous goods, the movement of heavy vehicles to and from the site, and may create smoke, noise, dust and odours, and irregular operating hours.

Marina means a development adjacent to or near the shore of a water-body at which the mooring of sailboats, yachts and power-craft is the primary use. Accessory uses at a marina may include but are not limited to fuel and bait sales and mechanical repair shop.

Market Garden means a use where plants such as flowers, herbs, fruit, vegetables or a combination thereof, are cultivated in a commercial greenhouse, fruit farm or outdoor garden plot or plots and sold on-site to the general public.

May is an operative word that means a choice is available, with no particular direction or guidance intended.

Minor means where added as a prefix to a Permitted or Discretionary use, a use which due to its natural or relative small size will, at the discretion of the Development Authority, have a limited impact on surrounding uses on which is intended to serve a small or local rather than a major or municipal area.

~~**Minor Business** means a business operated from but subordinate to an agricultural operation or residential use.~~

Minor Renovations means work carried out which does not change the use, size and/or shape of a development.

Mobile Dwelling see Dwelling, Mobile.

Mobile Home Subdivision (also referred to as a “Mobile Home Park”) means a parcel of land planned and subdivided into lots for the long term accommodation of mobile dwellings. A Mobile Home Subdivision may also include a condominium plan whereby mobile homes are planned and approved with each mobile home located on a single unit under a condominium plan.

Mobile Vendor means a self-contained vehicle, trailer or stand that is capable of being moved from one location to another that is equipped to prepare, serve and sell food, or goods. The mobile vendor is allowed to be on a specific location for a maximum period of seven (7) consecutive days of operation. *(amended by Bylaw 2019/44)*

Modular Dwelling see Dwelling, Modular.

Motel means a commercial development on a site providing sleeping units complete with washing and sanitary facilities and with adjoining or conveniently located parking spaces designed and operated for the purpose of providing temporary accommodation to the travelling public. A motel may include laundry facilities, restaurant, meeting rooms, personal services businesses, liquor and retail stores.

Moved-in Dwelling see Dwelling, Moved-in.

Multi-lot Residential Subdivision means a subdivision of land, registered by plan of survey or descriptive plan, that creates more than three (3) lots out of a quarter section and have been created for, or are being principally used for, residential purposes.

Multiple Dwelling see Dwelling, Multiple.

Municipality means the County of Wetaskiwin No. 10.

Municipal Development Plan (MDP) means the plan adopted by Council as a Municipal Development Plan.

Municipal Improvements mean improvements including, but not limited to, roads and accesses which are or will become owned by the municipality and shall mean the same as Local Improvements.

Municipal Service means a municipally owned and operated system of works for the provision of water, sewer or other services.

Multi-Tenant Commercial Building means a building designed and constructed in accordance with appropriate safety codes to accommodate multiple commercial tenants and/or uses within the same building. Approval for the classification does not include approval for the specific uses.

Must is an operative word that means the action is obligatory.

Natural Severed Split means a parcel of land where a water course such as a river or stream, developed road, railroad, crown claimed water body or ravine physically separates the parcel into separate portions for farming or an intervening ownership will not allow his land to be used for crossing for farming purposes. There must be a suitable building site on both portions of the parcel, and physical and legal access to a maintained road.

New Yardsite means land on which there is a working well or on which proof of a water supply has been demonstrated pursuant to the standards of this Bylaw; and where the land must be improved for residential use and be more than ten years old before it can be registered as a separate title.

Notwithstanding means in spite of; without prevention by; nevertheless; all the same; although.

Nuisance Effect means an interference with the common right of the general public or an indefinite number of persons, an interference with the health, safety, peace or comfort of the community. Specific conditions which may be characterized as nuisances may include, but shall not be limited to are, noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, refuse matter and storage of hazard or combustible materials or goods or any other elements deemed relevant by the Development Authority.

Obstruction to visibility means an object or thing near a highway or road which affects the safety of vehicular and/or pedestrian traffic.

Oilfield Service Business means a company which provides services to the petroleum exploration and production industry but does not typically produce petroleum themselves. This may include the provision of infrastructure, equipment, intellectual property and other services.

Offsite Home Occupation (Type1): means business or commercial activities that operate within the following requirements:

- Allowed in all districts (excepting Commercial and Industrial districts which have respective regulations);
- No employees coming to the site, only resident/landowner ;
- No clients coming to the site (not including multiple deliveries per day);
- 500 sq. ft of outdoor storage (pertaining to the Home Occupation);
- Company vehicles limited to one (1) and such vehicle to be restricted to a one (1) ton truck and max of 30' trailer(No trailer allowed in the following districts Recreational Resort Holding-Dorchester Ranch Resort, Mobile Home, High Density Rural Residential, Lakeshore Residential);

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply.

Offsite Home Occupation (Type 2): means business or commercial activities that operate within the following requirements:

- Allowed in all Agricultural, Residential, and Watershed Protection Districts, excluding the Recreational Resort Holding-Dorchester Ranch Resort, Mobile Home, High Density Rural Residential, Lakeshore Residential, and Urban Residential districts;
- 2 employees coming to site not including the resident/ landowner
- No clients to site (not including multiple deliveries per day);
- 1000 sq. ft of outdoor storage (pertaining to the Home Occupation)
- Up to three (3) company vehicles up to a one (1) ton truck and 30ft trailer.
- Allowance for only one of the three vehicles to be over a one (1) ton truck in size but is restricted to not having a trailer in any district.

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply

Onsite Home Occupation (Type 1): means business or commercial activities that operate within the following requirements:

- Allowed in all Residential, and Agricultural districts;
- Up to 12 hours a day, 7 days a week;
- 1 employee, not including the owner/resident of the property;
- Up to 1 ton truck with a maximum of 30' trailer; (No trailer allowed in the following districts RRHD, MH, HDR, LR, UR)
- No outdoor storage allowed;
- Must be internal to existing residence or accessory building.

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply.

Onsite Home Occupation (Type 2): means business or commercial activities that operate within the following requirements:

- Allowed in Agricultural, Country Residential, Rural Residential, Watershed Protection, Restricted County Residential, Lakeshore Mixed districts;
- Up to 12 hours a day, 7 days a week, multi lot 12 hours a day 6 days a week;
- 3 employees, not including the owner/ resident of the property;
- Up to three (3) company vehicles and trailers, only one can be larger than a one (1) ton up to and including a tractor unit and trailer. Within multi-lot subdivisions tractor units or tandem axle vehicles or larger shall not be allowed trailers;
- 500 square feet of outside storage, screening is required (pertaining to the Home Occupation);
- Must be internal to existing residence or accessory building;
- Average Number of Vehicles to Site a day: 6.

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply.

Onsite Home Occupation (Type 3): means business or commercial activities that operate within the following requirements:

- Allowed in Agricultural, Country Residential (2nd parcel out), Rural Residential, Watershed Protection, and Urban Fringe districts, no multi-lot subdivisions regardless of zoning;
- Up to 12 hours a day, 7 days a week;
- 5 employees, not including the owner/ resident of the property;
- Up to three (3) company vehicles and trailers, only one can be larger than a one (1) ton up to and including a tractor unit and trailer;
- 1000 square feet of outside storage, screening is required and should be located behind principal residence (pertaining to the Home Occupation);
- Must be internal to existing residence or accessory building;
- Average Number of Vehicles to Site a day: 6.

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply.

Owner means

- a) in respect of unpatented land, the Crown;
- b) in respect of other land, the person who is registered under the Land Titles Act as the owner of the fee simple estate in the land; and

c) in respect of any property other than land, the person in lawful possession of it.

Parcel means the aggregate of one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a Land Titles office.

Parking Stall means a space set aside for the parking of one motor vehicle.

Pawn Shop means a property used for a business that engages in the businesses of granting credit to individuals who takes in consumer goods by taking possession of them, or who purchases consumer goods under agreements or undertakings, express or implied, that the goods may be repurchased by the sellers.

Permitted Use means a use of land or of a building allowed under this Bylaw for which a development permit must be issued with or without conditions, provided that the proposed development complies in every way with the Bylaw.

Personal Service Business means a building or part of a building used to provide services related to the care and appearance of the body or to the cleaning and repair of personal effects, which includes, but is not limited to, barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, laundromats and dry cleaners.

Physical Access means a direct built access to a road or highway which conforms to County Policy 61.1.1– Approach Installation Policy, as amended from time to time.

Place of Worship means a facility operated by a recognized religious organization for worship and related religions, philanthropic or social activities occur and may include but not limited to accessory rectories, manse, meetings rooms, classrooms, dormitories, gymnasiums, and other buildings. Typical facilities include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

Post Office means a building providing postal services or, in hamlets, a part of a commercial building or dwelling providing postal services.

Principal Building means a building which, in the opinion of the Development Officer:

- a) is the primary or main building among one or more buildings situated on the site;
- b) constitutes by reason of its use the primary purpose for which the site is used; and/or
- c) occupies the majority area of a site.

Principal Use means the primary purpose, in the opinion of the Development Officer, for which a building or site is used. No more than one (1) principal use must be located upon a site unless specifically permitted otherwise in the land use Bylaw.

Prohibited Use means a use listed in a district as a prohibited use for which a Development Authority shall not approve a development permit for that use.

Province means the Province of Alberta and includes all Ministries and Departments within the Government of Alberta.

Public or Quasi-public Use means a use or building which is owned or leased by a department or agency of the federal, provincial or municipal government for the purposes of public administration and services, or for the purposes of assembly. This use includes fire hall, health facility and schools, rest areas or post office.

Public Utility means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:

- a. water or steam;
- b. sewage disposal;
- c. irrigation;
- d. drainage;
- e. fuel;
- f. electric power;
- g. heat;
- h. waste management;
- i. telecommunications
- j. Government owned or managed Resource Extraction and Stockpile;
- k. and includes the thing that is provided for public consumption, benefit, convenience or use.

Public Utility Lot (PUL) means land required to be used for public utility purposes.

Public Park means a publicly owned area of land and or development specifically designed or reserved for the general public for active or passive recreational use. This use includes such facilities and buildings that are consistent with a public park whether publicly operated or operated by other organizations under agreement with the public authority, and includes but is not limited to picnic grounds, walking paths, playgrounds, and playing fields for soccer, baseball and other sports.

Race Track means an area of land used for racing events involving horses, bicycles or motor-powered vehicles (including but not limited to automobiles and motorcycles).

Real Property Report (RPR) means a plan prepared by an Alberta Land Surveyor to the standards of the Alberta Land Surveyors Act which shows property lines, the location of development relative to property lines, other features such as wells and sewer systems, and encroachments (if any).

Reclamation means the process of returning a previously disturbed or developed parcel of land to a state in which the ability of the land to support various land uses is similar to the ability that existed prior to an activity being conducted on the land, but that the individual land uses will not necessarily be identical. There are numerous Provincial legislative documents governing Reclamation within the Province of Alberta. In some instances where not governed by the Province, the County will pursue reclamation to its own standards where disturbance has occurred on County Land such as Environmental Reserves. *(amended by Bylaw 2019/44)*

Recreation Trails means a system of paths cut through an area of land for use by but not limited to horses, hikers, or skiers.

Recreational, Commercial means a use or building where patrons participate in a recreational activity, which, due to the nature of the activity or required equipment, requires a substantial area for each participant, and in which there is minimal provisions for spectators. This use includes, but is not limited to, go-cart tracks, paintball operations and snowmobile rentals.

Recreational, Extensive means a recreational land use located in a rural area to take advantage of a natural setting for dispersed, low impact activities including, but not limited to, walking, hiking, cross-country skiing, riding horses and bird watching and which may include cabins for short-term use on a commercial basis that may be subordinate to a principal dwelling or to a Place of Worship. *(amended by Bylaw 2019/44)*

Recreational Units means a mobile unit meant for use as temporary accommodation and includes, but is not limited to, holiday trailers, tents, tent trailers, fifth-wheel trailers, truck campers, motor homes, park model trailers, yurts, and recreational units that do not meet Part 9 of the Alberta Building Code (ABC). *(amended by Bylaw 2019/44)*

Recreational Units Use means the intermittent use of land (upon which there is no permanent dwelling) for the parking of one (1) Recreational Units that is used as temporary accommodation for users engaged in recreational or seasonal pursuits.

Recreational Vehicle Dealer means a development used for the retail sale or rental of new or used recreational or off-road vehicles and providing maintenance services and parts sales.

Recreational Vehicle Park means an area of land with sewer, water and power services used for the short-term accommodation of Recreational Units on a private land title lease or rental basis and includes a sanitary pump out site for the disposal of wastes from the Recreational Units. This may include Recreational Units oriented Bareland condominium unit developments, subject to all infrastructure including roads, utilities, water and sewer which would normally be municipal or local improvements being constructed to minimum County standards.

Recreational Vehicle (R.V.) Storage means the storage, outdoors or inside a permanent structure, of Recreational Units. The maximum numbers of Recreational Units allowed on a parcel of land for Recreational Vehicle (R.V.) Storage are as follow:

- a) A parcel of land under five (5) acres = One (1) Recreational Vehicle;
- b) A parcel of land of five (5) acres or more but less than ten (10) acres = Two (2) Recreational Units; or
- c) A parcel of land of ten (10) acres or more = Three (3) Recreational Units

Recreational Units (RV) Storage (Commercial) means the storage of Recreational Units in excess of the maximum number authorized by Recreational Units (RV) Storage.

Recycling Depot means a development used for the buying and temporary storage of beverage containers, newsprint, and similar domestic materials for reuse where all storage is contained within an enclosed building.

Regulation means Alberta Regulation AR 43/2002 as amended, being the *Subdivision and Development Regulation*.

Resource Extraction Operation Type A means the on-site removal and/or extraction and/or processing of raw materials found on or under the site, including but not limited to gravel, sand and clay pits. Type A pits shall have an overall development area of more than 5.0 ha (12.5 acres) in total scope excluding any access road as determined by the Development Authority. For further details, see County Policy 61.1.14– Requirements for Resource Extraction Operations.

Resource Extraction Operation Type B means the on-site removal and/or extraction and/or processing of raw materials found on or under the site, including but not limited to gravel, sand and clay pits. Type B pits shall have an overall development area of less than or equal to 5.0 ha (12.5 acres) in total scope excluding any access road as determined by the Development Authority. For further details, see County Policy 61.1.14– Requirements for Resource Extraction Operations.

Resource Processing Operation means a development at which a primary resource product, including but not limited to sand, gravel or clay, is processed or converted for further use and may include an asphalt plant.

Rest Area means an area of land located next to a road or highway for use by the travelling public for the consumption of food and non-alcoholic beverages and which may include but is not limited to picnic shelters, picnic tables, fire pits, public washrooms and parking areas, but is not intended for overnight accommodation.

Restaurant means a development where prepared food and beverages are offered for sale to the public for consumption on or off the premises.

Retail Store means the use of a building or a portion of one where goods and merchandise are stored and offered for sale at retail prices and includes storage of these items within the premises in quantities sufficient only to service the store. This use includes Post Office but does not include Retail Liquor Store.

Retail Liquor Store means the use of a building or a portion of a building where all types of alcoholic spirits or beverages, as defined by the Alberta Liquor Control Act, are stored and offered for sale at retail prices and includes storage of liquor products within the premises in quantities sufficient only to service the store.

Road means a statutory road allowance and/or land shown as a road on a plan of survey that has been filed or registered in a Land Titles office or used as a public road and includes a bridge forming part of a public road and any structure incidental to a public road but excludes a provincial highway as defined in this Bylaw.

Rural Event Facility means a building intended for events such as (but not limited to) weddings, meetings, seminars, farmers markets and trade fairs. An accessory outdoor area may be utilized for activities directly related to the event but is not to be utilized as a

campground or Recreational Vehicle Park without approval having been obtained from the County. *(amended by Bylaw 2019/44)*

Safety Codes means Safety Codes Act, 2000, Chapter S-1, as amended from time to time.

Safety Codes Agency means an accredited Safety Codes Agency authorized to provide Safety Code services in the County.

School means a development for the purposes of educational instruction including assembly for educational, training, or instructional purposes and may include administration offices, dormitory and accessory buildings. This use includes public, separate, private, commercial school or college. Typical facilities would include seminaries, community colleges and universities, technical and vocational facilities. This use does not include home businesses or private educational services.

Screening may include, but may not be limited a fence, earth berm, hedge, shelterbelt, or exterior finish used to visually and/or physically separate areas of function as determined by the Development Authority.

Sea-Can (Container) is a land and sea container used to carry cargo, goods and/or materials to be used as an accessory structure for storage purposes only, provided that a building permit can be issued under the Safety Codes Act, RSA 2000 (S-1).

Second Farm Site means the second farm site situated on a single lot in an agricultural district that is improved for residential use which conforms to the municipality's Policy for second yard subdivisions as amended from time to time.

Security means a letter of credit or similar financial guarantee acceptable to and deposited with the County to ensure certain measures or works are carried out under a development permit, development agreement, or stop order.

Seniors and/or Supportive Living Complex means a multi-unit development designed and built specifically for senior citizens or adults for residential use operated solely to meet the housing needs of said persons or those requiring supportive housing due to physical limitations. The facility operator may also provide supportive services to the residents which may include, but are not limited to, meals, housekeeping services, linen and laundry services and recreational services in accordance with Provincial regulations.

Service Station means a development for the service and repair of motor vehicles and trucks, the sale of gasoline and other hydrocarbons, lubricating oils and accessories for motor vehicles, and which may provide towing services and/or a car wash. A service station may also sell those goods commonly found in convenience stores and may contain a restaurant.

Setback means the perpendicular distance to a development from a property line or any other adjacent natural or manmade feature. A setback is not a yard.

Severance, Legal means an interest in land, such as a railway, which constitutes an intervening ownership and is either shown as an exception off title or is an exception to indefeasibility pursuant to Section 65 of the Land Titles Act.

Severance, Physical means a physical feature, such as a river, coulee or lake, which physically separates one part of a parcel from the balance of the parcel and which may be shown as an exception off title.

Severed Parcel see Natural Severed Split.

Shall means mandatory compliance.

Shelterbelt means a line of trees or combination of trees and large shrubs planted, (minimum one inch caliper), or existing to protect an area, field or yard-site from strong winds. For the purposes of subdivision approval for a yard-site, a shelterbelt must include a minimum of three sides.

Short Term means less than one year (365 days).

Short Term Camping means the use of land for the placement of a Recreational Unit that is used for no more than fourteen (14) consecutive days as temporary accommodation for users engaged in recreational or seasonal pursuits.

Should means compliance in principle but is subject to the discretion of the Development Authority.

Show Home means a structure constructed as a dwelling type listed as a permitted or discretionary use in the district, for the temporary purpose of illustrating to the public the type or character of a dwelling or dwellings to be constructed in other parts of a subdivision or development area but is not used as a dwelling. Show homes may contain offices for the purpose of the sale of other dwellings in the area and may be required to have parking within the same lot. Show homes may be used as a dwelling if applied strictly as a dwelling by a new development permit application when the structure ceases to be a show home.

Sign means any object or device intended for the purpose of advertising or calling attention to any good, service, business, product, person, matter, thing or idea, shall exclude regulatory signs.

Sign, Freestanding Portable means anything or object which advertises and/or promotes a good, service, business, product, event or idea and is not permanently or securely attached to the ground or to a building and which is intended to be moved from place to place.

Site means an area of land consisting of one or more adjacent lots.

Site Coverage means the percentage of the site covered by a building or buildings, structures, or a combination thereof, on the lot.

Site Plan means a detailed, dimensional plan at a reproducible scale providing information and graphic depiction of all physical development relationships to occur on a site.

Spectator Sport Facility means development to accommodate public or sports events including race tracks.

Statutory Plan as defined in the Act.

Storage Facility means the accessory storage of equipment, goods, and materials in the open air when such storage of goods and materials does not involve the use of structures or the material alteration of the land, excludes natural material storage.

Storey means the space between the top of any floor and the bottom of the floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it.

Storey, First means the uppermost story having its floor level not more than 2.0 meters (6 feet) above building grade.

Strip of Farmland as defined by County Policy: Guide to determine inclusion of strip of farmland, as amended from time to time.

Subdivision means the division of a parcel of land by an instrument; including a condominium plan, the consolidation of, or boundary change to, two or more adjoining parcels; and "subdivide" has a corresponding meaning.

Subdivision and Development Appeal Board means the same as defined in the Act.

Subdivision and Development Regulation means the rules and regulations designated by the section of the Municipal Government Act titled *Subdivision and Development Regulation*.

Subdivision Approval Period means, pursuant to Section 657(1) of the Act, the one year period or any longer period authorized by Council that an applicant has to meet the conditions of a subdivision approval and submit a subdivision instrument to the Subdivision Authority for endorsement.

Subdivision Endorsement Period means, pursuant to Section 657(5) of the Act, the one year period or any longer period authorized by Council that an instrument must be registered in a Land Titles office.

Suitable Building Site means a site which must have:

- a) safe legal and physical access to a developed and gravelled road;
- b) an adequate water supply for human consumption
- c) and does not, is not, or would not:
- d) lie within a floodplain;
- e) have a high water table which makes the site unsuitable for foundations, private sewage disposal systems, and utilities;
- f) consist of muskeg or unconsolidated material;
- g) located on or near a bank break or slope;
- h) situated over an abandoned coal mine, an active or abandoned oil or gas installation, or a pipeline;

- i) safe due to contamination by previous land uses;
- j) situated closer to a confined feeding operation than the minimum distance set out in the regulations under AOPA;
- k) materially interfere with the operation or logical and economic expansion of an extensive agricultural, intensive animal or intensive agricultural use;
- l) meet the yard and setback standards of this Bylaw; and
- m) prevent or interfere with the logical and economic development and/or expansion of a nearby urban areas, a coal mine and/or field, an oil or gas field, a sewage treatment plant, a waste disposal or transfer site, a gravel pit, a pipeline, or a highway or road.

Telecommunication Tower means a structure for transmitting or receiving television, radio, telephone, internet, or other electronic communication as regulated by the Canadian Radio-television Telecommunications Commission (CRTC).

Temporary means such period of time as determined by the Development Officer.

Top of Bank means the upper natural topographical break that signifies the edge of the valley.

Tree Covered Land means land which has not been cleared and broken for an agricultural use on which the dominant vegetative cover is trees.

Tree Farm means an area of land on which trees are cultivated for sale and to be transplanted to other locations.

Tree, Mature means a tree which has a minimum 5.1 centimeter (2 inch) calliper measured at a point 1.2 meters (4 feet) from the ground.

Uninhabitable Dwelling see Dwelling, Uninhabitable.

Use means the purposes for which land or a building is arranged or intended, or for which either land, a building, or a structure, is or may be occupied and maintained.

Use, Non-conforming means a use subject to Section 643 of the Act. See APPENDIX D.

Use, Non-conforming Building means a building subject to Section 643 of the Act. See APPENDIX D.

Vehicle Lease means a method of vehicle financing for the use or retention of a motor vehicle during a specific period in exchange for a payment or payments.

Vehicle, Motor means motorized vehicles such as automobiles, light trucks and motorcycles that are intended for use on roads or highways and meet the definition as defined in the Traffic Safety Act. This definition does not include off road vehicles.

Vehicle, Off-Highway (OHV) means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel: 4-wheel drive vehicles; low pressure tire vehicles; motorcycles and related

2-wheel vehicles; amphibious machines; all terrain vehicles; miniature motor vehicles; snow vehicles; minibikes; and any other means of transportation that is propelled by any power other than muscular power or wind. OHVs do not include motor boats and any other vehicle exempt from being an off-highway vehicle by regulation.

Vehicles Sales, Motor means a use where new or used vehicles are sold at retail prices to allow the general public (consumers) access to motor vehicles displayed for sale or lease; where each vehicle is a gross vehicle weight equal to or less than 4,500 kilograms; does not provide repair or maintenance services, new or used parts sales, dismantled vehicles sales, or installation of parts or equipment.

Vehicle, Truck/Large Business means a development where trucks and/or large vehicles are stored, offered or kept for sale at retail prices and includes storage within the premises of trucks and/or large vehicles necessary only to service the business.

Vehicle Repair Business means a development for the servicing, maintenance and repair of automobiles, trucks, recreational and off-road vehicles, and may include the sale, installation or servicing of related accessories and parts, and includes but is not limited to transmission shops, muffler shops, tire shops, automotive glass shops, and auto finishing and upholstery shops.

Veterinary Clinic means a development used for the care and treatment of animals operated by a licensed veterinarian.

Walkout Basement means a storey or storeys of a building located below the first level and having at least one wall above grade.

Warehouse means the storage of bulky, large or heavy goods within an enclosed building where the size and nature of the goods may require large floor areas for storage and large areas for vehicle use for the trans-shipment of the goods. This use includes lumber yards, grain elevators and other similar uses.

Washroom means facilities for toilet and hand washing only and must exclude bathing and/or showering facilities.

Water Feature means a body of water such as a lake, pond or slough or a watercourse such as a river, stream or creek.

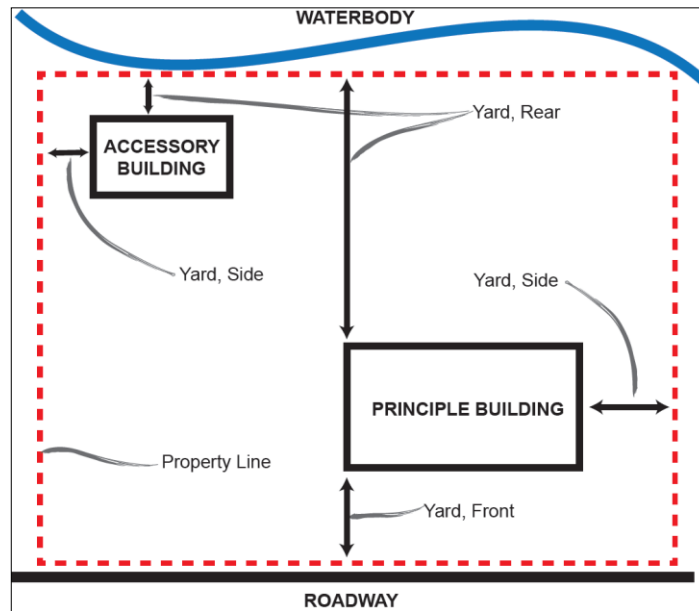
West Central Planning Agency (WCPA) means West Central Planning Agency or its successors thereafter.

Wilderness Campsite, Low Density means a campground and limits density to one campsite per two hectares of titled area.

Working Water Well means an existing working well, or a well driller's report or an engineer's report that proves out a water supply that satisfies the standards of this Bylaw.

Yard means a part of a lot upon which or over which no building is erected.

Figure 1: Yard



Yard, Flanking means the side yard of a corner or double fronting lot that abuts the longer of the two public roadways.

Yard, Front means, in the case of an interior lot, a line separating the lot from the road; or in the case of a corner lot, a line separating the narrowest road frontage of the lot from the road not including a corner rounding or corner cut; or in the case of a yard (flanking), the front lot shall be determined by a Development Authority based on the location of permitted access and the orientation of other development on the block. In the case of a lot abutting a watercourse, the front lot line is the lot line abutting the road.

Yard, Rear means either the lot line opposite to, and most distant from, the front lot line, or where there is no such property line, the point of intersection of any property lines other than a front lot line which is furthest from an opposite from the front lot line.

Yard, Side means any lot boundary line that is not a front or rear lot line.

Yardsite see Farmsite.

Yardsite, First means the first farm site situated on a single lot in an agricultural district with a habitable dwelling and improvements pursuant to the standards of this Bylaw. This use may include accessory buildings.

Zoning Compliance Certificate means a certificate issued by the Municipality, based on a Real Property Report, which says whether or not the present use of land and location of buildings on a parcel conforms to the Bylaw. The zoning compliance certificate shall follow Policy 61.1.16– Certificate of Compliance and Real Property Report.

1.3 Establishment of Districts

For the purpose of this Bylaw the County is divided into the following districts:

- Agricultural (AG)
- Severed Agricultural (SA)
- Agricultural Hobby Farm District (AHF)
- Rural Residential (RR)
- Country Residential (CR)
- Restricted Country Residential (RCR)
- Lakeshore Residential (LR)
- Lakeshore Mixed Use (LM)
- Recreational Resort Holdings (RRH)
- Mixed Recreational Residential (MRR)
- Mobile Home (MH)
- High Density Rural Residential (HDR)
- Rural Commercial (RC)
- Urban Residential (UR)
- Urban Commercial (UC)
- Urban Industrial (UI)
- Highway Interchange Commercial (HIC)
- Industrial (IN)
- Institutional (IS)
- Urban Fringe (UF)
- Recreational (R)
- Watershed Protection (WP)
- Rural Conservation (RCV)
- Wizard Lake Watershed (WLW)
- Agricultural/Intermunicipal Development Plan (A/ID)
- Environmental Reserve (ER)
- Municipal Reserve (MR)
- Municipal School Reserves (MS)
- Direct Control (DC)
- Recreational Resort Holdings District- Dorchester Ranch Resort (RRH-DRR)

1.4 District Boundaries

1.4.1 The boundaries on the land use maps shall be interpreted as follows:

- a) Where a boundary follows a public roadway, lane, railway, pipeline, power line or utility right-of-way or easement, it follows the centre line, unless otherwise clearly indicated.

- b) Where a boundary is shown as approximately following the County boundary, it follows the County boundary.
- c) Where a boundary is shown as approximately following the edge or shorelines of any river, lake, creek or other water body, it follows such lines and, in the event of change of such edge or shorelines, it moves with same.
- d) Where a boundary is shown as approximately following a lot line, it follows the lot line.
- e) If necessary the location of the boundary may be determined by reference to any or all of the following: dimensions set out in this Bylaw, measurement of the Land Use maps, registered plans of subdivision or descriptive plans, Certificates of Title, aerial photographs, and site inspections.
- f) When an area of land has been reclassified prior to subdivision, the reclassification shall be interpreted as following the boundaries of the subdivided lot, even if the area of the lot and the area set out in the reclassification Bylaw are not identical; and
- g) When the boundary of a lot is changed through subdivision, the land use classification follows the new boundary.

1.4.2 Where the application of the above interpretations does not determine the exact location of a boundary the Development Authority shall establish in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as circumstances require.

1.4.3 In determining a boundary, the Development Authority may request assistance from any designated planning agency administering planning, subdivision and/or development work on behalf of the County.

1.4.4 After the boundary has been established, it shall not be altered except by an amendment to this Bylaw.

1.4.5 The Development Authority shall maintain a record of decisions with respect to boundaries.

1.5 Uses and Regulations

1.5.1 Except as otherwise permitted in this Bylaw, development and subdivision in each district shall be in accordance with the uses listed in the district for the site on which it is proposed and the regulations and the guidelines of this Bylaw. Appendices are included for information only and are not part of this Bylaw.

1.5.2 The *Subdivision and Development Regulations* (AR 43/2002) and its amendments govern setbacks for development and subdivision from sour gas facilities, oil and gas wells, wastewater treatment facilities, waste management sites and landfills. Refer to APPENDIX C.

1.6 Interpretation

1.6.1 In this Bylaw words used in the singular include the plural, and words using the masculine gender include the feminine gender.

1.7 Metric Standard

1.7.1 In this Bylaw approximate imperial equivalents are indicated in brackets following the metric standards. Imperial figures are provided for information only and in all cases the metric figure shall govern.

1.8 Fees

1.8.1 By resolution, Council may set a fee schedule for development permit applications and time extensions, Planning amendments, rezoning applications, subdivision approval and endorsement time extension, appeal hearings and other subdivision and development matters as Council deems necessary.

1.9 Forms

1.9.1 Any forms, for the purpose of this Bylaw, included in this Bylaw are not part of the Bylaw but are included for convenience only and may be amended by the Development Authority.

1.10 Provincially Amended Appendices

1.10.1 Any Appendices or text reference amended by Provincial statute as indicated within Appendices A to F or text will not require Public Hearing amendment process and may be amended by the Development Authority.

1.11 Amending Bylaws

Bylaw #	Approval Date
2018/29	June 8, 2018
2018/55	November 8, 2018
2019/44	August 8, 2019

Section 2 Authorities

2.1 Planning Authorities

2.1.1 Pursuant to Sections 623, 624 and 627 of the Act and Bylaws No. 95/42 and 99/45, the County has established:

- a) Council as Subdivision Authority; and
- b) the position of Development Officer as Development Authority; and
- c) a Subdivision and Development Appeal Board.

2.2 Development Authority

2.2.1 A resolution of Council is required to appoint a person or persons to the position of Development Officer.

2.2.2 The Development Officer must carry out the functions of this Bylaw.

2.2.3 The Development Officer must keep and maintain for public inspection copies of this Bylaw and all amendments to it, and a record of all development permit applications, including the decisions and associated reasons.

2.3 Subdivision Authority

2.3.1 Pursuant to Section 625 of the Act the County may delegate its subdivision or development authority powers, duties or functions to an inter-municipal service agency.

2.3.2 Pursuant to (repealed) Bylaw 2015/13, the Subdivision Authority must receive, consider and make decisions on all subdivision applications, except where Council delegates its authority elsewhere.

Section 3 Development Process

3.1 Control of Development

3.1.1 Unless exempted from requiring a development permit by this Bylaw or by federal or provincial legislation, any use or development of land, buildings or signs in the County requires a valid development permit.

3.2 Development Not Requiring a Development Permit

Except in the Agricultural/Intermunicipal Development Plan (A/ID) district, a development permit is not required for the following types of development so long as they conform to all other relevant provisions of this Bylaw:

- a) extensive agriculture;
- b) minor renovations to a building that does not change the use, size or shape of the building.;
- c) construction, maintenance, improvement or placement of a thing including but not limited to trees, rocks, gardens or decks, except where the object will be:
 - i. on a property line adjacent to a highway or road; or
 - ii. a deck that is higher than 0.6 meters (2 feet) above grade; or
 - iii. more than 1.0 meter (3 feet) in height and within the setback from a highway or road; or
 - iv. within the shaded areas shown on Figure 2; or
 - v. significantly affecting the existing lot drainage and natural drainage pattern and will create off-site impacts; or
 - vi. a hazard to persons, property or traffic, in the opinion of the Development Officer.
- d) Construction, maintenance, improvement or placement of gates, fences, walls or other means of enclosure except where the object will be:
 - i. Over 6 feet in height;
 - ii. Within the shaded areas of Figure 2.
- e) Landscaping improvements such as flag poles, paving stones/hard surfacing, retaining walls, raised flower beds, water fountains, decorative rocks and family signs except where the object will be:
 - i. Located on a property line (except hard surfacing);
 - ii. A retaining wall above 0.91 metres (3 feet) in height and/or within 5 metres (16 feet) of a property line;
 - iii. A family sign larger than 0.91 m x 1.21 m (3' x 4');
 - iv. Within the shaded triangle areas shown on Figure 2;
 - v. Significantly affecting the existing lot drainage and natural drainage pattern and will create off-site problems.

- f) Lot grading except where grading will:
 - i. Significantly affect the existing lot drainage and natural drainage pattern and will create off-site impacts;
 - ii. Be in contravention of a previous study or approval such as a Storm Water Management Plan or Area Structure Plan;
 - g) Driveways except where the driveway will:
 - i. Significantly affect the existing lot drainage and natural pattern and will create off-site impacts;
 - h) a building, the use of which is incidental to the construction or renovation of a building for which a development permit has been issued;
 - i) the development, maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial or municipal authorities on land which is publicly owned or controlled; or less; and
 - j) an accessory building less than 10.0 square meters (108 square feet) in size which meets the development standards of the district.
 - k) intensive livestock operations in the Agricultural district that is more than 400.0 meters (1312 feet) from land not districted as Agricultural.
 - l) buildings and land uses which are exempt from municipal control under Section 618 of the Act.
- (the above was amended by Bylaw 2019/44)

3.3 Agricultural Developments

3.3.1 In the Agricultural district development permits are required for:

- a) dwelling units;
- b) subject to Section 3.2(g) intensive animal and intensive agricultural uses and buildings directly associated with these uses;
- c) farm building within the City and County of Wetaskiwin Intermunicipal Development plan; and
- d) discretionary uses under the Agricultural district.

3.4 Development Permit Application

3.4.1 The landowner, or an agent acting on the landowner's behalf, may make an application for a development permit by completing an application form and submitting it to the Development Officer.

3.4.2 The Development Officer may require any or all of the following as part of the application:

- a) a site plan showing the legal description of the site, the location of the development(s), the front, rear and side yard setbacks, and access to and from the site;
- b) a site plan showing how off-street loading and/or parking is to be provided;

- c) floor plans, elevations and sections;
- d) estimated start-up and completion dates for the development;
- e) estimated cost of the project;
- f) a Real Property Report;
- g) an engineer's report and/or environmental impact assessment that certifies a safe building site;
- h) an engineer's report and/or environmental impact assessment which establishes the boundaries of a 1:100 year floodplain;
- i) a detailed landscaping plan indicating grading, loading and parking areas, tree planting and/or removal and playgrounds and parks;
- j) photographs, and a statement of what improvements will be made, if necessary, to structures that are relocated;
- k) any additional information which, in the opinion of the Development Officer, is necessary to make a decision on an application for a development permit;
- l) the prescribed fees;
- m) a completed application form; and
- n) where a golf course is proposed in the Pigeon Lake or Wizard Lake drainage basins, a nutrient budget prepared by a professional agrologist.

3.4.3 An application will not be deemed complete until the required information and fees have been provided.

3.4.4 Pursuant to Section 683.1(1) through to (11) of the Act, the following subsections are outlined in relation to development applications:

1. A development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete.
2. An application is complete if, in the opinion of the development authority, the application contains the documents and other information necessary to review the application.
3. The time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the development authority or, if applicable, in accordance with a land use Bylaw made pursuant to section 640.1(a).
4. If the development authority does not make a determination referred to in subsection (1) within the time required under subsection (1) or (3), the application is deemed to be complete.
5. If a development authority determines that the application is complete, the development authority must issue to the applicant an acknowledgment in the form and manner provided for in the land use Bylaw that the application is complete.
6. If the development authority determines that the application is incomplete, the development authority must issue to the applicant a notice in the form and manner provided for in the land use Bylaw that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted

by a date set out in the notice or a later date agreed on between the applicant and the development authority in order for the application to be considered complete.

7. If the development authority determines that the information and documents submitted under subsection (6) are complete, the development authority must issue to the applicant an acknowledgment in the form and manner provided for in the land use Bylaw that the application is complete.
8. If the applicant fails to submit all the outstanding information and documents on or before the date referred to in subsection (6), the application is deemed to be refused.
9. If an application is deemed to be refused under subsection (8), the development authority must issue to the applicant a notice in the form and manner provided for in the land use Bylaw that the application has been refused and the reason for the refusal.
10. Despite that the development authority has issued an acknowledgment under subsection (5) or (7), in the course of reviewing the application, the development authority may request additional information or documentation from the applicant that the development authority considers necessary to review the application.
11. If the development authority refuses the application for a development permit, the development authority must issue to the applicant a notice in the form and manner provided for in the land use Bylaw that the application has been refused and the reasons for the refusal.

3.4.5 The Development Officer must receive, consider and decide on all development permit applications.

3.4.6 Pursuant to Section 684 of the Act the following subsections are outlined regarding permits deemed refused:

- 1) The development authority must make a decision on the application for a development permit within 40 days after the receipt by the applicant of an acknowledgment under section 683.1(5) or (7) or, if applicable, in accordance with a land use Bylaw made pursuant to section 640.1(b).
- 2) A time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the development authority.
- 3) If the development authority does not make a decision referred to in subsection (1) within the time required under subsection (1) or (2), the application is, at the option of the applicant, deemed to be refused.
- 4) Section 640(5) does not apply in the case of an application that was deemed to be refused under section 653.1 (1)(8) or 683.1 (1)(8).

3.4.7 The Development Officer:

- a) may refer any development permit application to West Central Planning Agency, Alberta Transportation and Utilities, Alberta Environmental Protection, Alberta Agriculture, Food and Rural Development, Alberta Labour, the Fire Advisor, Alberta Health Services the Alberta Energy Regulator, an affected railway authority, an adjacent municipality, an Indian Band Council or any other department or agency the Development Officer may consider necessary. The purpose of the referral will be to receive comments and/or recommendations.

- b) A development permit or rezoning application, which affects land, zoned Agricultural/Intermunicipal Development Plan (A/ID) must be referred to the City of Wetaskiwin for comment. A development permit or rezoning application which affects land zoned Urban Fringe adjacent to the Town of Millet must be referred to the Town for comment.

3.4.8 In making a decision on a development permit application, the Development Officer may:

- a) approve an application without conditions; or
- b) approve an application with conditions; or
- c) refuse the application; or
- d) deem the application to be incomplete.

3.4.9 The Development Officer may attach conditions to a development permit to require the developer and/or development to:

- a) adhere to the relevant standards for the subject district as provided by the Bylaw;
- b) obtain a building permit or other permits pursuant to the requirements of the Safety Codes Act;
- c) obtain any additional and necessary permits or approvals from appropriate departments or agencies;
- d) take actions or measures to ensure that the development will comply with the Bylaw and, if necessary, other statutes;
- e) provide an Engineer's report and/or environmental impact assessment to certify a suitable building site for the proposed development;
- f) carry out any necessary landscaping and/or drainage work;
- g) locate the development according to certain standards;
- h) take actions or measures to mitigate the concerns of adjacent landowners;
- i) take actions or measures to mitigate an increase in the amount and/or type of traffic generated by the proposed development;
- j) control the location and amount of goods, materials and any other items stored on a site;
- k) construct or pay for the construction of roads required to give access to the development;
- l) maintain or pay for the maintenance of roads required to give access to the development;
- m) install or to pay for the installation of utilities needed to service the proposed development;
- n) pay a local improvement charge, an off-site levy or a redevelopment levy where such charge is established by a Bylaw from the municipality;
- o) provide security to ensure that the conditions of the permit are carried out;
- p) with respect to signs, govern the size and location of the sign and the length of time it is to remain in place; and

- q) any additional condition or conditions which, in the opinion of the Development Officer, are necessary to ensure that the development complies with the Act.

3.5 Frequency of Development Permit Application

- 3.5.1** If a development permit is refused by the Development Officer the Development Officer may, at his discretion, refuse to accept another application for a development on the same land and for the same or a similar use for at least three hundred sixty five (365) days after the date of the issue of the decision.
- 3.5.2** If, on appeal, a development permit is refused by the Subdivision and Development Appeal Board, the Development Officer may, at his discretion, refuse to accept another application for a development on the same land and for the same or a similar use for at least three hundred sixty five (365) days after the date of the issue of the Board's decision.
- 3.5.3** If the Court of Appeal confirms the Board's decision to refuse a development permit the Development Officer may, at his discretion, refuse to accept another application for a development on the same land and for the same or a similar use for at least one full calendar year after the date of the issue of the Court's decision. If the Court decides that the Board must rehear the matter, the Development Officer may, at his discretion, refuse to accept another application for a development on the same land and for the same or a similar use for at least three hundred sixty-five (365) days after the date of issue of the Board's most recent decision.

3.6 Non-conforming Uses and Non-conforming Buildings

- 3.6.1** Non-conforming uses and non-conforming buildings are governed by Sections 643 of the Municipal Government Amendment Act Chapter M-26 as amended. Section 643 is re-printed in APPENDIX D for the reader's convenience.

3.7 Use or Building Not Provided in the Bylaw

- 3.7.1** If a proposed use of land or of a building is not provided under a district of this Bylaw the Development Officer may determine that the proposed use or building is similar to a permitted or discretionary use prescribed for the district and may issue a development permit for the use or building but only as a discretionary use.
- 3.7.2** The Development Officer may decide on an application for a development even though the proposed development does not comply with the Bylaw or is a non-conforming building if, in the opinion of the Development Officer:
- a) the proposed development will not:
 - i. unduly interfere with the amenities of the neighbourhood; or
 - ii. materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
 - b) the proposed development conforms with the use prescribed for the land or building in this Bylaw.

3.8 Variance Provisions

- 3.8.1** With the exception of Sections 9.10.2, 9.10.4, and 9.10.7 the Development Officer may relax the setback standards of this Bylaw by up to 75%.
- 3.8.2** The Development Officer may relax a bank break setback required under Section 9.10.4 by 50% or may require an Engineer's report to certify the safety of future development within the reduced setback. The Development Officer must not relax a bank break setback by more than 50% without an Engineer's report which certifies that the building site is safe.
- 3.8.3** The Development Officer may relax the setback standards of this Bylaw by up to 75%, for non-conforming buildings that are permitted or discretionary uses under the Bylaw provided there are no objections from the affected road authority or adjacent landowners.
- 3.8.4** The Subdivision and Development Appeal Board may relax the setback standards of this Bylaw up to 100% providing there are no objections from the affected road authority or from adjacent landowners.

3.9 Conditions of Subdivision

- 3.9.1** For multi-lot subdivisions of land, the Development Officer may issue a development permit or require the applicant to enter into a Development Agreement for work required to satisfy the conditions of subdivision. Development Permits and Notices

3.10 Development Permits and Notices

- 3.10.1** With the exception of a development permit granted for a permitted use where the provisions of the Bylaw were not relaxed, varied or misinterpreted, the development permits granted pursuant to this Section do not come into effect until twenty one (21) days after the date on which the permit was issued or such greater time as specified by the Development Officer. Any development carried out by the applicant prior to or within this twenty one (21) day period is at the applicant's risk.
- 3.10.2** When an appeal is made pursuant to the Act, an approved development permit becomes null and void. The Subdivision and Development Appeal Board's decision takes effect on the date shown on the decision or as specified elsewhere in the decision, unless there is a further appeal pursuant to Section 688 of the Act.
- 3.10.3** When a development permit has been granted for:
- a) a permitted use where the provisions of the Bylaw were relaxed, varied or misinterpreted;
 - b) a discretionary use;
 - c) a use or building in a direct control district where the permit has been issued by the development officer; or
 - d) a use or building not provided in this Bylaw; the Development Officer must:
 - i.) mail a notice in writing to all registered owners of land as listed on title of land who are directly adjacent or in proximity to the property, or any other stakeholder in the

opinion of the Development Officer, may be affected by the decision; and/or
(amended by Bylaw 2019/44)

- ii. publish in a local newspaper a notice which states the proposed use and the location of the subject property. The location must include the legal description, the municipal address and/or subdivision name where available, and a general description of where the subject property is relative to local landmarks.

3.10.4 Development authorized by a development permit must be commenced within one year of the date on which the permit was issued or the permit is deemed to be null and void. The Development Officer may either grant a time extension for the permit or require a new application.

3.10.5 All decisions of the Development Officer on development permit applications must be in writing and a copy of the decision must be sent to the applicant and/or landowner.

3.10.6 When the Development Officer refuses an application for a development permit the decision must contain reasons.

3.11 Notice of Agricultural Operation

3.11.1 The Development Officer may place the following notice in the local newspaper at least once per year

“Landowners and residents are warned that farming operations in the County of Wetaskiwin may cause noise and dust. Fertilizers, pesticides and herbicides may be applied, possibly by aerial spraying. Farms may have extended working hours. Manure may be produced, stored or applied to land, and it may create odours.”

3.12 Recreational Units

3.12.1 Where the use complies with the maximum number of Recreational Units set out in the respective definition of the use, and the use otherwise complies with all other provisions of this Bylaw, (Recreational Units is subject to a 5 meter (16.5 feet) setback distance from any road or street abutting the property exempting back alleys). Recreational Units may be authorized as follows:

- a) Short Term Camping is exempt from the requirement for a development permit in the following land use districts (Recreational Units are subject to a 5 meter (16.5 feet) setback distance from any road or street abutting the property exempting back alleys):
 - i. Agricultural
 - ii. Severed Agricultural
 - iii. Agricultural Hobby Farm District (AHF)
 - iv. Rural Residential
 - v. Country Residential (subject to an existing approved dwelling)
 - vi. Restricted Country Residential (subject to an existing approved dwelling)
 - vii. Lakeshore Residential

- viii. Lakeshore Mixed Use
- ix. Recreational Resort Holdings (> 1 acre (up to 3 units), ≤ 1 acre (1 unit))
- x. Mixed Recreation Residential (> 1 acre (up to 3 units), ≤ 1 acre (1 unit))
- xi. High Density Rural Residential
- xii. Urban Residential
- xiii. Institutional
- xiv. Urban Fringe
- xv. Recreational
- xvi. Watershed Protection
- xvii. Rural Conservation
- xviii. Wizard Lake Watershed

b) Recreational Units Storage is exempt from the requirement for a development permit in the following land use districts (Recreational Units are subject to a 5 meter (16.5 feet) setback distance from any road or street abutting the property exempting back alleys):

- i. Agricultural
- ii. Severed Agricultural
- iii. Agricultural Hobby Farm
- iv. Rural Residential
- v. Country Residential
- vi. Restricted Country Residential
- vii. Lakeshore Residential
- viii. Lakeshore Mixed Use
- ix. Recreational Resort Holdings
- x. Mixed Recreation Residential
- xi. High Density Rural Residential
- xii. Rural Commercial
- xiii. Urban Residential
- xiv. Urban Commercial
- xv. Urban Industrial
- xvi. Industrial
- xvii. Institutional
- xviii. Urban Fringe
- xix. Recreational

- xx. Watershed Protection
- xxi. Rural Conservation
- xxii. Wizard Lake Watershed
- xxiii. Agricultural/Intermunicipal Development Plan

c) Where there is no permanent dwelling on a parcel of land, Recreational Units Use is a discretionary use in the following land use districts. The Development Authority may issue a development permit for Recreational Units Use for a maximum of three years. If the landowner wants the use to continue, they must reapply for the use prior to the expiry of the permit. The development permit lapses and the Recreational Units use must be removed when a new application is received which changes the use of the land:

- i. Lakeshore Residential
- ii. Wizard Lake Watershed
- iii. Recreational (subject to Section 10.21 Recreational District)
- iv. Watershed Protection (greater than 32.0hectare (80 acres) only)
- v. Agricultural (greater than 32.0hectare (80 acres) only)
- vi. Severed Agricultural (greater than 32.0hectare (80 acres) only)

d) Where there is no permanent dwelling on a parcel of land, Recreational Units Use is a permitted use in the following land use districts:

- i. Recreational Resort Holdings
- ii. Mixed Recreation Residential

The development permit lapses and the Recreational Units use must be removed when a new application is received which changes the use of the land.

e) In the Country Residential (CR) and Restricted Country Residential (RCR) districts where there is no permanent dwelling on a parcel of land, the Development Authority may include a condition that approves Recreational Units Use as a time limited Accessory Use provided the approval is given concurrently with the approval of a development permit for a Detached dwelling on the land. The conditional approval shall only be for the months of April thru October and will lapse after 12 months of the issuance of the development permit. In the event that construction of the Detached dwelling is not completed by the time the conditional approval for the Recreational Units Use expires, the Recreational Units must be removed from the land unless the Development Authority has approved a new development permit approving the ongoing use of the Recreational Units as an Accessory Use to the Detached dwelling. The maximum number of Recreational Units Use approvals shall be two (2).

f) A Recreational Units may NOT be augmented by an attached canopy, deck, lean-to or any other attached accessory building. Non-attached accessory buildings require a development permit.

- g) Sewage and wastewater systems, including holding tanks and onsite treatment are subject to approval from a Provincially Accredited Safety Codes Agency.
- h) Utility hookups are subject to approval from a Provincially Accredited Safety Codes Agency.

Section 4 Development Appeal

Development appeals are governed by Sections 683-687 of the Municipal Government Amendment Act Chapter M-26 as amended. Sections 683-687 are reprinted in APPENDIX E for the reader's convenience.

Section 5 Enforcement

5.1 Contravention

5.1.1 If the Development Officer finds that a development, land use or use of a building is not in accordance with:

- a) Part 17 of the Act or Part 2 of the Regulation;
- b) this Bylaw; or
- c) a development permit or subdivision approval;

the Development Officer may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to:

- a) stop the development or use of the land or building in whole or part as directed by the notice;
- b) demolish, remove or replace the development; or
- c) carry out any other actions required by the notice so that the development or use of the land or building complies with Part 17 of the Act, the regulations under Part 2, this Bylaw, or a development or subdivision approval;

within the time set out in the notice.

5.1.2 Pursuant to Section 685(1)(c) of the Act a person who receives a notice referred to in Section 5.1.1 may appeal to the Subdivision and Development Appeal Board.

5.1.3 If a person fails or refuses to comply with an order directed to him under Section 5.1.1 or an order of a Subdivision and Development Appeal Board under Section 687 of the Act, the County may, pursuant to Section 542 of the Act, enter on the land or building and take any action necessary to carry out the order.

5.1.4 The County may register a caveat under the *Land Titles Act* in respect of an order referred to in section 5.1 against the certificate of title for the land that is the subject of the order.

5.1.5 If the County registers a caveat under section 5.4, the County must discharge the caveat when the order has been complied with.

5.2 Enforcement of Stop Order

5.2.1 The County may register a caveat under the Land Titles Act in respect of an order referred to in Section 5.1.1 against the certificate of title for the land that is the subject of the order.

5.2.2 If the County registers a caveat under Section 5.2.1, the County must discharge the caveat when the order has been complied with.

5.2.3 Any person who contravenes any provision of the Bylaw is guilty of an offence and is liable upon summary conviction to pay the specified penalty for that offence as set out below. Any

person who commits a second or subsequent offence under this Bylaw within one calendar year of committing a first offence under this Bylaw is liable on summary conviction to an increased fine as follows:

- a) First offence - \$500
- b) Second offence - \$1,000
- c) Third and subsequent offence(s) - \$5,000

5.3 Unauthorized Development

5.3.1 Where unauthorized development has occurred without a permit, and a permit is applied for, the development shall meet the current standards and regulations of the Bylaw.

Section 6 Bylaw Amendment Process

6.1 Application to Amend Bylaw

- 6.1.1** An owner of land or a person authorized by an owner of land may apply in writing to Council for an amendment to this Bylaw.
- 6.1.2** An application to amend this Bylaw must include reasons for the amendment and an accurate drawing of the proposed amendment where it affects all or part of a parcel of land. If the Development Officer is of the opinion that the information provided with the application is not sufficient for Council to make a decision, the Development Officer may require additional information from the applicant.
- 6.1.3** An application to amend this Bylaw with respect to land zoned Agricultural/Intermunicipal Development Plan District, or with respect to text provisions related to this district, must be referred to the City of Wetaskiwin.
- 6.1.4** Council may initiate an amendment to this Bylaw at any time.

6.2 Frequency of Redistricting Application

- 6.2.1** If an application for redistricting is refused, Council may refuse to accept another application for redistricting on the same land and for the same or a similar use for at least three hundred sixty-five (365) days after the date of Council's decision.

6.3 Intermunicipal Districts

- 6.3.1** Districting of lands within the City/County Intermunicipal Development Plan area may be changed to conform to the Intermunicipal Development Plan at Council's discretion.
- 6.3.2** Existing development approvals that are contrary to the City/County Intermunicipal Development Plan are a non-conforming use/building.
- 6.3.3** Development approvals for proposed uses that require renewal and are contrary to the City/County Intermunicipal Development Plan may not be renewed.

6.4 City of Wetaskiwin Land Use Bylaw

- 6.4.1** This Land Use Bylaw also includes the City of Wetaskiwin Land Use Bylaw, as amended from time to time, as a Schedule to the County's Land Use Bylaw for purposes including intermunicipal planning.

6.5 Town of Millet Land Use Bylaw

- 6.5.1** This Land Use Bylaw also includes reference to the Town of Millet Land Use Bylaw, as amended from time to time, in the County's Land Use Bylaw for purposes including intermunicipal planning.

Section 7 Subdivision Process

7.1 Subdivision Application

7.1.1 Applications for subdivision must be made to the County or to the designated agency administering the subdivision process on behalf of the County.

7.1.2 All applications for subdivision must be accompanied by:

- a) a copy of title not more than thirty days old for the property or properties which will be affected by the subdivision;
- b) a sketch of the proposed subdivision showing existing property lines, proposed new property lines and their associated dimensions, as well as the location of existing development (i.e. houses, other buildings, accesses and services);
- c) a completed Application for Subdivision form;
- d) fees in an amount as set by Council or the designated agency.

7.1.3 The applicant may be required to provide, in support of an application for subdivision:

- a) topographic information (such as contours, natural water features);
- b) information necessary to determine site suitability for a proposed use, including, but not limited to, an engineer's report for water supply, water table and percolation rate test results;
- c) a Real Property Report; and
- d) any other information deemed necessary by the subdivision authority to determine whether the application meets the requirements of Section 654 of the Act.

7.2 Policies Related to Subdivision and Development

The County has approved a series of policies related to Subdivision and Development in reviewing, approving and applying conditions of subdivision the County's Subdivision and Development Approval Authority may apply these Policies in such decisions. *(amended by Bylaw 2019/44)*

7.3 Subdivision Application Referral

7.3.1 Applications for subdivisions must be referred pursuant to Part 1 Section 5(5) of the Regulation.

7.3.2 Pursuant to Section 653(1) of the Act, notice of an application for subdivision must be given to landowners adjacent to the land that is the subject of the application.

7.4 Subdivision Application Decision

7.4.1 The Subdivision Authority for the County must receive, consider and make decisions on all subdivision applications.

7.4.2 In making a decision, the Subdivision Authority may

- a) approve an application with conditions; or
- b) refuse the application; or
- c) deem the application refused for lack of information or at the applicant's request.

7.4.3 The Subdivision Authority may approve an application for subdivision notwithstanding the fact that the proposed subdivision does not comply with this Bylaw if, in the Subdivision Authority's opinion,

- a) the proposed subdivision would not:
 - i. unduly interfere with the amenities of the neighbourhood; or
 - ii. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
- b) the proposed subdivision conforms with the use prescribed for that land in the Bylaw.

7.4.4 If the Subdivision Authority refuses an application, reasons for the Subdivision Authority's decision must be provided in writing.

7.4.5 The Subdivision Authority may impose conditions considered appropriate for the development and as provided for in the Act, the Regulation or in this Bylaw on a subdivision approval.

7.5 Frequency of Subdivision Application

7.5.1 When an application for subdivision has been refused by the Subdivision Authority or, on appeal, by the Subdivision and Development Appeal Board or the Municipal Government Board, an application for subdivision on the same land and for the same or similar use of land from the same or any other applicant may not be accepted for at least six months (one hundred and eighty-three days (183 days) after the date of the final decision unless Council approves otherwise.

7.6 Subdivisions Decision Time Period

7.6.1 If the Subdivision Authority fails to make a decision on an application for subdivision within 60 days of the date on which the application was accepted, the applicant may, within 14 days after the 60-day period has expired

- a) enter into an agreement with the subdivision authority to extend the period beyond 60 days; or
- b) treat the application as "deemed refused" and file an appeal.

7.7 Subdivision Approval Time Extensions

7.7.1 Council may extend or may delegate the power to extend periods of time related to subdivision approvals as follows:

- a) a subdivision approval for a use which remains compatible with adjacent land uses and which continues to conform to the Bylaw may be extended, in one year increments, to a maximum of five years from the original approval date.
- b) a subdivision approval extension may be granted one time without the review of conditions and there may be not more than four additional extensions that are subject to the applicant showing substantial completion of the majority of the conditions. Council may grant three extensions, but after the third extension the applicants are subject to any amended policies.
- c) a subdivision approval for a use which may come into conflict with adjacent land uses or which no longer conforms to the Bylaw must not be extended;
- d) a subdivision approval granted five years from the date of the extended approvals may not be extended; and

7.8 Approved Subdivision Endorsement Time Period

- 7.8.1** The plan of subdivision or instrument must be submitted to the Subdivision Authority for endorsement within one year or by the time prescribed by Council beyond one year otherwise the subdivision approval is void.
- 7.8.2** The plan of subdivision or instrument must be submitted to the Land Titles office for registration within one year from the time of endorsement or by the time prescribed by Council beyond one year otherwise the subdivision approval of the plan or instrument and the endorsement is void.
- 7.8.3** The Municipal Planning Agency or Commission may grant not more than one extension, to a maximum of three years, beyond the first endorsement.

7.9 Water Supply Standards

Please see Section 9.13 for water supply standards related to subdivision.

7.10 Development Agreement

- 7.10.1** The Development Authority may require that an applicant or landowner enters into a development agreement with the County and that the agreement be registered as a caveat on the title of the subject lands.
- 7.10.2** There will be a per lot fee, as determined by Council resolution, for site inspection of approaches for new subdivisions.
- 7.10.3** If deficiencies are noted and subsequent inspection(s) required, an additional fee may be levied for each subsequent inspection.

7.11 Subdivision of an Existing Residential Lot

- 7.11.1** An application for subdivision of existing lots will be considered in Urban Residential, Urban Commercial, Urban Industrial, or High Density Urban Residential districts.

7.11.2 The subdivision of existing lots zoned Lakeshore Residential, Recreation Resort Holdings, Mixed Recreation Residential, and Country Residential is not allowed except:

- a) The lot being created will be about the same size as most of the lots in the area; or
- b) The land being subdivided is the next stage of a more extensive subdivision which was approved at the time of the original subdivision or which is contemplated in a statutory plan or Bylaw; or
- c) Lot lines are being adjusted and no additional lots are being created.

7.11.3 A person wishing to re-subdivide an existing subdivided parcel in a hamlet or multi-lot country residential subdivision must provide, at a minimum, the following with the subdivision application.

- a) Proof of water supply
- b) Existing building locations
- c) Proposed subdivision
- d) Legal access
- e) Neighbours' concerns
- f) Upgrading sewer systems.

Section 8 Subdivision Appeal

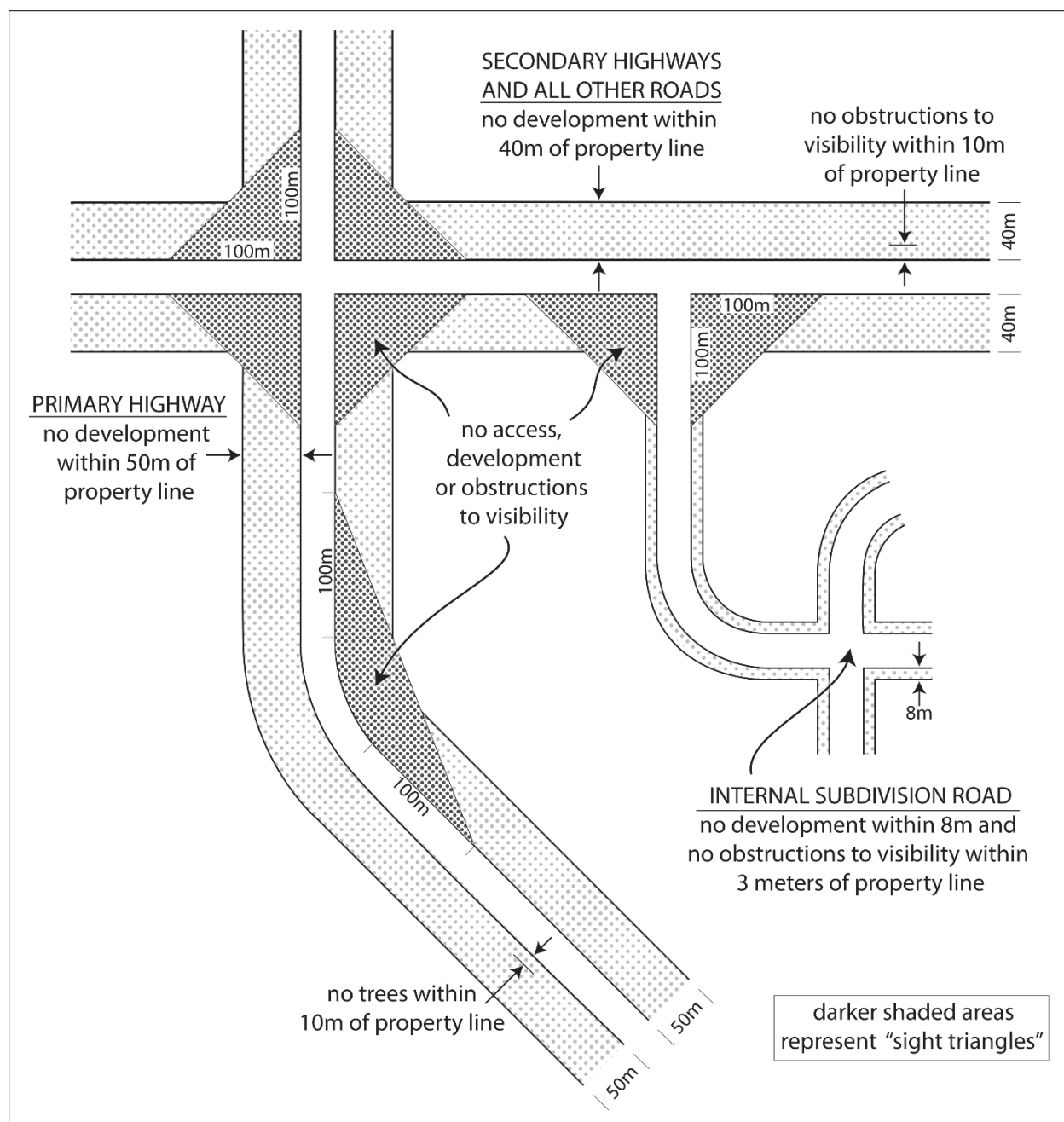
Subdivision appeals are governed by Sections 678-682 of the Municipal Government Amendment Act Chapter M-26 as amended. These Sections are reprinted in APPENDIX F for the reader's convenience.

Section 9 General Land Use Regulations

9.1 Access and Approaches

- 9.1.1** Any proposed parcel or parcels of land that is or are the subject of a subdivision application or a development permit application shall have legal and physical access to a County road or highway to the satisfaction of the County before a development permit or subdivision application is approved.
- 9.1.2** Any proposed parcel or parcels of land that is or are the subject of a subdivision application or a development permit application and is adjacent to a highway must have legal and physical access to the highway to the satisfaction of Alberta Transportation.
- 9.1.3** Physical access may not be allowed by easement or other legal agreement. For example, this applies where an intervening ownership or boundary separates a parcel from a road or highway.
- 9.1.4** No approach is allowed onto any road within 100.0 meters (328 feet) of an intersection, a road, a crown in a road, or within areas shown shaded on Figure 2 of this Bylaw unless an engineer's report indicates that there are no safety concerns.
- 9.1.5** Standards of construction, gravelling and maintenance are subject to County Policies, including but not limited to, Approach installation Policy 61.1.1, Performance Deposit for Approach Construction Policy 61.1.9, and Design Guidelines and Construction Policy 61.1.13, as amended from time to time.
- 9.1.6** In all districts, excepting Agricultural, each lot shall only have one approach unless valid reasons exist that would necessitate a second approach. In such cases, a written request including supporting information must be provided to the County in accordance with Approach Installation Policy 61.1.1.
- 9.1.7** Agricultural districted lands may have more than one approach subject to County Approach Installation Policy 61.1.1.

Figure 2: Development Setbacks from Roads



9.2 Animal Restrictions

9.2.1 ~~With the exception of the Agricultural, and Watershed Protection districts,~~

- ~~a) the number of livestock other than domestic pets on a parcel smaller than 1.2 hectares (3 acres) in size shall be at the discretion of the Development Officer but should not exceed the equivalent of 1 animal unit for properties less than 0.8 hectare (2.0 acres) and 2 animal units for property between 0.8 and 1.2 hectares (2.0 and 3.0 acres); and~~
- ~~b) livestock other than domestic pets on parcels larger than 1.2 hectares (3 acres) shall be at the discretion of the Development Officer who shall consider the impact to adjacent land uses.~~
- a) Including within Hamlets, Lakeshore Residential, Lakeshore Mixed Use, Recreational Resort Holding, Mixed Recreational Resort, Mobile Home, Rural Conservation, and Urban Residential districts (excluding those lots adjacent to lakeshores or County Reserve land bordering on lakeshore) there shall be allowed four (4) small livestock, but shall be subject to an approved discretionary development permit, which shall be issued solely at the discretion of the Development Officer.
- b) The Rural Residential, County Residential, and Restricted County Residential districts are subject to the following:
 - i. 0.44 animal units (Animal units are as outlined and defined by the AOPA in Appendix A of this Bylaw) per titled acre with no development permit required. A permit shall not be issued for any proposals above the 0.44 animal unit per acre threshold.
 - ii. Where a lot is located within a multi-lot subdivision and section 9.2(b)(i) would enable more than fifty (50) individual animals based on the 0.44 animal units per acre, there shall be no more than a maximum of fifty (50) individual animals allowed on a lot. If after two (2) years of keeping this maximum number of livestock on the lot, the owner of the lot and animals may apply for a development permit for a 25% increase in the number of small livestock to be kept on the lands. (i.e. If a property had 10 horses and 40 chickens the 25% increase would allow a total of 50 chickens to be kept on the property along with the existing 10 horses. If a property had 50 chickens the 25% increase would allow 62 chickens to be kept on the property, but no other livestock could be kept as the maximum of 50 individual animals had already been reached).
- c) Sensitive natural areas, such as naturally occurring wetlands and riparian areas should be fenced from livestock;
- d) Manure shall be handled, stored and disposed of in accordance with Provincial and Federal Regulations

9.2.2 Kennels

- a) A proposed or existing unpermitted kennel requires a development permit and the development permit may be considered either a permitted or discretionary use in accordance with the current Land Use Bylaw. The application must accompany the supporting information listed below and the processing of the application shall follow the following step:

- i. Supply letters from all the immediate adjacent landowners commenting on the number of dogs proposed;
 - ii. Provide written disclosure of any previous kennel operated by the owner(s) whether within the County or another location;
 - iii. Upon receipt of a development permit application form, the Development Officer shall consider the letter from the adjacent landowners and the application form to,
 - a. Grant a development permit for a kennel for a maximum of four dogs; or
 - b. Grant a development permit for a kennel with terms and conditions that include five dogs or more, but must state the maximum number of dogs to be allowed.
 - c. Refuse a development permit and provide to the applicant reasons for the refusal.
 - iv. A development permit for a kennel shall not be transferrable, and a new development permit application is required any time there is a change in ownership or change in operation including an increase in the number of dogs;
 - v. All kennels shall be subject to the kennel regulations as written in the land use Bylaw;
 - vi. Failure to obtain an approval of a development permit for a kennel may be subject to an offense under either this land use Bylaw and/or the dog control Bylaw as amended from time to time.
- b) A kennel shall not locate closer than 400.0 meters (1,312 feet) from the boundary of a multi-lot residential subdivision, except:
 - i. when a highway bisects the minimum separation distance; or
 - ii. a kennel within 400 meters (1,312 feet) of a multi-lot residential subdivision that provides, to the satisfaction of the Development Officer, evidence of its existence prior to passage of Land Use Bylaw 95/54 may be permitted to continue operating as a non-conforming use but will not be permitted to expand and is subject to the following regulations.
- c) All kennel buildings and exterior exercise areas (runs) may be required to have soundproofing and screening to the satisfaction of the Development Officer.
- d) The Development Officer may require that any buildings or exterior exercise area used to accommodate dogs are not located within 30.0 meters (98 feet) of any property line of the lot on which the kennel is located.
- e) All exterior exercise areas shall be enclosed with a fence acceptable to the Development Officer.
- f) The Development Officer may place a restriction on the number of dogs over six (6) months of age, based on location, proximity to neighbouring properties, size of parcel, and other factors deemed appropriate by the Development Authority. These restrictions may be applied to kennels that existed prior to the passage of this Bylaw.

- g) The Development Officer may apply conditions regarding the hours the dogs will be allowed to be outside. These restrictions may be applied to kennels that existed prior to the passage of this Bylaw.
- h) Complaints from adjacent land owners may result in amendments or additions to the conditions of a development permit in order to further regulate noise, traffic, hours of operation, or the number of dogs allowed on the premises. These restrictions may be applied to kennels that existed prior to the passage of this Bylaw.
- i) Kennels with a retail store attached are only permitted in the Rural Commercial district on parcels larger than 0.4 hectare (1 acre) and are subject to all of the above regulations.
- j) Kennel buildings, at the discretion of the Development Officer, shall be built in accordance with any applicable requirements as outlined within the Canadian Veterinary Medical Association's Code of Practice for Canadian Kennel Operations. *(amended by Bylaw 2019/44)*

9.3 Environmental Protection Measures – Limited Access

9.3.1 In concurrence with Section 9.3.5, no trees or vegetation can be cleared

- a) from any land within 30.0 meters (98 feet) of a bank break abutting a water feature;
- b) from any slope as steep as or steeper than 6.5:1 (15%), (8.7°) or any other slope which, in the opinion of the Development Officer potentially unstable (see Appendix I); and
- c) from within 30.0 meters (98 feet) of the top and bottom of any slope as determined by 9.3.1(b).

9.3.2 No person may alter or damage natural drainage patterns on a parcel of land through implementation of a landscape design or drainage scheme that is a condition of a development permit or subdivision approval without all provincial and regulatory approvals in place.

9.3.3 An application for a development permit or for subdivision may be refused where the land affected lies within a floodplain.

9.3.4 Under Section 3 of the *Public Lands Act*, title to the beds and shores of all permanent and naturally occurring bodies of water, and all naturally occurring rivers, streams, watercourses and lakes, is vested in the Crown in right of Alberta. Crown-owned wetlands may be left with an agricultural parcel. Wetlands not owned by the Crown may be included in a Rural Residential or Rural Conservation parcel.

9.3.5 In all districts

- a) no trees or vegetation can be cleared within 6.0 meters (20 feet) of the edge of a water feature, except to provide pedestrian access up to the edge of the water feature and only to a maximum of 2.0 meters (6.5 feet) of the frontage.
- b) no removal or destruction of trees, vegetation or disturbance of soil is allowed to occur on a Municipal or Environmental Reserve unless written approval is

provided by the Development Officer and only to a maximum of 2.0 meters (6.5 ft.) in width and only for pedestrian access from the edge of the lot of the upland landowner to a water feature. No motorized equipment or machinery is allowed to create such 2.0 meter pedestrian access except the use of chainsaw equipment for this purpose.

- c) In any district that borders on a water feature including, Lakeshore Residential, Mixed Recreational Residential, Recreational, Recreational Resort Holdings, Rural Conservation and Watershed Protection Districts private sewer systems such as holding tanks, field and mound systems shall be located, where possible, between the use and the road, not between the use and the lakeshore. Sewage and wastewater systems, including holding tanks and onsite treatment are subject to approval from a Provincially Accredited Safety Codes Agency.

9.4 Height of Buildings

9.4.1 A development permit application for a proposed building with more than two storeys above grade may be subject to conditions to address negative impacts, such as shadowing, on adjacent properties, unless otherwise permitted in the district.

9.4.2 No building containing sleeping accommodation may be constructed with more than two floors above grade without approval from the Development Officer, subject to the conditions based on advice from the authority administering the Fire Code in accordance with the Safety Codes Act for the County.

9.5 Development near Highways

9.5.1 The Development Officer must refer development permit applications to Alberta Transportation where the application affects land adjacent to or within 300.0 meters (984 feet) of a highway right-of-way.

9.5.2 The Development Officer must have regard to any comments provided by Alberta Transportation for development permit application that affects land adjacent to or within 300.0 meters (984 feet) of a highway right-of-way.

9.6 Confined Feeding Operations and Intensive Animal Operations

9.6.1 Confined Feeding Operations (CFOs) are regulated by the Agricultural Operations Practices Act (AOPA) and under the jurisdiction of the Province. As such CFOs are required to obtain provincial permits as regulated by AOPA and associated regulations, however, it is the County's intent that any negative effect from CFOs should be minimized. The *Municipal Government Act* requires the municipality to identify where new CFOs should locate. (amended by Bylaw 2019/44)

9.6.2 An Intensive Livestock Operation is a Confined Feeding Operation that is smaller than the threshold size that falls under Provincial jurisdiction, as determined by the Provincial guideline.

9.6.3 For Intensive Livestock Operations, the Minimum Distance Separation (MDS) set out in the regulations under AOPA should be maintained.

- 9.6.4** For Intensive Livestock Operations, the Minimum Distance Separation is determined by using the threshold level of the animal or the combined effects of the different kind of animals that are kept on one premise.
- 9.6.5** New Intensive Livestock Operations shall obtain development permits from the County.
- 9.6.6** Existing Intensive Livestock Operations shall obtain a new permit when:
- a) changing the category or the number of animals; or
 - b) increasing the amount of manure produced beyond the existing approval.
- 9.6.7** A development permit for an existing, expanding or proposed Intensive Livestock Operation may be refused if the proposed development is likely to have a negative effect on a watercourse or lake. In determining such proposals the applicant may include an environmental inspection report from a qualified intensive livestock engineer representing Alberta Agriculture or Forestry (or successor).
- 9.6.8** The Development Officer may request an environmental assessment before issuing a development permit for any expanded or proposed Intensive Livestock Operation.
- 9.6.9** In accordance with Objective 1.4 of the County's Municipal Development Plan, a development permit for an existing, expanding or proposed intensive livestock operation may be refused if the proposed development is within:
- a) 2.4 kilometers (1.5 miles) from the boundary of a City, Town, Village, Hamlet, Summer Village or a school or hospital;
 - b) Under no circumstances can a new CFO be located within 1.6 km (1 mile) of the following named lakes: Battle Lake, Buck Lake, Coal Lake, Pigeon Lake, Red Deer Lake, Wizard Lake and Twin Lakes;
 - c) All other unspecified environmental features, including but not limited to lakes not specified in (b), wetlands, and watercourses shall have setbacks in accordance with Alberta Operation Practices Act and Regulations (AOPA) as amended.
- 9.6.10** Land within identified drainage basins 2.4 kilometres (1.5 miles) around named lakes (as referred to in the Municipal Development Plan) may not be used for manure disposal unless sufficient protection measures are proposed by the operator to prevent manure runoff negatively affecting such lakes. In accordance with the County's jurisdiction regarding Intensive Livestock Operations (ILO). *(amended by Bylaw 2019/44)*
- 9.6.11** A new intensive livestock operation shall be separated from a third party's existing residence by the Minimum Distance Separation (MDS) set out in the regulations under AOPA, for the smallest size of that type of operation.
- (Example: 300 head is the smallest beef finisher operation recognized as a CFO. The MDS for that size of operation to a single residence is 245 meters (804 feet). Therefore, 245 meters is the MDS for any beef finisher operation that qualified as an intensive livestock operation under the Bylaw definition above).
- 9.6.12** A new residence is not permitted within the Minimum Distance Separation of an existing Confined Feeding Operation/Intensive Livestock Operation, unless the residence is associated

with the operation or the applicant has provided a written waiver to the satisfaction of the Development Officer.

9.6.13 Within the Millet-Wetaskiwin Acreage Study Area, the setback distance outlined in Section 9.6.12 may be relaxed by up to 25% of the minimum distance separation required by the Alberta Agricultural Code of Practice (AOPA). *(amended by Bylaw 2019/44)*

9.7 Moved-In Buildings

9.7.1 Any person who applies to move a building onto a lot as a principal or accessory building must:

- a) apply for a development permit;
- b) inform the Development Officer of the present location and use of the building.

9.7.2 The Development Officer may inspect the building or, at the applicant's expense, make arrangements to have the building inspected to assess the structural integrity of the building and its suitability for the proposed use.

9.7.3 The Development Officer may require the applicant to repair and/or upgrade the building and prepare the proposed building site as a condition of issuing a development permit.

9.7.4 The Development Officer may require photographs or other acceptable description to provide to persons who may inquire about the quality of the building.

9.8 Number of Dwellings on a Lot

9.8.1 No person is allowed to construct or locate or cause to be constructed or located more than one principal dwelling on a lot or parcel unless otherwise authorized by this Bylaw.

9.8.2 Notwithstanding Section 9.8.1, the Development Officer may issue a development permit to:

- a) Permit the construction or location of a secondary dwelling on a parcel with a minimum area of 32.3 hectares (80 acres) where the dwelling is a permitted or discretionary use for the district;
- b) permit the construction or location of a second dwelling on a parcel that is a minimum of 28.3 hectares (70 acres) in size only if:
 - i. An 32.0/32.0 hectare (80/80 acre) split has occurred and the titled area of the quarter was less than 64.7 hectares (160 acres); and/or
 - ii. An 32.0/32.0 hectare (80/80 acre) split has occurred and due to physical features of the land one parcel was created larger/smaller than the other (this includes the "soft 80" concept); and/or
 - iii. An 32.0/32.0 hectare (80/80 acre) split has occurred and either highway or road widening or a service road dedication was required
- c) permit the placement of a second dwelling, being solely a mobile dwelling, on an agricultural parcel less than 28.32 hectares (70 acres) for the purpose of accommodating a person hired by the operator of an intensive agricultural operation, an intensive livestock operation or confined feeding operation, for a minimum period of six consecutive months (183 consecutive days). The mobile

dwelling shall be removed when it is no longer being used for the purpose stated herein or upon the expiry of any associated development permit authorizing said use;

- d) permit the placement of a second or third dwelling, being solely a mobile dwelling, on an agricultural parcel with a minimum area of 28.32 hectares (70 acres) for the purpose of accommodating one or two persons (one per dwelling) hired by the operator of an intensive agricultural operation, intensive livestock operation or confined livestock operation, for a minimum period of six consecutive months (183 consecutive days). The mobile dwelling(s) shall be removed when it is no longer being used for the purpose stated herein or upon the expiry of any associated development permit authorizing said use;
- e) permit the placement of a third or fourth dwelling, being solely mobile dwelling, on an agricultural parcel with a minimum area of 28.32 hectares (70 acres) for the purpose of accommodating persons hired by the operator of a confined feeding operation, with an NRCB registration/approval, for a minimum period of six consecutive months (183 consecutive days). The mobile dwelling(s) shall be removed when it is no longer being used for the purpose stated herein or upon the expiry of any associated development permit authorizing said use;
- f) in accordance with Sections 9.8.2 a), b) and c), permit the placement of a second dwelling, being solely a mobile dwelling, on a lot not designated as Lakeshore Residential District, Lakeshore Mixed Use District, Recreational Resort Holdings District, Mixed Recreational Residential District, Urban Residential District, or Country Residential District, in a Multi-Lot Residential Subdivision only, if the second mobile dwelling is a permitted or discretionary use and shall be used by a person(s) who require full-time care being provided by the primary resident of the parcel. Such person must provide detailed written reasons from a physician. The mobile dwelling(s) shall be removed when it is no longer being used for the purpose stated herein or upon the expiry of any associated development permit authorizing said use;
- g) permit the construction or location of a building with two or more dwelling units where the building is a permitted or discretionary use for the district.

(Section 9.8.2 was amended by Bylaw 2019/44)

9.9 Dwelling, Secondary Suite

- a) The registered owner of a *lot* shall:
 - i. be limited to one *secondary suite*, unless otherwise allowed within the district; and
 - ii. not subdivide title for a *secondary suite*. The restriction of subdivision shall be fundamental to the secondary suite use.
- b) A secondary suite shall:
 - i. be an accessory use to and be within the principal dwelling;
 - ii. not be located within an accessory building or structure;
 - iii. create minimal structural changes to the front exterior of the principal building, which shall appear as a single dwelling unit;
 - iv. have a maximum floor area of:
 - a. 80 square metres (861.11 square feet) within Urban Residential land use district;

- b. 100 square metres (1076.39 square feet) outside Urban Residential land use district;
 - c. 40% of the gross floor area of the principal dwelling, whichever is less.
 - v. have a minimum floor area of 30 square metres (322.92 square feet);
 - vi. contain at least two rooms in which a bedroom, cooking facilities and a bathroom are provided;
 - vii. have full utility services through service connection from the principal dwelling for those developments located within Urban Residential districts;
 - viii. comply with the Alberta Building Code and all other Municipal and Provincial regulations and Alberta Plumbing Code;
 - ix. be provided with off-street parking and not interfere with on-street or adjacent landowners parking;
 - x. where applicable, not be considered in the maximum density described for the neighbourhood in which it is located.
- c) A secondary suite shall not be developed within the same dwelling containing a group home, care centre, family care dwelling or bed and breakfast.

9.10 Setbacks

The following setback standards apply in all districts except where noted otherwise.

9.10.1 Front yard

All development shall be located at least:

- a) 50.0 meters (164 feet) from the property line abutting a highway (see Figure 2); and
- b) 40.0 meters (131 feet) from the property line abutting all other roads excepting internal subdivision roads (see Figure 2); and
- c) 8.0 meters (26 feet) from the property line abutting internal subdivision roads, service road, or service road dedication (see Figure 2). *(amended by Bylaw 2019/44)*

9.10.2 Side Yard:

5.0 meters (16 feet) This setback shall not be varied less than 2.44 metres (8 ft.) unless approved Alberta Safety Code fire ratings are met to allow wall or respective building materials to reduce distance. *(amended by Bylaw 2019/44)*

9.10.3 Rear yard:

10.0 meters (33 feet).

9.10.4 For parcels of land including or adjacent to a bank break, no development may be located within 30.0 meters (98 feet) of a bank break unless approved otherwise under the Variance Provisions of this Bylaw.

9.10.5 Sight Lines:

- a) obstructions to visibility are not allowed within 10.0 meters (33 feet) of the property line abutting a highway, secondary highway or road excepting internal subdivision roads (see Figure 2);

- b) obstructions to visibility are not allowed within 3.0 meters (10 feet) of the property line abutting an internal subdivision road
- c) obstructions to visibility and no access are allowed within the “sight triangles” as shown on Figure 2 at the junction of roads and/or highways

9.10.6 Regulations governing sour gas facilities, oil and gas wells and setbacks from wastewater treatment facilities, waste sites and landfills are re-printed from the Subdivision and Development Regulation (AR 43/2002) in Appendix C for the reader’s convenience.

9.10.7 Landscaping Improvements, Lot Grading and Driveway Setbacks

- a) Landscaping improvements, lot grading and driveways that do not require a development permit as specified by the conditions outlined within Section 3.2 will have no setback requirements to property lines but must remain on private property;
- b) Landscaping improvements, lot grading and driveways that do require a development permit will have setback requirements (up to and including a 100% relaxation to an adjacent property line) that shall be at the discretion of the development authority.
(Section 9.10.7 was amended by Bylaw 2019/44)

9.10.8 Resource Extraction Setbacks

- a) Resource extraction operation types A and B shall have no required side yard setback where the affected parcels of land are under the same ownership or where a letter of permission has been obtained waiving the setback requirement from the adjoining owner(s). If the adjoining lands are publicly owned lands the applicable district setbacks shall be applied unless approval is obtained from the appropriate governing body of the lands.
- b) Resource extraction operation types A and B shall abide by the front yard setback requirements of the applicable land use district for stock piling and mining in cases where there is a developed road within the road allowance and where the mining will occur at an elevation of three (3) feet or less above the bottom and the adjoining County ditch system. Where adjacent to a Provincial Highway, the setback shall be determined by Alberta Transportation.
- c) Where there is an undeveloped road allowance, mining and stockpiling may occur up to and within the road allowance but shall be at the discretion of the County’s Public Work’s department as well as Alberta Transportation. Further, it may be requested that reclamation of the mined road allowance not contain a future waterbody.
- d) Resource extraction operation types A and B shall have no required rear yard setback where the affected parcels of land are under the same ownership or where a letter of permission has been obtained waiving the setback requirement from the adjoining owner(s). If the adjoining lands are publicly owned lands the applicable district setbacks shall be applied unless approval is obtained from the appropriate governing body of the lands.

(Section 9.10.8 was amended by Bylaw 2019/44)

9.10.9 Fence Setbacks

- a. Fences, gates, and walls that do not require a development permit as specified by the conditions outlined within Section 3.2 will have no setback requirements to property lines but must remain on private property;
- b. Fences, gates, and walls that do require a development permit will have setback requirements (up to and including a 100% relaxation to an adjacent property line) that shall be at the discretion of the development authority.
(Section 9.10.9 was amended by Bylaw 2019/44)

9.11 Signs

General Sign Regulations

- 9.11.1** Development permits are required for signs with the exception of:
- a) one (1) sign located on a single lot more than 300.0 meters (984 feet) from the right-of-way of a highway or road and 1.2 meters (4 feet) by 0.6 meters (2 feet) in size or less;
 - b) signs for an election campaign posted 60 days before and 5 days after the relevant federal, provincial or municipal election date;
 - c) signs posted for a community event or auction posted 14 days before the date the event or auction occurs and removed on the day after the event or auction;
 - d) signs offering for sale or rent the lot or parcel on which the sign(s) is posted; and
 - e) signs for municipal, municipal public works, emergency, or Alberta Transportation purposes.
- 9.11.2** All content on erected signs must be relevant to the land use and/or land ownership on which the sign is located.
- 9.11.3** A maximum of one (1) sign per lot is permitted.
- 9.11.4** All signs shall be discretionary.
- 9.11.5** The maximum size of a sign, that is not within either a commercial or industrial district, shall be no greater than 8.9 square meters (96 square ft.)
- 9.11.6** The maximum size of a sign within either a commercial or industrial district shall be no greater than 12.0 square metres (130 square ft.).
- 9.11.7** Applications for illuminated or animated signs will be considered on a case-by-case basis. A permit may be granted, provided that:
- a) the sign conforms to all other regulations in this Bylaw; and
 - b) the illumination or animation will not cause safety hazards or interfere with the use or enjoyment of any adjacent properties, as per the discretion of the Development Officer.
- 9.11.8** The Development Officer may consult with adjacent landowners, adjacent municipalities and any other external agencies including Alberta Transportation and AER, before making a decision on an application for a development permit for a sign.

- 9.11.9** Where this Bylaw does not provide the Development Officer with sufficient direction as location of a sign in a given part of the County, the Development Officer may issue a development permit for a sign but must treat the sign as a discretionary use under the Bylaw.
- 9.11.10** The Development Officer may issue a development permit for any sign that is not specified in this Bylaw as a discretionary use.
- 9.11.11** The Development Officer will not approve a development permit for a commercial sign within 3.0 km (1.8 miles) of the boundary of the City of Wetaskiwin unless the proposed sign has all other relevant approvals including provincial approval.
- 9.11.12** No sign shall be placed within 300.0 meters (984 feet) of a provincial highway or 800.0 meters (1/2 mile) of an intersection with a provincial highway without prior approval from Alberta Transportation.
- 9.11.13** Any signs including signs attached to or towed by vehicles including, tractor trailers or similar units approved under previous Bylaws shall not receive grandfather status if signs have been or are changed after the original approval. The owner of the property on which the sign is located must either remove the sign or apply for a development permit upon the passing of this Bylaw. Unauthorized signs may be subject to any orders, fines, fees, charges or penalties issued by the County. **Note:** Exceptions may be granted to exchangeable letter board signs.
- 9.11.14** The use of Tractor Trailer signs shall not be permitted as an acceptable method of advertising or displaying signs. Only Tractor Trailer signs which have valid approval from Alberta Transportation and the County may be considered grandfathered and may remain at their current location, subject to Section 9.11.13 above.
- 9.11.15** All signs shall be kept in a safe, clean and proper condition, and may be required to be renovated or removed if not properly maintained.
- 9.11.16** Removal, replacement or reconstruction of any sign requires approval by the County. The existence of a sign at a location does not entitle the automatic continued approval of a sign at that location when the original sign is to be removed, replaced or reconstructed.
- 9.11.17** All signs shall be securely built, constructed and erected to conform to the standards set forth in this Bylaw and the current Alberta Safety Codes, as applicable.
- 9.11.18** Every sign owner shall permit the Development Authority to inspect the owner's premises at any reasonable time for the purpose of administering or enforcing this Bylaw.
- 9.11.19** A sign that is a danger to public safety, traffic or property does not conform to Section 9.10.1 shall be removed immediately at the sign owner's expense. If the person responsible for the sign cannot be identified, the Development Officer may remove the sign.
- 9.11.20** No additions to any existing permitted sign are allowed, unless a new permit is issued for such addition.

9.12 Safety and Suitability of Sites

- 9.12.1** Notwithstanding that use of land may be permitted or discretionary in a land use district,
- a) the Subdivision Authority may refuse to approve the subdivision of a lot, or
 - b) the Development Officer may refuse to issue a development permit,
 - c) if, in the Authority's opinion, the site of the proposed building or use is not safe or suitable for the proposed building or use.

- 9.12.2** A site is deemed unsafe or unsuitable if it
- a) does not have safe legal and physical access to a maintained road;
 - b) is subject to more than a 1% annual risk of flooding, using methods acceptable to Alberta Environmental Protection;
 - c) has a high water table which makes the site unsuitable for foundations and sewage disposal systems;
 - d) consists of muskeg or unconsolidated material unsuitable for building;
 - e) situated on an unstable slope;
 - f) is closer than 100.0 meters (328 feet) (or such lesser distance as the Alberta Energy Regulator (AER) may approve in writing) to an oil or gas well or pipeline;
 - g) is within the setback distance required by the AER from a sour oil or gas facility;
 - h) is situated over an active or abandoned coal mine or oil or gas well or pipeline;
 - i) would expose the structure itself, and/or the people living and working there to risk from the operations of a nearby airstrip;
 - j) is unsafe due to contamination by previous land uses;
 - k) has an inadequate or unsafe water supply;
 - l) is closer to a confined feeding operation or manure storage facility than the minimum separation distance set out in the regulations under AOPA, for the smallest size of that type of operation.

(Example: 300 head is the smallest beef finisher operation recognized as a CFO. The MDS for that size of operation to a single residence is 245.0 meters. (804 feet) Therefore, 245 meters is the MDS for any beef finisher operation that qualified as an intensive livestock operation under the Bylaw definition above).

- m) would materially interfere in the natural and economic expansion of an existing agricultural operation or its proposed expansion;
- n) would prevent or interfere with the natural and economic extension of a nearby developed area, a coal mine, an oil or gas field, a sewage treatment plant, a waste disposal or transfer site, a gravel pit, a pipeline, or a road system; or
- o) is subject to any easement, caveat, restrictive covenant, or other registered encumbrance which makes it impossible to build on the site.

9.12.3 The Subdivision Authority or Development Authority may approve a subdivision or development permit, if the Authority is satisfied that there is no risk to persons or property, or that these concerns will be met by appropriate measures.

9.13 Water Supply Standards

9.13.1 The County may require developers to prove out an adequate water supply before approving an application for subdivision or a development permit application. The Province of Alberta Water Act (2000) requires that 1,250 m³/year be available per household in a rural subdivision in order to avoid interference between existing household and/or traditional agricultural users in the area.

9.13.2 For the proposed subdivision of single lots in rural areas for residential use groundwater must provide the water supply unless otherwise provided by a municipally and provincially approved water system.

9.13.3 Cisterns may be allowed only in a previously subdivided lot:

- a) as an addition to a well with a low production rate; or
- b) as the sole source of supply in areas of the County where a well would be prohibitively expensive, as determined by the County.

9.13.4 Dugouts may not be permitted for residential uses.

9.13.5 For the proposed subdivision of a lot for an existing farm site and related improvements, an existing water well(s) may be accepted as proof of an adequate water supply. If the well(s) does not provide an adequate water supply, the developer may be required to have the well tested by a licensed water well driller.

9.13.6 For the proposed subdivision of two to five lots (including the accumulation or result of subdivision) from a quarter section or its development equivalency, an existing well may be tested or a new well may be drilled by a licensed water well driller and/or report by a hydrological engineer to prove adequate water supply exists, as determined in this section.

9.13.7 For medium to high density residential uses and all other uses supply standards may be decided through consultation with a hydrological engineer, relevant agencies including Alberta Environmental Protection, Alberta Agriculture and Rural Development, and the Fire Adviser - Alberta Labour.

9.13.8 For the purpose of Section 9.13.5, Section 9.13.6 and Section 9.13.7 above, the well driller's or hydrological engineer's report must be submitted to the County and must show a minimum two-hour pump test, a minimum production level of 0.5 imperial gallons per minute (igpm), impact on adjacent well drawdown and a minimum recovery rate of 90%.

9.13.9 Development permit or subdivision applications for uses which require large quantities of water may not be allowed, if in the opinion of the Development Officer, they will have a negative effect on the water supply of adjacent landowners.

9.14 Parking and Loading

9.14.1 The following on-site parking provisions apply to all districts. The minimum number of on-site vehicle parking stalls required for each use is specified in the following table:

Use	Required Parking Stalls
Business	
Abattoir	1.0 per 100.0 m ² ground floor area (GFA)
Business Service	3.4 per 100.0 m ² GFA
Equestrian Centre Oilfield Service Business	As determined by Development Officer
Greenhouse	1.0 per 30.0 m ² GFA
Kennel	1.0 per 25.0 m ² GFA
Personal Service Veterinary Clinic	1.0 per 40.0 m ² GFA
Public	
Cemetery	10.0 per ha
Community Hall	1.0 per 10 seats
Education Facility Elementary/Junior High High School	1.0 per 10 students 1.0 per 5 students
Funeral Service	1.0 per 5 seats of public seating, plus 1 stall per funeral home vehicle
Government Services Public Park Public Utility Rest Area	As determined by Development Officer
Place of Worship	1.0 per 10 seating spaces
Recycling Depot	1.0 per 100.0 m ² GFA
Retail and Service	
Casino	1.0 per 5 seats or 1.0 per 10.0 m ² GFA used by patrons
Bulk Fuel Dealer	As determined by Development Officer
Convenience Store Retail Store Retail Liquor Store	Below 2,000.0 m ² GFA: 2.2 per 100.0 m ² ; 2,000 to 20,000.0 m ² GFA: 3.2 per 100.0 m ² ; or Above 20,000.0 m ² GFA: 4.3 per 100.0 m ²
General Contractor	1.0 per 100.0 m ² GFA; or 3 per tenant or establishment
Farm Supply and Services Dealer RV/OHV Dealer and/or Storage	1.0 for every inventory vehicle on the lot
Heliport	As determined by Development Officer
Restaurant	1.0 per 4 seats
Motor Vehicle Sales	1.0 per every inventory vehicle

Vehicle Repair Business	1.0 per 2 service bays
Warehousing, Storage and Distribution	1.0 per 100.0 m ² GFA up to 2000.0 m ² plus 1 per additional 500.0 m ²
Service Station	1 per 100.0 m ² GFA, and not less than 3 per establishment
Industrial	
Auto Wrecking Yard	As determined by Development Officer
All Other Industrial Uses: Manufacturing and Processing Operation Resource Extraction Operation Type A Resource Extraction Operation Type B Resource Processing Operation	1 per 100.0 m ² GFA, and not less than 3 per tenant or establishment
Residential	
Low Density Dwellings, including: Dwelling, Detached Dwelling, Mobile Dwelling, Modular Dwelling, Moved-in Dwelling, Side-by-Side	2.0 per dwelling unit
Group Home	1.0 per 4 beds plus where applicable, plus 1.0 per 2 employees
Higher Density Dwellings, including: Dwelling, Communal Dwelling, Multiple Dwelling, Vertical	1.0 per 1-bedroom dwelling unit, 1.5 per 2-bedroom dwelling unit, and 2.0 per 3+ bedroom dwelling unit; plus 1.0 visitor stall for every 7 dwelling units
Home Occupation	1.0 additional stall plus total required parking stalls for primary dwelling unit
Mobile Home Park	1.0 per dwelling, plus 1.0 visitor stall for every 4 dwellings
Seniors/Supportive Living Complex	1.0 per 4 sleeping units
Show Home	4.0 per 100.0 m ² GFA
Accommodation	
Campground	1.0 per camping space plus 1.0 visitor stall for every 7 camping spaces
Bed and Breakfast	1.0 per guest room plus total required parking stalls for primary dwelling unit
Guest Cabin	1.0 per guest room
Hotel Motel	1.0 per guest room plus 1.0 per 3 employees on maximum shift plus parking required for associated accessory use
Recreational Units (RV) Development	1.0 per RV lot plus 1.0 visitor stall for every 7 lots

Recreational	
Golf Course	5.0 per hole plus parking for associated accessory use
Marina	1.0 per 2 boat spaces
Other Recreational Business Recreational, Commercial Recreational, Extensive	As determined by Development Officer

- 9.14.2** Where a fractional number of parking stalls are required, the next highest number of stalls shall be provided.
- 9.14.3** Where a development is likely to attract a high volume of traffic, the Development Officer may require more parking.
- 9.14.4** Where a use is not specified above, the number of stalls provided shall be the same as for a similar use as determined by the Development Officer.
- 9.14.5** Where development on a lot includes more than one use, the required number of parking spaces shall be the sum of the requirements for each of the uses.
- 9.14.6** Notwithstanding the above, the parking requirement may be relaxed where, in the opinion of the Development Officer, sufficient parking is available:
- a) on-street without causing congestion;
 - b) in nearby public parking lots; or
 - c) in private parking on-site or nearby that can be shared with other uses.
- 9.14.7** A loading space shall be provided entirely within the lot boundaries. Adequate space for loading and unloading shall be provided and maintained to the satisfaction of the Development Officer.
- 9.14.8** Each required stall shall conform to the following provisions:
- a) Each required stall be a minimum of 3.0 meters (10 feet) in width and a minimum of 5.5 meters (18 feet) in length, exclusive of access driveways, aisles, ramps, columns, or work areas;
 - b) Parallel parking stalls shall be a minimum of 7.0 meters (23 feet) in length, except those located in an end space with an open end shall be a minimum of 5.5 meters (18 feet);
 - c) Parking stalls for the physically disabled shall be a minimum of 3.9 meters (13 feet) in width;
 - d) Recreational Units stalls shall be a minimum of 3.3 meters (11 feet) in width and a minimum of 7.0 meters (23 feet) in length;
 - e) Each required stall have a vertical clearance of at least 2.0 meters (7 feet); and
 - f) Aisles serving on-site parking space shall be a minimum of 7.0 meters (23 feet) wide for 90° parking, 5.5 meters (18 feet) wide for 60° parking; and 3.6 meters (12 feet) wide for 45° parallel parking.

9.15 Objects Restricted on the Site

9.15.1 No person shall keep or permit in any district:

- a) any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the district; or
- b) any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken and the owner of such materials or excavations, assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work; or
- c) in the Country Residential (CR) district no permanent structure, including accessory buildings or corrals, holding and feeding facilities for animals, shall be located in the front yard unless approved by the Development Officer.

9.16 Home Occupation

9.16.1 ~~A home occupation shall not change the character or have any exterior evidence on the dwelling or farm building that it is carried out from.~~

9.16.2 ~~A home occupation shall not employ more than one paid employee other than the resident and the resident's family.~~

Home Occupations within this Bylaw have been categorized either as Onsite or Offsite use. Both Onsite and Offsite then are broken up into different types (1, 2 or 3) depending on their intensity as defined in the definition section and listed in the respective Land Use Districts.

9.17 Uses Compatible with Agriculture Use

9.17.1 In this Bylaw, the following are considered to be uses compatible with agricultural uses:

- a) any land which is in agricultural production; or
- b) sloughs and watercourses; or
- c) pens and livestock feedings areas; or
- d) any planted or natural shelterbelt situated more than 100.0 meters (328 feet) from a dwelling; or
- e) barns and outbuildings situated more than 100.0 meters (328 feet) from a dwelling.

9.18 Accessory Buildings

9.18.1 An accessory building shall not be used for human habitation, unless approved by the Development Officer.

9.18.2 An accessory building shall not be located in the required front yard unless approved by the Development Officer.

~~9.18.3 Except where allowed in Agricultural, Commercial, Industrial and Institutional Districts, the total area of accessory buildings on an individual site shall not exceed a site coverage of 14% nor an area of 140.0 square meters (1506 square feet) and shall not exceed a 4.8 meters (16 ft.) wall height unless approved by the Development Officer.~~

~~a) Within Rural Residential and Country Residential lots over one (1) acre in size the total area of accessory buildings on an individual site shall not exceed a site coverage of 14% nor an area of 140.0 square meters (1506 square feet) except at the discretion of the Development Officer who may allow up to an additional 50% of square footage of the 140.0 square meters (1506 square feet), up to but not exceed a overall site coverage of 14%. (amended by Bylaw 2019/44)~~

9.18.3 Accessory buildings on an individual site shall not exceed a site coverage and wall height (unless otherwise specified in a District) as follows

a. Within Lakeshore Residential, Urban Residential, Lakeshore Mixed, Mobile Home, Mixed Recreational Residential, Recreational Resort Holdings (Up to a maximum of 140 square metres (1506 square feet.) and shall not exceed a 4.26 metre (14ft) wall height unless approved by the Development Officer.

b. Country Residential Lots, High Density Rural Residential, Rural Conservation, Restrictive County Residential, Rural Residential, Recreational (>5acres), Watershed Protection (>80 acres), Recreational Resort Holdings (>5 acres), Wizard Lake Watershed (>80 acres) accessory building square footage shall not exceed a square footage equal to that of **3.5%** of the titled area of the lot, with no one building larger than 4,000 square feet and a maximum cumulative square footage of ~~7,000~~ 6,000 square feet. The buildings shall not exceed a 4.88 metre (16ft) wall height unless approved by the Development Officer.

Exemptions: Districts not listed above, as well as any buildings and uses that are the principle building and use as allowed by the County's Land Use Bylaw are exempt from these size and height restrictions limitations. Principal uses such as dwellings still may be subject to any square footage and height minimums and maximums established within each specific district

9.19 Mobile Vendors

- a) Prior to operation of the Mobile Vendor, the applicant must receive approval from the County by applying for a Request to Operate Business letter.
- b) A comprehensive operation plan must be provided to the satisfaction of the Development Authority outlining the goods to be sold, location(s) of the operation base, details of solid waste and wastewater disposal and management, provisions for signage, and hours of operation.
- c) The vendor shall not conduct or locate business in such a way that would restrict or interfere with the ingress or egress of the adjacent property owner(s) or constitute an obstruction to adequate access by emergency vehicles.
- d) The mobile vendor and its operations shall not cause any vehicular or pedestrian obstructions or hazards.
- e) Mobile vendors must obtain **all** applicable Federal, Provincial, and Alberta Health Services regulations, permits and approvals.
- f) Mobile vendor operations shall not create any disturbance or nuisance, including but not limited to noise, vibration, smoke, dust, odour, air pollution, heat, glare, bright light, hazardous or unacceptable waste. Lights, sounds or actions which may be a distraction for motorists and/or pedestrians are not permitted.

- g) The Mobile vendor shall be responsible for providing solid waste collecting facilities (garbage cans/bins) and ensuring that all litter and waste associated with Mobile Vendor is cleaned up to the satisfaction of the Development Authority.
- h) Mobile Vendors shall not conduct any sales from lands that are zoned for the primary use of residential (ie. Lakeshore Residential and Country Residential). Further, sales shall not be conducted from County owned property unless involved within larger events (ie. rodeos, fairs, ball tournament) which are as a whole authorized directly by the County or at the direction of the Lessor of the County Facility, e.g. Community groups.
(Section 9.19 was amended by Bylaw 2019/44)

Section 10 District Regulations

10.1 Agricultural District (AG)

10.1.1 Purpose

The purpose of the Agricultural District (AG) is to maintain and preserve land for productive agricultural uses and to allow for limited subdivision and development for residential use compatible in the farming community.

10.1.2 Permitted Uses

- a) Agriculture, Extensive
- b) Dwelling, Detached
- c) Dwelling, Mobile – New
- d) Dwelling, Modular – New
- e) Intensive Livestock Operation - situated at least 400.0 meters (1312 feet) away from any land not districted as Agricultural or Severed Agricultural
- f) Dwelling, Moved-in-New (*amended by Bylaw 2019/44*)
- g) Buildings and uses accessory to the above

10.1.3 Discretionary Uses

- a) Dwelling, Communal
- b) Dwelling, Moved-in- Used (*amended by Bylaw 2019/44*)
- c) Dwelling, Mobile – Used
- d) Dwelling, Modular – Used
- e) Dwelling, Secondary Suite
- f) Agricultural, Intensive
- g) Intensive Livestock Operation - within 400.0 meters (1312 feet) of any land not classified as Agricultural or Severed Agricultural under this Bylaw
- h) Tree Farm
- i) Bed and Breakfast
- j) ~~Home Occupation~~
- k) Industry Work Camp
- l) Kennel
- m) Public Utility
- n) Public or Quasi-Public Use
- o) Resource Extraction Operation Type A
- p) Resource Extraction Operation Type B
- q) Resource Processing Operation
- r) Recreational, Extensive

- s) Abattoir
- t) Greenhouse
- u) Veterinary Clinic
- v) ~~Minor Business~~
- w) Equestrian Center
- x) Recreational Units Use (greater than 32.0 hectares (80 acres), where no dwelling exists – maximum 3 year permit. If the landowner wishes the use to continue, they must re-apply for the use prior to the expiry of the permit).
- y) Apiary (*amended by Bylaw 2019/44*)
- z) ~~Offsite Home Occupation (Type 1)~~
- aa) ~~Offsite Home Occupation (Type 2)~~
- bb) ~~Onsite Home Occupation (Type 1)~~
- cc) ~~Onsite Home Occupation (Type 2)~~
- dd) ~~Onsite Home Occupation (Type 3)~~
- ee) ~~Market Garden~~
- ff) Buildings and uses accessory to the above

10.1.4 Parcel size

The minimum size for a parcel intended to be used for extensive agriculture is 32.0 hectares (80 acres), but this minimum size may be relaxed:

- a) to allow a parcel to follow natural boundaries, or
- b) to allow for existing or proposed subdivisions for public or quasi-public purposes, or
- c) proportionally where the original quarter section title was less than 64.7 hectares (160 acres).

The minimum size for a parcel intended to be used for a intensive agricultural operation shall be at the discretion of the Subdivision Authority, who may consult with appropriate specialists from the Province or consult with the Director or Agricultural Services for the County.

10.1.5 Setbacks

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 meters (16 feet)
- c) Rear yard: 10.0 meters (33 feet)

10.1.6 Number of Lots

A quarter section may be subdivided to create one of the following:

- a) an existing farm yard site;
- b) a new yard site;

- c) two approximately equal parts;
- d) a natural or severed split.

10.1.7 Regulations for the creation of a yard site subdivision shall be as in the Rural Residential district, and after subdivision, the regulations for Rural Residential apply, even though the land retains its Agricultural zoning. Note: Small parcels of land on which the primary use is residential are deemed under this Bylaw to be a Rural Residential use and the standards of that district apply.

10.1.8 Rezoning Requirements

- a) Any subdivisions creating in excess of two parcels per quarter section will require rezoning from Agricultural to another district.
- b) Subdivisions for public purposes may be allowed without rezoning in addition to those allowed under Section 10.1.6.

10.1.9 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.1.10 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12(g), Recreational Units.

10.1.11 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.1.12 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.2 Severed Agricultural District (SA)

10.2.1 Purpose

The purpose of the Severed Agricultural District (SA) is to allow a parcel of farm land to be subdivided into two parts or to be defined by a natural split, with both the resulting parcels staying in agricultural use.

10.2.2 Definition

In order for a piece of land to be rezoned to Severed Agricultural it must

- a) have a suitable building site as defined in Section 9.12 of this Bylaw,
- b) have legal and physical access to a maintained road, and
- c) be physically separated from the rest of the quarter by
 - i. a river or creek which normally flows all summer, or
 - ii. a developed public road or highway, or
 - iii. a railway, or
 - iv. a lake or large slough to which the Crown claims ownership, or
 - v. a ravine which is so deep or steep that it is an impossible barrier to farming, or
 - vi. an intervening ownership, where the intervening owner will not allow his land to be used or crossed for farming purposes.

10.2.3 Permitted Uses

- a) Agriculture, Extensive
- b) Dwelling, Detached
- c) Dwelling, Modular – New
- d) Dwelling, Mobile – New
- e) Intensive Livestock Operations - situated at least 400.0 meters (1312 feet) away from any land not classified as Agricultural or Severed Agricultural
- f) Buildings and uses accessory to the above uses.

10.2.4 Discretionary Uses

- a) Intensive Livestock Operations - within 400.0 meters (1312 feet) of any land not classified as Agricultural or Severed Agricultural under this Bylaw
- b) Agriculture, Intensive
- c) Bed & Breakfast
- d) Dwelling, Modular -Used
- e) Dwelling, Mobile - Used
- f) Dwelling, Moved in

- g) Dwelling, Secondary Suite
- h) ~~Home Occupation~~
- i) Kennel
- j) Public Utility
- k) Resource Extraction Operation Type A
- l) Resource Extraction Operation Type B
- m) Resource Processing Operation
- n) ~~Minor Business~~
- o) Veterinary Clinic
- p) Recreational Units Use (greater than 80 acres, where no dwelling exists – maximum 3 year permit. If the landowner wishes the use to continue, they must re-apply for the use prior to the expiry of the permit).
- q) Greenhouse
- r) Apiary (*amended by Bylaw 2019/44*)
- s) ~~Offsite Home Occupation (Type 1)~~
- t) ~~Offsite Home Occupation (Type 2)~~
- u) ~~Onsite Home Occupation (Type 1)~~
- v) ~~Onsite Home Occupation (Type 2)~~
- w) ~~Onsite Home Occupation (Type 3)~~
- x) ~~Market Garden~~
- y) Buildings and uses accessory to the above uses

10.2.5 Setbacks

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 meters (16 feet)
- c) Rear yard: 10.0 meters (33 feet)

10.2.6 Density of Development

No more than one residence shall be built or maintained on a parcel.

10.2.7 Rezoning Requirements

- a) Any subdivisions creating an excess of two parcels per quarter section will require rezoning from Severed Agricultural to another district.
- b) Subdivisions for public purposes may be allowed without rezoning in addition to those allowed under Section 10.2.2.

10.2.8 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.2.9 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.2.10 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.2.11 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.3 Agricultural Hobby Farm (AHF)

10.3.1 Purpose

The purpose of this district is to provide for small parcels that exist on poorer agricultural land for residential hobby farm purposes.

10.3.2 Lot Involving Poorer Agricultural Land for Agricultural Hobby Farm

Lots proposed under this concept must be shown to have:

- a) If required under Policy, an Area Structure Plan;
- b) An area of at least eighty percent (80 %) of the land showing no greater than forty percent (40%) soil rating; (*amended by Bylaw 2019/44*)
- c) Demonstrated compatibility between the proposed land use and existing land uses; and
- d) Any further fragmentation of the remainder is subject to existing policies and Bylaws.

10.3.3 Permitted Uses

- a) Agriculture, Extensive
- b) Dwelling, Detached
- c) Dwelling, Modular – New
- d) Dwelling, Mobile – New
- e) Buildings and uses accessory to the above uses

10.3.4 Discretionary Uses

- a) Agriculture, Intensive
- b) Apiary
- c) Bed and Breakfast operations with a maximum of three guest rooms
- d) Dwelling, Detached – Used
- e) Dwelling, Modular – Used
- f) Dwelling, Mobile – Used
- g) Dwelling, Secondary Suite
- h) Equestrian Center
- i) Green Houses
- ~~j) Home Occupation~~
- k) Market Garden
- ~~l) Minor Business~~
- m) Public Utility
- n) Veterinary Clinic
- ~~o) Offsite Home Occupation (Type 1)~~

- p) Offsite Home Occupation (Type 2)
- q) Onsite Home Occupation (Type 1)
- r) Onsite Home Occupation (Type 2)
- s) Onsite Home Occupation (Type 3)
- t) Buildings and uses accessory to the above uses

10.3.5 Setbacks

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 meters (16 feet)
- c) Rear yard: 10.0 meters (33 feet)

10.3.6 Lot Size

The minimum and maximum lot size shall respectively be between 2.0 hectares (5.0 acres) to 8.0 hectares (20.0 acres).

10.3.7 Density of Development

No more than one residence shall be built or maintained on a parcel.

10.3.8 Rezoning Requirements

- a) Subject to the respective requirements of this Bylaw, there will be no more than two parcels districted to Agricultural Hobby Farm per quarter section.

10.3.9 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.3.10 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.3.11 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.3.12 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.4 Rural Residential District (RR)

10.4.1 Purpose

The purpose of the Rural Residential District (RR) is to allow for the subdivision and/or development of a single residential parcel on an agricultural quarter section, where this is compatible with adjacent land uses.

For the purposes of section 654(2)(b) and 680(2)(b) of the Municipal Government Act:

- Any land which is in agricultural production; and
- Sloughs and watercourses; and
- Pens and livestock feeding areas; and
- Any planted or natural shelterbelt situated more than 100 metres from a dwelling; and
- Barns and outbuildings situated more than 100 metres from the dwelling

are deemed to be agricultural and not residential land uses.

10.4.2 Permitted Uses

- a) Dwelling, Detached
- b) Dwelling, Mobile – New
- c) Dwelling, Modular – New
- d) Buildings and uses accessory to the above

10.4.3 Discretionary Uses

- a) Agriculture, Extensive (limited and compatible with adjacent land uses)
- b) Dwelling, Mobile – Used
- c) Dwelling, Modular – Used
- d) Dwelling, Moved-in
- e) Dwelling, Secondary Suite
- f) Bed and Breakfast
- g) ~~Home Occupation~~
- h) Public or Quasi-Public Use
- i) Veterinary Clinic
- j) ~~Minor Business~~
- k) Public Utility
- l) Apiary (*amended by Bylaw 2019/44*)
- m) ~~Offsite Home Occupation (Type 1)~~
- n) ~~Offsite Home Occupation (Type 2)~~
- o) ~~Onsite Home Occupation (Type 1)~~
- p) ~~Onsite Home Occupation (Type 2)~~
- q) ~~Onsite Home Occupation (Type 3)~~

- r) **Market Garden**
- s) Buildings and uses accessory to the above

10.4.4 Subdivision Standards - Existing Yard site

- a) the residential use on the proposed parcel must be compatible with adjacent land uses;
- b) the proposed parcel must have a habitable dwelling, a working water well, an approach to a gravelled County road or developed secondary highway, a driveway, a power pole and transformer, and a private sewer system;
- c) parcel size is to be determined by the minimum number of acres required to include residential improvements but not including any other land or buildings;
- d) provided it does not include any land which is cleared or in production, a proposed lot served by an existing open discharge sewer system may be created large enough to allow open discharge to be used after subdivision.

10.4.5 Subdivision Standards - New or Abandoned Yard site

- a) the proposed parcel must have a suitable building site;
- b) the proposed residential use must be compatible with adjacent land uses;
- c) the maximum parcel size is 2.02 hectares (5 acres);
- d) the proposed parcel must be improved with three of the six improvements below prior to endorsement of a subdivision instrument:
 - i. approach to a gravelled County road or highway;
 - ii. shelterbelt or planted shelter;
 - iii. power pole and transformer;
 - iv. private sewer system;
 - v. working water well; or
 - vi. dwelling completed to the framing stage and/or connected to utilities

10.4.6 Subdivision Standards - Second Parcel on a Quarter Section (in accordance with Second Yard Site Subdivisions Policy 61.1.7)

- a) the proposed parcel must have a suitable building site;
- b) the proposed parcel must be entirely located on poor agricultural land;
- c) there must be, where possible, a suitable building site on poor agricultural land on the balance of the parcel being subdivided;
- d) the proposed residential use must be compatible with adjacent land uses;
- e) the maximum parcel size is 2.02 hectares (5 acres);
- f) the proposed parcel must be improved with three of the six improvements below prior to endorsement of a subdivision instrument:
 - i. approach to a gravelled County road or highway;
 - ii. shelterbelt or planted shelter

- iii. power pole and transformer
- iv. private sewer system;
- v. working water well; or
- vi. dwelling completed to the framing stage and/or connected to utilities

10.4.7 Subdivision Standards - Severance

- a) the proposed parcel must have a suitable building site with both legal and physical public access;
- b) is no greater than 2.13 hectares (7 acres) for this district;
- c) the proposed residential use must be compatible with adjacent land uses;
- d) the parcel must be improved with three of the six improvements below prior to endorsement of a subdivision instrument:
 - i. approach to a gravelled County road or developed secondary highway;
 - ii. shelterbelt or planted shelter;
 - iii. power pole and transformer;
 - iv. private sewer system;
 - v. working water well; or
 - vi. dwelling completed to the framing stage and/or connected to utilities.

10.4.8 Setbacks

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 meters (16 feet)
- c) Rear yard: 10.0 meters (33 feet)

10.4.9 Building Height

- a) The maximum building height of all buildings shall be 10.0 meters (33 feet)
- b) The maximum height of an accessory building shall be 5.0 meters (16 feet).

10.4.10 With the exception of hamlets and areas zoned for Country Residential uses, any lot or parcel on which the primary use is a dwelling with private services (e.g. a well, a septic tank and open discharge, field or mound, and a power pole and transformer), a built approach off a highway or road, and on which there may be a shelterbelt and a garage or other accessory outbuildings is deemed to be districted Rural Residential for the purposes of this Bylaw.

10.4.11 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.4.12 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.4.13 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.4.14 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.5 Country Residential District (CR)

10.5.1 Purpose

The purpose of the Country Residential District (CR) is to allow for the subdivision and development on non-productive agricultural land of non-farm dwellings.

10.5.2 Permitted Uses

- a) Dwelling, Detached
- b) Dwelling, Modular – New
- c) Buildings and uses accessory to the above

10.5.3 Discretionary Uses

- a) Dwelling, Moved-in
- b) Dwelling, Mobile – New
- c) Dwelling, Mobile – Used
- d) Dwelling, Modular – Used
- e) Dwelling, Secondary Suite
- f) ~~Home Occupation~~
- g) Bed and Breakfast
- h) Public Utility
- i) Show Home
- j) ~~Offsite Home Occupation (Type 1)~~
- k) ~~Offsite Home Occupation (Type 2)~~
- l) ~~Onsite Home Occupation (Type 1)~~
- m) ~~Onsite Home Occupation (Type 2)~~
- n) ~~Onsite Home Occupation (Type 3) * 2nd Parcel out only~~
- o) ~~Market Garden (allowed only in lots not located in a subdivision)~~
- p) Buildings and uses accessory to the above

10.5.4 Parcel Size

- a) Minimum: 0.40 ha (1 acre)
- b) Maximum: 2.02 ha (5 acres)

10.5.5 Setbacks

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 meters (16 feet)
- c) Rear yard: 10.0 meters (33 feet)

- d) No development can be located within 8.0 meters (26 feet) of the property line adjacent to an internal subdivision road;
- e) Obstructions to visibility are not allowed within 3.0 meters (10 feet) of the property line adjacent to an internal subdivision road.

10.5.6 Animal Restrictions

See Section 9.2.

10.5.7 Subdivision Standards

- a) Site suitability testing is required before subdivision approval and includes but is not limited to water supply, water table levels, percolation rates, environmental impact assessment, etc.
- b) Density restrictions shall be at the discretion of Council based on factors including but not limited to tests listed under Section 10.3.7(a). Density greater than 24 parcels on a quarter section shall be considered as being of a higher density and may be subject to requirements for infrastructure above the general County standard. Subdivision creating more than 2 lots per quarter section, or resubdivision of a previously developed quarter, may be subject to a requirement for the adoption of or amendment to an Area Structure Plan.
- c) A proposal to subdivide an existing acreage lot(s) will be subject to County Policy 61.1.5 "Resubdivision in Multiple Lot Subdivisions" and amendments thereto and Section 7.9 of the Bylaw.

10.5.8 Building Height

- a) The maximum building height of all buildings shall be 10.0 meters (33 feet)
- b) The maximum height of an accessory building shall be 6.0 meters (20 feet).

10.5.9 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.5.10 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.5.11 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.5.12 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.6 Restricted Country Residential District (RCR)

10.6.1 Purpose

The purpose of the Restricted Country Residential District (CR) is to allow for the subdivision and development on poor agricultural land of non-farm detached dwellings compatible with adjacent land uses.

10.6.2 Permitted Uses

- a) Dwelling, Detached
- b) Buildings and uses accessory to the above

10.6.3 Discretionary Uses

- a) Public Utility
- b) Dwelling, Secondary Suite
- c) Offsite Home Occupation (Type 1)
- d) Offsite Home Occupation (Type 2)
- e) Onsite Home Occupation (Type 1)
- f) Onsite Home Occupation (Type 2)
- g) Buildings and uses accessory to the above

10.6.4 Parcel Size

- a) Minimum: 0.40 ha (1 acre)
- b) Maximum: 2.02 ha (5 acres)

10.6.5 Setbacks

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 meters (16 feet)
- c) Rear yard: 10.0 meters (33 feet)
- d) No development can be located within 8.0 meters (26 feet) of the property line adjacent to an internal subdivision road;
- e) Obstructions to visibility are not allowed within 3.0 meters (10 feet) of the property line adjacent to an internal subdivision road.

10.6.6 Animal Restrictions

See Section 9.2.

10.6.7 Subdivision Standards

- a) Site suitability testing is required before subdivision approval and includes but is not limited to water supply, water table levels, percolation rates, environmental impact assessment, etc.
- b) Density is limited to 24 parcels per quarter section, excluding reserve and utility lots.

- c) Dwellings must be detached dwellings of new construction with a minimum floor area of 135 square meters (1500 sq. ft.) excluding garages, porches, patios and decks.
- d) Storage of commercial or business equipment and supplies outside the dwelling is not allowed.

10.6.8 Building Height

- a) The maximum building height of all buildings shall be 10.0 meters (33 feet)
- b) The maximum height of an accessory building shall be 6.0 meters (20 feet)

10.6.9 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.6.10 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.6.11 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.6.12 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.7 Lakeshore Residential District (LR)

10.7.1 Purpose

The purpose of the Lakeshore Residential District (LR) is to allow for the subdivision and development of residential uses adjacent to County lakes.

10.7.2 Lake Access

Through the planning process Council will ensure that public access to lakes is maintained and, where possible, enhanced.

10.7.3 Permitted Uses

- a) Dwelling, Detached
- b) Buildings and uses accessory to the above

10.7.4 Discretionary Uses

- a) Dwelling, Mobile – New
- b) Dwelling, Mobile – Used
- c) Dwelling, Modular – New
- d) Dwelling, Modular – Used
- e) Dwelling, Moved-in
- f) Dwelling, Secondary Suite
- g) ~~Home Occupation~~
- h) Bed and Breakfast
- i) Guest Cabin - if a primary dwelling exists
- j) Public Utility
- k) Show Home
- l) Recreational Units Use (where no dwelling exists – maximum 3-year permit. If the landowner wants the use to continue, they may reapply for the use prior to the expiry of the development permit)
- m) ~~Offsite Home Occupation (Type 1)~~
- n) ~~Offsite Home Occupation (Type 2)~~
- o) ~~Onsite Home Occupation (Type 1)~~
- p) Buildings and uses accessory to the above

10.7.5 Lot Sizes

- a) In a proposed subdivision served or to be served by municipal water and sewer services each lot intended for residential use must have an area of at least 450.0 square meters (4857 square feet) and a minimum width of 15.2 meters (50 feet).
- b) In a proposed subdivision served or to be served by a municipal sewer service, but not by a municipal water service, each lot intended for residential use shall

have an area of at least 929.0 square meters (10,000 square feet) and an average width of at least 21.3 meters (70 feet).

- c) In a proposed subdivision served or to be served by a municipal water service but not a municipal sewer service each lot intended for residential use must have an area of at least 1,394.0 square meters (15,000 square feet) with a minimum width of 30.5 meters (100 feet).
- d) In a proposed subdivision not served or not to be served by municipal water and sewer services, each lot intended for residential use must have an area of at least 1,858.0 square meters (20,000 square feet) with a minimum width of 30.5 meters (100 feet).
- e) Irregular (i.e. pie-shaped) lots under (c) and (d) above must have a minimum average lot width of 30.5 meters (100 feet).

10.7.6 Setbacks

- a) No development can be located within 6.0 meters (20 feet) of a road, the shore of a water feature as defined by Section 3 of the *Public Lands Act*, or the property line of a reserve parcel.
- b) No development can be located within 2.44 metres (8 feet) of any other property line. (*amended by Bylaw 2019/44*)

10.7.7 Site Coverage

The area of land covered by all buildings must not exceed 40% of the area of the lot on which the buildings are situated.

10.7.8 Guest Cabin

Guest cabins must not contain kitchen or plumbing services and must fall under the requirements of the definition of this Bylaw.

10.7.9 Environmental Protection Measures

- a) See Section 9.3.
- b) No more than 50% of the area in a Lakeshore Residential parcel can be cleared of its natural vegetation.

10.7.10 Building Height

- a) The maximum building height of all buildings shall be 10.0 meters (33 feet)
- b) The maximum height of an accessory building shall be 6.0 meters (20 feet)

10.7.11 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.7.12 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.7.13 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.7.14 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.8 Lakeshore Mixed Use District (LM)

10.8.1 Purpose

The purpose of the Lakeshore Mixed Use District (LM) is to allow for the subdivision and development of a range of uses adjacent to County lakes. These may include but are not limited to residential, commercial and recreational uses, or a combination of them.

10.8.2 Lake Access

Through the planning process will Council will ensure that public access to lakes is maintained and, where possible, enhanced.

10.8.3 Permitted Uses

- a) Dwelling, Detached
- b) Buildings and uses accessory to the above

10.8.4 Discretionary Uses

- a) Dwelling, Modular – New
- b) Dwelling, Modular – Used
- c) Dwelling, Moved-in
- d) Dwelling, Mobile – New
- e) Dwelling, Mobile – Used
- f) Dwelling, Secondary Suite
- g) ~~Home Occupation~~
- h) Bed and Breakfast
- i) Public Utility
- j) Convenience Store
- k) Restaurant
- l) Recreational Vehicle/Off-highway Vehicle Dealer or Storage
- m) Marina
- n) Hotel
- o) Show Home
- p) Day Care
- q) ~~Offsite Home Occupation (Type 1)~~
- r) ~~Onsite Home Occupation (Type 1)~~
- s) ~~Onsite Home Occupation (Type 2)~~
- t) Building and uses accessory to the above

10.8.5 Subdivision Standards

- a) Density in a proposed subdivision shall be determined by the available supply of groundwater as established pursuant to Section 9.13 of this Bylaw.
- b) Standards in Section 10.15.4 shall be used as a guideline to set lot size standards with respect to a proposed subdivision.
- c) Notwithstanding the above, given the variable nature of the uses allowed under this district, the County may choose to negotiate with a developer on lot size standards.
- d) The County may refer the proposed standards(s) to outside agencies for additional, detailed comment.

10.8.6 Setbacks

- a) No development can be located within 6.0 meters (20 feet) of a road, the shore of a water feature as defined by Section 3 of the *Public Lands Act*, or the property line of a reserve parcel.
- b) No development can be located within 2.44 metres (8 feet) of any other property line. *(amended by Bylaw 2019/44)*
- c) To prevent accidental spills and/or discharges, private sewer systems (i.e. holding tanks, field and mound systems) should be located, wherever possible, between the use and the road, but not between the use and the lakeshore.

10.8.7 Site Coverage

- a) The area of land covered by all buildings must not exceed 40% of the area of the lot on which the buildings are situated.

10.8.8 Environmental Protection Measures

- a) See Section 9.3.
- b) No more than 50% of the area in a Lakeshore Mixed Use parcel can be cleared of its natural vegetation.

10.8.9 Building Height

- a) The maximum height of all principal buildings shall be 10.0 meters (33 feet)
- b) The maximum height of an accessory building shall be 6.0 meters (20 feet).

10.8.10 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.8.11 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.8.12 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.8.13 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.9 Recreational Resort Holdings District (RRH)

10.9.1 Purpose

The purpose of the RRH district is to allow the development of individually owned recreational holdings. Commercial activities are also allowed where they are compatible with residential use.

10.9.2 Permitted Uses

- a) New, conventionally built detached residences or Recreational Units Use, limited to one per lot
- b) Golf courses
- c) Recreational, Extensive (*amended by Bylaw 2019/44*)
- d) Public parks
- e) Public utility installations
- f) Buildings and uses accessory to the above

10.9.3 Discretionary Uses

- a) Single detached modular residences, limited to one per lot
- b) Dwelling, Multiple (*amended by Bylaw 2019/44*)
- c) Dwelling, Secondary Suite
- d) Dwelling, Moved in (*amended by Bylaw 2019/44*)
- e) ~~Home occupations~~
- f) Bed and breakfast businesses
- g) Convenience stores
- h) Restaurants
- i) Recreational Units dealers
- j) Recreational Vehicle (R.V.) Storage (Commercial)
- k) Hotels
- l) Horse riding, boarding, and training establishments
- m) Other recreational businesses including but not limited to:
 - i. go-cart tracks
 - ii. paintball operations
 - iii. snowmobile rentals
- n) Day Care

- o) Offsite Home Occupation (Type 1)
- p) Buildings and uses accessory to the above (*amended by Bylaw 2019/44*)

10.9.4 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.9.5 Lot sizes

- a) In a proposed subdivision served or proposed to be served by a municipal water system and a municipal sewer system, each lot intended for residential use must have an area of at least 450 square meters (5,000 square feet) and a mean width of at least 15 meters (50 feet).
- b) In a proposed subdivision served or proposed to be served by a municipal sewer system but not a municipal water system, each lot intended for residential use must have an area of at least 929 square meters (10,000 square feet) and a mean width of at least 30 meters (100 feet).
- c) In a proposed subdivision not served by a municipal sewer system, each lot intended for residential use must have an area of at least 929 square meters (10,000 square feet) and a mean width of at least 30 meters (100 feet), or such larger size as may be required by Requirements for Sewer Service at Named Lakes Including Buck Lake and Pigeon Lake and other Sensitive Areas Policy 61.1.11.
- d) In addition to the sizes set out above, an irregular or pie shaped lot shall have a road frontage of at least 10 meters (33 feet).
- e) The lot size requirements set out above may be over-ridden by other standards set out in an area structure plan following input from health and environmental agencies.

10.9.6 Setbacks

- a) No development can be located within 6 meters (19.6 ft.) of a road, the shore of a water feature as defined by Section 3 of the Public Lands Act, or the property line of a reserve parcel.
- b) No development can be located within 2.44 metres (8 feet) of any other property line. (*amended by Bylaw 2019/44*)

10.9.7 Site Coverage

The area of land covered by all buildings must not exceed 50% of the area of the lot on which the buildings are situated.

10.9.8 Waste water

The collection, treatment, and disposal of waste water (sewage) must be addressed in any subdivision or development application, and a system acceptable to the development officer must be specified in an agreement under this Land Use Bylaw or the Act of the Act.

10.9.9 Means of registration

A development under RRH zoning shall be registered as a subdivision and not as a condominium or bare land condominium.

10.9.10 Third party restrictions on land use

When making a decision on an application for a development permit, the development officer is not bound any restrictive covenants, architectural guidelines, or similar restrictions registered on the title of a lot.

10.9.11 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.9.12 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.9.13 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.10 Mixed Recreational Residential District (MRR)

10.10.1 Purpose

The purpose of the MRR district is to allow the development of individually owned recreational and/or residential use.

10.10.2 Permitted Uses

- a) Detached dwelling or Recreational Units Use; limited to one per lot
- b) Public parks
- c) Public utility installations
- d) Buildings and uses accessory to the above

10.10.3 Discretionary Uses

- a) Dwelling, Modular (*amended by Bylaw 2019/44*)
- b) Dwelling, Modular- Used (*amended by Bylaw 2019/44*)
- c) Dwelling, Secondary Suite
- d) Dwelling, Moved in (*amended by Bylaw 2019/44*)
- e) ~~Home occupations~~
- f) Bed and breakfast businesses
- g) Boat-house
- h) Guest Cabin (accessory to dwelling)(*amended by Bylaw 2019/44*)
- i) ~~Offsite Home Occupation (Type 1)~~
- j) Buildings and uses accessory to the above (*amended by Bylaw 2019/44*)

10.10.4 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.10.5 Guest Cabin must not contain kitchen facilities or plumbing services and must fall under the requirements of the definition of this Bylaw.

10.10.6 Lot sizes

- a) In a proposed subdivision served or proposed to be served by a municipal water system and a municipal sewer system, each lot intended for residential use must have an area of at least 450 square meters (5,000 square feet) and a mean width of at least 15 meters (50 feet).
- b) In a proposed subdivision served or proposed to be served by a municipal sewer system but not a municipal water system, each lot intended for residential use must have an area of at least 929 square meters (10,000 square feet) and a mean width of at least 30 meters (100 feet).
- c) In a proposed subdivision not served by a municipal sewer system, each lot intended for residential use must have an area of at least 929 square meters

(10,000 square feet) and a mean width of at least 30 meters (100 feet), or such larger size as may be required by Requirements for Sewer Service at Named Lakes Including Buck Lake and Pigeon Lake and other Sensitive Areas Policy 61.1.11.

- d) In addition to the sizes set out above, an irregular or pie shaped lot shall have a road frontage of at least 10 meters (33 feet).
- e) The lot size requirements set out above may be over-ridden by other standards set out in an area structure plan following input from health and environmental agencies.

10.10.7 Setbacks

- a) No development can be located within 6 meters (19.6 ft.) of a road, the shore of a water feature as defined by Section 3 of the Public Lands Act, or the property line of a reserve parcel.
- b) No development can be located within 2.44 metres (8 feet) of any other property line. *(amended by Bylaw 2019/44)*

10.10.8 Site Coverage

The area of land covered by all buildings must not exceed 50% of the area of the lot on which the buildings are situated.

10.10.9 Waste water

The collection, treatment, and disposal of waste water (sewage) must be addressed in any subdivision or development application, and a system acceptable to the development officer must be specified in an agreement this Land Use Bylaw or the Act.

10.10.10 Means of registration

A development under MRR zoning shall be registered as a subdivision and not as a condominium or bare land condominium.

10.10.11 Third party restrictions on land use

When making a decision on an application for a development permit, the development officer is not bound any restrictive covenants, architectural guidelines, or similar restrictions registered on the title of a lot.

10.11 Mobile Home District (MH)

10.11.1 Purpose

The purpose of this district is to regulate development to ensure the orderly placement of fully serviced mobile homes in a planned mobile home park or mobile home subdivision.

10.11.2 Permitted Uses

- a) Dwelling, Mobile – New
- b) Buildings and uses accessory to the above

10.11.3 Discretionary Uses

- a) Dwelling, Mobile – Used
- b) ~~Home Occupation~~
- c) Public Utility
- d) Show Home
- e) ~~Offsite Home Occupation (Type 1)~~
- f) ~~Onsite Home Occupation (Type 1)~~
- g) Buildings and uses accessory to the above

10.11.4 Parcel size

- a) Minimum: 2.02 hectares (5 acres) for a mobile home park
- b) Maximum Gross Density: 20.0 units/hectare (8 units/acre)

10.11.5 Lot/Stall Sizes

- a) For a singlewide mobile dwelling, each lot/stall must have an area of at least 350.0 square meters (3767 square feet), with a minimum lot/stall width of 12.0 meters (39 feet).
- b) For a doublewide mobile dwelling, each lot/stall must have an area of at least 450.0 square meters (5,000 square feet), with a minimum lot/stall width of 15.2 meters (50 feet).

10.11.6 Setbacks

- a) Front Yard: 6.0 meters (33 feet) from property line for lots or from the curb for a stall
- b) Side Yard: Where there is developed rear access to the lot/stall, both side yards must be at least 2.44 metres (8 feet); and if there is no developed rear access to the lot, one side yard must be a minimum of 4.0 meters (13 feet). (*amended by Bylaw 2019/44*)
- c) Rear Yard: 3.0 meters (10 feet); and 1.0 meter (3 feet) for accessory buildings.

10.11.7 Building Height

- a) The maximum building height of all buildings shall be 10.0 meters (33 feet).

- b) The maximum accessory building height shall be no more than 4.5 meters (15 feet).

10.11.8 Area

The area of all buildings shall not exceed 40% of the area of the lot/stall on which the buildings are situated.

10.11.9 Site Development

All mobile homes shall be fully-serviced by a municipal water and sewer system and meet all County engineering standards for development.

10.11.10 Open Space

A minimum of 10% of the gross parcel area of a mobile home park shall be devoted to community open space, recreational use or as determined by the Development Officer.

10.11.11 Other Requirements

- a) The boundary of each mobile stall shall be clearly marked off to the satisfaction of the Development Officer. This may include stakes, counter-sunk steel posts, fences, curbs, hedges, or other means.
- b) All mobile homes must be placed on a proper foundation in accordance with Alberta Building Code regulations.

10.12 High Density Rural Residential District (HDR)

10.12.1 Purpose

The purpose of the High Density Rural Residential District (HDR) is to allow residential development where densities exceed those of other districts and where there is a minimal impact on the social and physical environment.

10.12.2 Permitted Uses

- a) Dwelling, Side-by-Side
- b) Dwelling, Vertical
- c) Seniors and/or Supportive Living Complex
- d) Buildings and uses accessory to the above

10.12.3 Discretionary Uses

- a) Dwelling, Communal
- b) Dwelling, Multiple
- c) Show Home
- d) Public Utility
- e) Offsite Home Occupation (Type 1)
- f) Onsite Home Occupation (Type 1)
- g) Buildings and uses accessory to the above

10.12.4 Parcel size

Dependent on the level of servicing and site standards related to the proposed use.

10.12.5 Setbacks

- a) Front yard: see Section 9.10.1, except for: duplexes shall be 6.0 meters (20 feet) and; multiple dwellings, apartment and seniors and/or adult living complex shall be 10.0 meters (33 feet).
- b) Side yard: 5.0 meters (16 feet)
- c) Rear yard: 10.0 meters (33 feet)

10.12.6 Special Provisions

- a) Density of development is at the discretion of Council and/or the Development Officer, having considered local road capacity, groundwater supply, proposed sewage treatment, availability of emergency services and effects on adjacent land uses
- b) Proposals for bareland condominiums may be required to be designed for conversion to the standards of the Urban Residential district, if necessary, based on such criteria as legal and physical access, parcel size, and provision of reserve and utility lots.

10.12.7 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.12.8 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.12.9 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.12.10 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.13 Rural Commercial District (RC)

10.13.1 Purpose

The purpose of the Rural Commercial District (RC) is to allow for uses to serve the commercial needs of the general and travelling public.

10.13.2 Permitted Uses

- a) Convenience Store
- b) Retail Store
- c) Government Service
- d) Business Service
- e) Buildings and uses accessory to the above

10.13.3 Discretionary Uses

- a) Service Station
- b) Day Care
- c) Retail Liquor Store
- d) Hotel
- e) Restaurant
- f) Farm Supply and Service Dealer
- g) Recreational Units (R.V.)/Off-Highway Vehicle Dealer or Storage
- h) Resource Processing Operation
- i) Bulk Fuel Dealer
- j) Public Utility
- k) Casino
- l) Dwelling Detached
- m) Dwelling, Modular – New
- n) Dwelling, Modular – Used
- o) Dwelling, Mobile – New
- p) Dwelling, Mobile – Used
- q) Dwelling, Moved-in
- r) Dwelling, Secondary Suite
- s) General Contractor
- t) Greenhouse
- u) Industry Work-Camp

- v) Vehicle Lease (*amended by Bylaw 2019/44*)
- w) Motor Vehicle Sales
- x) Veterinary Clinic
- y) Warehouse
- z) Kennel
- aa) Abattoir
- bb) Cannabis Accessory Store (*amended by Bylaw 2018/55*)
- cc) Cannabis Storage and Distribution Facility (*amended by Bylaw 2018/55*)
- dd) Rural Event Facility (*amended by Bylaw 2019/44*)
- ee) Apiary (*amended by Bylaw 2019/44*)
- ff) **Market Garden**
- gg) Buildings and uses accessory to the above

10.13.4 Parcel size

Minimum parcel size is 1,858.0 square meters (20,000 square feet) with a minimum width of 32.8 meters (100 feet).

10.13.5 Setbacks

- a) Front yard for uses adjacent to a highway front yard setbacks must be as required by Alberta Transportation. For all other uses front yard setbacks are as shown in Section 9.10.1
- b) Side and Rear yard for all uses the minimum side and rear yard setbacks are 5.0 meters (16 feet) and 10.0 meters (33 feet) respectively.

10.13.6 Access

- a) For uses adjacent to a highway, access including service road and number of approaches shall be as required by Alberta Transportation.
- b) For uses adjacent to all other roads access must be as shown in the Section 9.1.

10.13.7 Parking and Loading

The off-street parking spaces and/or off-street loading bays shall be required in accordance with Section 9.14. A parking plan must be submitted with a development permit including visitor, employee, vehicle inventory and resident vehicles.

10.13.8 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.13.9 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.13.10 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.13.11 Enforcement

Offences and fines are outlined in Section 5, Contravention

10.14 Urban Residential District (UR)

10.14.1 Purpose

The purpose of the Urban Residential District (UR) is to allow for the subdivision and/or development of land for residential uses in hamlets and elsewhere to an urban standard where the uses can now or may, in the future, be tied to full municipal services.

10.14.2 Permitted Uses

- a) Dwelling, Detached
- b) Dwelling, Modular – New
- c) Buildings and uses accessory to the above

10.14.3 Discretionary Uses

- a) Dwelling, Moved-in
- b) Dwelling, Mobile – New
- c) Dwelling, Modular – Used
- d) Dwelling, Side-by-Side
- e) Dwelling, Secondary Suite
- f) Dwelling, Vertical
- g) Dwelling, Multiple
- h) ~~Home Occupation~~
- i) Bed and Breakfast
- j) Public Utility
- k) Show Home
- l) Seniors and/or Supportive Living Complex
- m) ~~Offsite Home Occupation (Type 1)~~
- n) ~~Onsite Home Occupation (Type 1)~~
- o) Buildings and uses accessory to the above

10.14.4 Lot Sizes

- a) In a proposed subdivision served or to be served by municipal water and sewer services each lot intended for residential use must have an area of at least 450.0 square meters (5,000 square feet) and a minimum width of 15.2 meters (50 feet).
- b) In a proposed subdivision served or to be served by a municipal sewer service, but not by a municipal water service, each lot intended for residential use shall have an area of at least 929.0 square meters (10,000 square feet) and an average width of at least 21.3 meters (70 feet).
- c) In a proposed subdivision served or to be served by municipal water service but not a municipal sewer service each lot intended for residential use must have an

area of at least 1,394.0 square meters (15,000 square feet) and a minimum width of 30.5 meters (100 feet).

- d) In a proposed subdivision not served or not to be served by municipal water and sewer services, each lot intended for residential use must have an area of at least 1,858.0 square meters (20,000 square feet) and a minimum width of 30.5 meters (100 feet).
- e) Irregular (i.e. pie-shaped) lots under c and d above must have a minimum average lot width of 30.5 meters (100 feet).
- f) The minimum lot size for a duplex is 604.0 square meters (6,500 square feet) and a minimum width of 15.2 meters (50 feet). Separate water and sewer services must be provided to both lots subdivided for a side-by-side duplex.

10.14.5 Setbacks

- a) Front yard: 6.0 meters (20 feet)
- b) Side yard: Where there is developed rear access to the lot: 2.44 metres (8 feet) *(unless approved Alberta Safety Code fire rating are met to allow wall or respective building materials to reduce distance)*; If there is no developed rear access to the lot, one side yard must be a minimum of 4.0 meters (13 feet). *(amended by Bylaw 2019/44)*
- c) Rear yard: 10.0 meters (33 feet), 6.0 meters (20 feet) for garages, 1.0 meter (3 feet) for accessory buildings.

The Development Officer may require that a building be located on a larger lot to protect the subdivision potential of the lot where portions of the lot may be re-subdivided at a later date to create smaller lots or to provide roads, lanes and/or public utility lots.

10.14.6 Site Coverage

The area of land covered by all buildings must not exceed 40% of the area of the lot on which the buildings are situated.

10.14.7 Building Height

- a) The maximum building height of all buildings shall be 10.0 meters (33 feet).
- b) The maximum accessory building height shall be no more than 4.5 meters (15 feet).

10.14.8 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.14.9 Sewage and Wastewater

Sewage and wastewater systems are authorized as outlined in Section 3.12.1(g), Recreational Units.

10.14.10 Utility Hookups

Utility hookups are authorized as outlined in Section 3.12.1(h), Recreational Units.

10.14.11 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.15 Urban Commercial District (UC)

10.15.1 Purpose

The purpose of the Urban Commercial District (UC) is to allow for the subdivision and/or development of commercial uses in hamlets which can now or may, in the future, be tied into full municipal services.

10.15.2 Permitted Uses

- a) Retail Store
- b) Personal Service
- c) Business Service
- d) Buildings and uses accessory to the above

10.15.3 Discretionary Uses

- a) Retail Liquor Store
- b) Hotel
- c) Casino
- d) Restaurant
- e) Service Station
- f) Farm Supply and Services Dealer
- g) Recreational Units Dealer/ Off-highway Vehicle Dealer or Storage
- h) Warehouse
- i) Bulk Fuel Dealer
- j) Public or Quasi-Public Use
- k) Public Utility
- l) Dwelling, Detached
- m) Dwelling, Modular – New
- n) Dwelling, Modular – Used
- o) Dwelling, Moved-In
- p) Dwelling, Mobile – New
- q) Dwelling, Secondary Suite
- r) Veterinary Clinic
- s) Vehicle Lease (*amended by Bylaw 2019/44*)
- t) Vehicle Sales, Motor
- u) Day Care
- v) Cannabis Storage and Distribution Facility (*amended by Bylaw 2018/55*)
- w) Cannabis Accessory Store (*amended by Bylaw 2018/55*)

- x) Offsite Home Occupation (Type 1)
- y) Market Garden
- z) Buildings and uses accessory to the above

10.15.4 Parcel Size

- a) The minimum parcel size for a lot with municipal water and sewer service is 464.5 square meters (5,000 square feet).
- b) The minimum parcel size for all other lots is 929.0 square meters (10,000 square feet).

10.15.5 Setbacks

For Permitted uses, and Retail Liquor Stores:

- a) Front yard: no setback required
- b) Side yard: 2.44 metres (8 feet) (unless approved Alberta Safety Code fire rating are met to allow wall or respective building materials to reduce distance. *(amended by Bylaw 2019/44)*)
- c) Rear yard: 5.0 meters (16 feet)

For all other discretionary uses:

- d) Front yard: 10.0 meters (33 feet)
- e) Side yard: 3.0 meters (10 feet)
- f) Rear yard: 5.0 meters (16 feet)

10.15.6 Parking and Loading

The off-street parking spaces and/or off-street loading bays shall be required in accordance with Section 9.14. A parking plan must be submitted with a development permit including visitor, employee vehicle inventory and resident vehicles.

10.15.7 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.15.8 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.15.9 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.15.10 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.16 Urban Industrial District (UI)

10.16.1 Purpose

The purpose of the Urban Industrial District (UI) is to allow for the subdivision and/or development of industrial uses in hamlets which can now or may, in the future, be tied into full municipal services. Industrial uses must not unduly impact negatively on adjacent landowners and uses.

10.16.2 Discretionary Uses

- a) Manufacturing and/or Processing Plant (*amended by Bylaw 2019/44*)
- b) Resource Processing Operation
- c) Public Utility
- d) Cannabis Production Facility (*amended by Bylaw 2018/55*)
- e) Cannabis Storage and Distribution Facility (*amended by Bylaw 2018/55*)
- f) Buildings and uses accessory to the above

10.16.3 Parcel Size

The minimum parcel size is 1,858.0 square m (20,000 square feet) with a minimum width of 33 meters (100 feet) or, as required by Council or the Development Officer.

10.16.4 Setbacks

- a) Front yard: see Section 9.10.1 except for internal subdivision road. The front yard setback from an internal subdivision road must be 15.0 meters (50 feet)
- b) Side yard: 15.0 meters (50 feet)
- c) Rear yard: 15.0 meters (50 feet)

10.16.5 Parking and Loading

The off-street parking spaces and/or off-street loading bays shall be required in accordance with Section 9.14.

10.16.6 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.16.7 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.16.8 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.16.9 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.17 Highway Interchange Commercial District (HIC)

10.17.1 Purpose

The purpose of this district is to provide sites for businesses requiring easy access to Highway 2 as they serve the travelling public or a regional market. As supported by Commercial and Industrial Development in the Highway 2 Corridor Policy 61.1.12, land will only be classified for this use:

- a) with the consent of Alberta Transportation; and
- b) where, in Council 's opinion, the loss of farm land and the possible interference with farming operations fall within acceptable limits; and
- c) after an Area Structure Plan has been adopted by Bylaw, setting out the long term development of the entire quarter section and its relationship to surrounding land and highways and the means whereby it will be served with utilities.

10.17.2 Permitted Uses

- a) Hotels
- b) Campgrounds
- c) Service Station
- d) Convenience Stores – operated as part of gas stations
- e) Restaurants
- f) Farm Supply and Services Dealer
- g) General Contractor
- h) Oilfield Service Businesses
- i) Warehouse
- j) Recreational Vehicle/Off-highway Vehicle Dealer or Storage
- k) Public Utility
- l) Offsite Home Occupation (Type 1)
- m) Buildings and uses accessory to the above

10.17.3 Discretionary Uses

- a) Retail Liquor Store
- b) Cannabis Production Facility (*amended by Bylaw 2018/55*)
- c) Cannabis Storage and Distribution Facility (*amended by Bylaw 2018/55*)
- d) Cannabis Accessory Store (*amended by Bylaw 2018/55*)
- e) Buildings and uses accessory to the above

10.17.4 Parcel size

The minimum size of parcel shall be determined by the Development Authority bearing in mind the need for parking, building setbacks, fire separation and waste water disposal.

10.17.5 Parking

Parking and loading must be accommodated on-site and will not be permitted on adjacent roads. See Section 9.14.

10.17.6 Setbacks

Buildings shall be set back from roads by the distances set out in Section 9.10.1 and Figure 2 or such greater distance as may be required by the Roadside Development Permit issued by Alberta Transportation.

10.17.7 Aesthetic Standards

Landscaping, screening, and building treatment shall be as required by the Development Officer.

10.17.8 Fire Protection

The Development Authority may require a developer to amend his application to minimize the risk of fire, and in this regard he may require construction of a fire pond and stipulate the type of ground cover and building cladding and separation and other measures designed to minimize the risk of fire starting or spreading.

10.18 Industrial District (IN)

10.18.1 Purpose

The purpose of the Industrial District (IN) is to allow for the development of industrial land uses in the County where there is a minimal impact on the social and physical environment.

10.18.2 Permitted Uses

- a) Agriculture, Extensive
- b) Buildings and uses accessory to the above

10.18.3 Discretionary Uses

- a) Warehouse
- b) Manufacturing and Processing Operation
- c) Resource Processing Operation
- d) Auto Wrecking Yard
- e) Other uses deemed to be industrial in nature by the Development Officer which may include but are not limited to the following external impacts: noise, dust, emissions, large traffic volumes, truck traffic, hazardous goods, unusual operating hours.
- f) Public Utility
- g) Abattoir
- h) Veterinary Clinic
- i) Bulk Fuel Dealer
- j) Grain Elevator, Terminal or Handling Facility
- k) Cannabis Production Facility (*amended by Bylaw 2018/55*)
- l) Cannabis Storage and Distribution Facility (*amended by Bylaw 2018/55*)
- m) Offsite Home Occupation (Type 1)
- n) Buildings and uses accessory to the above

10.18.4 Parcel Size

Dependent on the level of servicing and site standards related to the proposed use.

10.18.5 Setbacks

- a) Front yard: 40.0 meters (131 feet)
- b) Side yard: 20.0 meters (66 feet)
- c) Rear yard: 20.0 meters (66 feet)

10.18.6 Special Provisions

The developer may also be asked to provide information on location, industry type, building size, workforce, demand for water and proposed source, demand for emergency services, production of effluent and method of treatment, transportation routes to be used, ancillary services required (roads, rail spurs, pipelines) and any additional information which the Development Officer deems necessary to make a decision.

10.18.7 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.18.8 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.18.9 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.18.10 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.19 Institutional District (IS)

10.19.1 Purpose

The purpose of the Institutional District (IS) is to provide land for uses serving the educational, health, social and other needs of the general public.

10.19.2 Permitted Uses

- a) Agriculture, Extensive
- b) Public Park
- c) Buildings and uses accessory to the above

10.19.3 Discretionary Uses

- a) Community Hall
- b) Place of Worship
- c) Manse
- d) Campground - if accessory to b) Place of Worship
- e) Recreational, Extensive - if accessory to b) Place of Worship
- f) Cemetery
- g) Public or Quasi-Public Use
- h) Public Utility
- i) Offsite Home Occupation (Type 1)
- j) Buildings and uses accessory to the above

10.19.4 Parcel size

Dependent on the level of servicing and site standards related to the proposed use.

10.19.5 Setbacks

- a) Front yard: see Section 9.10.1 and (d) below.
- b) Side yard: 5.0 meters (16 feet)
- c) Rear yard: 10.0 meters (33 feet)
- d) No development can be located within 6.0 meters (20 feet) of a road or the property line of a reserve parcel.

10.19.6 Environmental Protection Measures

- a) The developer must discuss proposals for land clearance with the Development Officer who may, in the development permit, stipulate areas which may be cleared and areas, which are to be left in their natural state in conjunction with Section 9.3.
- b) The developer must provide information on density levels for such uses as a campground along with information on water supply and sewage disposal.

- c) No trees or vegetation shall be cleared from within 50.0 meters (164 feet) of the edge of a water feature except to provide physical access to the water feature and only to a maximum width of 3.0 meters (10 feet).

10.19.7 Special Provisions

Density of development is at the discretion of Council and/or the Development Officer, having considered local road capacity, ground water supply, proposed sewage treatment, availability of emergency services and effects on adjacent land uses.

10.19.8 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.19.9 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.19.10 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.19.11 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.20 Urban Fringe District (UF)

10.20.1 Purpose

The purpose of the Urban Fringe District (UF) is to manage lands surrounding hamlets and towns so that they can be converted to urban uses. Subdivision and development, which will act as a barrier to this urban growth, is not allowed.

10.20.2 Permitted Uses

- a) Agriculture, Extensive
- b) Buildings and uses accessory to the above

10.20.3 Discretionary Uses

- a) Dwelling Detached
- b) Dwelling, Modular – New
- c) Dwelling, Modular – Used
- d) Dwelling, Moved-in
- e) Dwelling, Mobile – New
- f) Dwelling, Secondary Suite
- g) Intensive Livestock Operations - situated within 400.0 meters (1312 feet) from any land not classified as Agricultural or Severed Agricultural
- h) Agriculture, Intensive
- i) Tree Farm
- j) Bed and Breakfast
- k) ~~Home Occupation~~
- l) Kennel
- m) Public Utility
- n) Public Park
- o) ~~Minor Business~~
- p) RV/OHV Storage
- q) ~~Offsite Home Occupation (Type 1)~~
- r) ~~Offsite Home Occupation (Type 2)~~
- s) ~~Onsite Home Occupation (Type 1)~~
- t) ~~Onsite Home Occupation (Type 2)~~
- u) ~~Onsite Home Occupation (Type 3)~~
- v) ~~Market Garden~~
- w) Buildings and uses accessory to the above

10.20.4 Setbacks

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 meters (16 feet)
- c) Rear yard: 10.0 meters (33 feet)

10.20.5 Subdivision and Development Standards

The Subdivision Authority or the Development Officer may apply standards found elsewhere in this Bylaw in making a decision on a subdivision or development permit application.

10.20.6 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.20.7 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.20.8 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.20.9 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.21 Recreational District (R)

10.21.1 Purpose

The purpose of the Recreational District (R) is to allow low-impact and/or intensive recreational developments.

10.21.2 Discretionary Uses

- a) Subject to Section 10.21.5, a Detached, Mobile (new or used), Modular (new or used) or Moved-in Dwelling, or a maximum of one Recreational Units Use (one unit) unless approved in greater numbers in a Recreational Vehicle Park or Campground land use.
- b) Golf Course
- c) Recreational Units Park
- d) Campground
- e) Public or Quasi-Public Use
- f) Race Track
- g) Public Utility
- h) Drive-In Theatre
- i) Recreational Extensive Use
- j) Recreational Commercial Use
- k) Rural Event Facility (*amended by Bylaw 2019/44*)
- l) **Offsite Home Occupation (Type 1)**
- m) Buildings and uses accessory to the above

10.21.3 Parcel Size

Dependent on the level of servicing and site standards related to the proposed use.

10.21.4 Setbacks

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 meters (16 feet)
- c) Rear yard: 10.0 meters (33 feet)

10.21.5 Residential Use

A detached, mobile, modular or moved-in dwelling may be permitted as a discretionary use subordinate to the primary recreational use only by on-site management and/or custodial staff.

10.21.6 Environmental Protection Measures

- a) The developer must discuss proposals for land clearance with the Development Officer who may, in a development permit, stipulate areas which may be cleared and areas which are to be left in their natural state in conjunction with Section 9.3.
- b) The developer must provide information on density levels for such uses as campgrounds along with information on water supply and sewage disposal. The number of sites allowed will be determined by the available water supply and adequacy of the proposed sewer system, and according to design criteria acceptable to the County.
- c) Recreational developments will be required to meet any regulations as required by Alberta Health or the Crossroads Regional Health Authority.

10.21.7 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.21.8 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.21.9 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.21.10 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.22 Watershed Protection District (WP)

10.22.1 Purpose

The purpose of the Watershed Protection District (WP) is to reduce flooding, improve water quality, and maintain wildlife habitat by encouraging the maintenance of natural vegetation adjacent to watercourses and in important watershed areas.

10.22.2 Permitted Uses

- a) Agriculture, Extensive - subject to the restrictions on land clearance set out in Section 10.21.6.
- b) Dwelling, Detached
- c) Dwelling, Modular – New
- d) Dwelling, Mobile – New
- e) Buildings and uses accessory to the above

10.22.3 Discretionary Uses

- a) Intensive Livestock Operation
- b) ~~Home Occupations~~
- c) Bed and Breakfast
- d) Recreational, Extensive
- e) Public Utility
- f) Dwelling, Modular – Used
- g) Dwelling, Mobile – Used
- h) Dwelling, Moved-in
- i) Dwelling, Secondary Suite
- j) Greenhouse
- k) Veterinary Clinic
- l) Recreational Units Use (greater than 32.0 hectares (80 acres), where no dwelling exists – maximum 3 year permit. If the landowner wishes the use to continue, they must re-apply for the use prior to the expiry of the permit).
- m) Apiary (*amended by Bylaw 2019/44*)
- n) ~~Offsite Home Occupation (Type 1)~~
- o) ~~Offsite Home Occupation (Type 2)~~
- p) ~~Onsite Home Occupation (Type 1)~~

- q) Onsite Home Occupation (Type 2)
- r) Onsite Home Occupation (Type 3)
- s) Market Garden
- t) Buildings and uses accessory to the above

10.22.4 Number of dwellings on a lot

No more than one dwelling shall be placed on a lot, except where a development permit has been issued under Section 9.8.

10.22.5 Lot Sizes

- a) Land which is cleared and in production may be subdivided under the rules set out for the Agricultural district.
- b) One existing yard site may be subdivided out of a complete quarter section under the rules set out for the Agricultural and Rural Residential districts.
- c) Land which is:
 - i. at least 80% covered by mature trees, or
 - ii. at least 80% historically wetland which is incapable of supporting a crop or tame hay,

may be subdivided into lots with a minimum size of 8.0 hectares (20 acres) provided that each lot has a suitable building site as defined by Section 9.12.

10.22.6 Setbacks

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 meters (16 feet)
- c) Rear yard: 10.0 meters (33 feet)
- d) No development shall be located within 50 meters (164 feet) of a boundary of a creek, stream or ravine.

10.22.7 Maintenance of Natural Vegetation

When a lot is created under section 10.22.5 (c):

- a) no more than 20% of its natural vegetation shall be cleared or removed, and
- b) the Subdivision Authority may require, as a condition of subdivision approval, that a restrictive covenant, conservation easement, or similar agreement be registered on the title to enforce the restrictions on clearance of natural vegetation.

10.22.8 Building Height

- a) The maximum height of the principal buildings shall be 10.0 meters (33 feet)
- b) The maximum height of an accessory building shall be 4.5 meters (15 feet)

10.22.9 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.22.10 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.22.11 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.22.12 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.23 Rural Conservation District (RCV)

10.23.1 Purpose

The purpose of Rural Conservation District (RCV) is to preserve existing tree and vegetation cover in the County. The district may be implemented next to significant rivers, streams and lakes, but excluding those lakes classed as Type 3 in the Municipal Development Plan. At Council's discretion, the district may also be implemented in other parts of the County where Council is of the opinion that there is an environmental benefit in doing so and where the greater public interest is served.

10.23.2 Permitted Uses

- a) Dwelling, Detached.
- b) Dwelling, Mobile – New
- c) Dwelling, Modular – New
- d) Buildings and uses accessory to the above

10.23.3 Discretionary Uses

- a) Dwelling, Modular – Used
- b) Dwelling, Moved-in
- c) Dwelling, Secondary Suite
- d) ~~Home Occupation~~
- e) Bed and Breakfast
- f) Public Utility
- g) ~~Offsite Home Occupation (Type 1)~~
- h) Buildings and uses accessory to the above

10.23.4 Parcel Size and Site Standards

- a) The minimum parcel size is 4.0 hectares (10 acres).
- b) Council may not consider an application for subdivision under this district unless proposed lots are designed to include a minimum of 60% tree covered land.

10.23.5 Setbacks

- a) No development can be located within 6.0 meters (20 feet) of the property line or 50.0 meters (164 feet) from a boundary of a water feature, whichever is greater, and as shown in the General Regulations.
- b) Front yard: see Section 9.10.1
- c) Side yard: 5.0 meters (16 feet)

- d) Rear yard: 10.0 meters (33 feet)

10.23.6 Environmental Protection Measures

- a) See Section 9.3.
- b) No more than 40% of the area in a Rural Conservation parcel can be cleared of its natural vegetation.
- c) No trees or vegetation can be cleared from within 50.0 meters (164 feet) of the edge of a water feature except to provide physical access to the water feature and only to a maximum of 10% of the frontage.

10.23.7 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.23.8 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.23.9 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.23.10 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.24 Wizard Lake Watershed District (WLW)

10.24.1 Purpose

The purpose of this district is to preserve existing tree and vegetation cover around Wizard Lake. The Wizard Lake Watershed District may be applied to land indicated on the map entitled *Wizard Lake Management Plan – Plan Area* in the *Wizard Lake Management Plan*.

10.24.2 Permitted Uses

- a) Dwelling, Detached
- b) Dwelling, Mobile – New
- c) Dwelling, Modular – New
- d) Buildings and uses accessory to the above

10.24.3 Discretionary Uses

- a) Dwelling, Mobile – Used
- b) Dwelling, Modular – Used
- c) Dwelling, Moved – in
- d) Dwelling, Secondary Suite
- e) ~~Home Occupation~~
- f) Bed and Breakfast
- g) Recreational, Extensive
- h) Kennel
- i) Public Utility
- j) Veterinary Clinic
- k) Guest Cabin
- l) Apiary (*amended by Bylaw 2019/44*)
- m) Recreational Units Use (where no dwelling exists – maximum 3-year permit. If the landowner wants the use to continue, they may reapply for the use prior to the expiry of the development permit)
- n) ~~Offsite Home Occupation (Type 1)~~
- o) ~~Onsite Home Occupation (Type 1)~~
- p) Buildings and uses accessory to the above

10.24.4 Parcel Size

- a) On tree covered land which is within 400.0 meters (1312 feet) of Wizard Lake, or which has a view of the lake, the minimum parcel size is 2.0 hectares (5 acres).
- b) On tree covered land other than that described in (a) above, the minimum parcel size is 5.0 hectares (12 acres).

- c) On land seeded to permanent grass, the minimum parcel size is 16.0 hectares (40 acres).
- d) On land which is seeded to annual crops, the minimum parcel size is 32.0 hectares (80 acres).
- e) Where land is traversed by creeks, ravines, or other obstacles, the minimum lot size may be varied so that the obstacles are conformable with parcel boundaries.

10.24.5 Density of Development

The number of lots that may be created on a quarter section of land is the lesser of:

- a) the number of families whose water needs can be met on a sustainable basis from the underlying aquifer, where that aquifer has been tested by a professional engineer using methods acceptable to Alberta Environmental Protection, or
- b) the number allowed under Section 10.23.4, or
- c) twenty-four

10.24.6 Setbacks

- a) No part of any residential parcel shall be located closer than 50.0 meters (154 feet) to the lake shore, or to the top of the lake bank, whichever is greater.
- b) All buildings shall be set back at least 6.0 meters (20 feet) from the property line, or 50.0 meters (154 feet) from any water feature, whichever is greater, and as shown in the General Regulations.
- c) In addition to the setbacks noted in (b) above, all buildings shall be set backs from property lines as follows:
 - i. Front yard: see Section 9.10.1
 - ii. Side yard: 5.0 meters (16 feet)
 - iii. Rear yard: 10.0 meters (33 feet)

10.24.7 Environmental Protection Measures

- a) See Section 9.3.
- b) On parcels of land less than 32.0 hectares (80 acres) in size, no more than 20% of the parcel shall be cleared of its tree cover and other natural vegetation.
- c) No trees or vegetation shall be cleared from within 50.0 meters (164 feet) of the edge of a water feature except to provide physical access to the water feature and only to a maximum of width of 3.0 meters (10 feet).
- d) Steeply sloping banks, ravines, water recharge areas and land underlain by coal mines will be taken into municipal or environmental reserve when land is subdivided. Alternatively, an environmental reserve easement may be registered to protect tree cover.

10.24.8 Building Height

- a) The maximum building height of all principal buildings shall be 10.0 meters (33 feet)
- b) The maximum height of an accessory building shall be 6.0 meters (20 feet).

10.24.9 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.24.10 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.24.11 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.24.12 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.25 Agricultural/Intermunicipal Development Plan District (A/ID)

10.25.1 Purpose

The purpose of the Agricultural/Intermunicipal Development Plan District (A/ID) is to manage lands surrounding the City of Wetaskiwin, as defined in the City/County Intermunicipal Development Plan (IDP) so that they can be converted to urban uses at urban densities. Subdivision and development, which will act as a barrier to the future growth of the City, is not allowed.

10.25.2 Permitted Uses

- a) Agriculture, Extensive
- b) Dwelling, Modular – New
- c) Buildings and uses accessory to the above

10.25.3 Discretionary Uses

- a) Dwelling, Detached
- b) Dwelling, Mobile – New
- c) Dwelling, Moved-in
- d) Dwelling, Modular – Used
- e) Dwelling, Secondary Suite
- f) Intensive Livestock Operation - in operation on or before October 13, 1998
- g) Intensive Livestock Operation - outside of 3.2 kilometers of the City boundary
- h) Tree Farm
- i) Bed and Breakfast
- j) ~~Home Occupation~~
- k) Public Utility
- l) ~~Offsite Home Occupation (Type 1)~~
- m) ~~Offsite Home Occupation (Type 2)~~
- n) ~~Onsite Home Occupation (Type 1)~~
- o) ~~Onsite Home Occupation (Type 2)~~
- p) Buildings and uses accessory to the above

10.25.4 Setbacks

Notwithstanding Section 9.10.1, setbacks from future arterial roads are to be measured from the future widened rights of way.

10.25.5 Subdivision and Development Standards

- a) All new farm buildings require development permits.

- b) In the event that subdivision and/or development approvals are issued with respect to land that is likely to be annexed by the City, the required infrastructure is to be developed to the City's standards.
- c) The Subdivision Authority or the Development Officer may apply standards found elsewhere in this Bylaw or any other statutory document in making a decision on a subdivision or development permit application.

10.25.6 Intensive Livestock Operations

- a) Intensive livestock uses, which existed and were in operation on October 13, 1998 are "grand-fathered" and may continue to operate indefinitely. This status is not affected by a change of ownership.
- b) Intensive livestock uses which existed and were in operation on October 13, 1998 may continue to operate, expand, or convert to other intensive livestock uses, subject to the AOPA and this Bylaw.
- c) no new intensive livestock operations are allowed within 3.2 km (2 miles) of the City boundary within the City/County Intermunicipal Development Plan area.
- d) A development permit is required for the spreading of animal manure.

10.25.7 Roads

- a) Proposed subdivisions and developments must be evaluated in relation to future arterial roads, as shown on Map 4 of the IDP.
- b) Development is prohibited where it will interfere with or impede the development of future arterial roads.
- c) Future road rights-of-way will need to be widened to a 24.0 or 30.0 meter (78 to 98 feet) standard. Road widening acquisitions must be negotiated with affected landowners, or where appropriate, acquired by dedication through the subdivision process.

10.25.8 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

10.25.9 Sewage and Wastewater

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.25.10 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.25.11 Enforcement

Offences and fines are outlined in Section 5, Contravention.

10.26 Environmental Reserve District (ER)

10.26.1 Purpose

The purpose of the Environment Reserve District (ER) is to allow for the dedication and existence of environmental reserves in accordance with Section 664 of the Municipal Government Act as defined below.

10.26.2 Definition

- (1.1) A subdivision authority may require land to be provided as environmental reserve only for one or more of the following purposes:
- (a) to preserve the natural features of land referred to in subsection (1)(a), (b) or (c) where, in the opinion of the subdivision authority, those features should be preserved;
 - (b) to prevent pollution of the land or of the bed and shore of an adjacent body of water;
 - (c) to ensure public access to and beside the bed and shore of a body of water lying on or adjacent to the land;
 - (d) to prevent development of the land where, in the opinion of the subdivision authority, the natural features of the land would present a significant risk of personal injury or property damage occurring during development or use of the land.

(1.2) For the purposes of subsection (1.1) (b) and (c), “bed and shore” means the natural bed and shore as determined under the Surveys Act.

(2) If the owner of a parcel of land that is the subject of a proposed subdivision and the municipality agree that any or all of the land that is to be taken as environmental reserve is instead to be the subject of an environmental reserve easement for the protection and enhancement of the environment, an easement may be registered against the land in favour of the municipality at a land titles office.

(3) The environmental reserve easement

- (a) must identify which part of the parcel of land the easement applies to,
- (b) must require that land that is subject to the easement remain in a natural state as if it were owned by the municipality, whether or not the municipality has an interest in land that would be benefitted by the easement,
- (c) runs with the land on any disposition of the land,
- (d) constitutes an interest in land in the municipality, and
- (e) may be enforced by the municipality.

(4) An environmental reserve easement does not lapse by reason only of

- (a) non-enforcement of it,

- (b) the use of the land that is the subject of the easement for a purpose that is inconsistent with the purposes of the easement, or
- (c) a change in the use of land that surrounds or is adjacent to the land that is the subject of the easement.

(5) When an easement is presented for registration under subsection (2), the Registrar must endorse a memorandum of the environmental reserve easement on any certificate of title relating to the land.

(6) Despite section 48(4) of the Land Titles Act, an easement registered under subsection (2) may be removed only pursuant to section 658(3.1).

(7) An environmental reserve easement is deemed to be a condition or covenant for the purposes of section 48(4) and (6) of the Land Titles Act.

(8) Subject to subsection (7), this section applies despite section 48 of the Land Titles Act.

(9) A caveat registered under this section prior to April 30, 1998 is deemed to be an environmental reserve easement registered under this section.

(Section 10.26.2 was amended by Bylaw 2019/44)

10.26.3 Permitted and Discretionary Uses

Only those land uses as defined in the definition above are allowed and no development in any kind or form of land use will be allowed unless such use is consistent with the definition as prescribed in writing under this Bylaw.

10.26.4 Enforcement

Offenses and fines are outlined in Section 5, Contravention.

10.27 Municipal Reserve District (MR)

10.27.1 Purpose

The purpose of the Municipal Reserve District (MR) is to allow for the dedication and existence of Municipal Reserves in accordance with Section 665 and 666 of the Municipal Government Act as defined below.

10.27.2 Definition

A Council may by Bylaw require that a parcel of land or part of a parcel of land that it owns or that is in the process of acquiring be designated as municipal reserve. Also, subject to Section 663, a subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel of land as municipal reserve.

10.27.3 Permitted and Discretionary Uses

No development in any kind or form of land use will be allowed unless such use is consistent with the Municipal Government Act and as prescribed in writing under this Land Use Bylaw.

10.27.4 Enforcement

Offenses and fines are outlined in Section 5, Contravention

10.28 Municipal School Reserves District (MS)

10.28.1 Purpose

The purpose of the Municipal and School Reserve are to allow for the dedication and existence of Municipal and School Reserves in accordance with Section 666 of the Municipal Government Act as defined below.

10.28.2 Definition

Subject to Section 663, a subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel of land as municipal reserve, school reserve or municipal and school reserve.

10.28.3 Permitted and Discretionary Uses

No development in any kind or form of land use will be allowed unless such use is consistent with the Municipal Government Act and as prescribed in writing under this Land Use Bylaw.

10.28.4 Enforcement

Offenses and fines are outlined in Section 5, Contravention

10.29 Conservation Reserve (Environmental) (CR-E)

10.29.1 Purpose

The purpose of the Conservation (Environmental) Reserve are to allow for the dedication and existence of Conservation (Environmental) Reserves in accordance with Section 664.2(1) of the Municipal Government Act as defined below.

10.29.2 Definition

Subject to Section 664.2

- (1) a subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel of land to the municipality as conservation reserve if
 - a) in the opinion of the subdivision authority, the land has environmentally significant features,
 - b) the land is not land that could be required to be provided as environmental reserve,
 - c) the purpose of taking the conservation reserve is to enable the municipality to protect and conserve the land, and
 - d) the taking of the land as conservation reserve is consistent with the municipality's municipal development plan and area structure plan.
- (2) Within 30 days after the Registrar issues a new certificate of title under section 665(2) for a conservation reserve, the municipality must pay compensation to the landowner in an amount equal to the market value of the land at the time the application for subdivision approval was received by the subdivision authority.
- (3) If the municipality and the landowner disagree on the market value of the land, the matter must be determined by the Land Compensation Board.

10.30 Direct Control District (DC)

10.30.1 Purpose

Pursuant to Section 641 of the Act, Council may exercise direct control over the use and development of land and buildings within a given area of the County.

10.30.2 Control of Use and Development

Council may regulate and control the use or development of land or buildings in the district as it sees fit. Council may issue a development permit or may delegate this responsibility to the Development Officer to exercise pursuant to Council 's directions.

10.30.3 Designation of Direct Control Districts

In accordance with Section 641(4) of the Municipal Government Act 2000 Chapter M-26 (MGA), if a decision with respect to a development permit application in respect of a direct control district

- a) is made by a Council, there is no appeal to the subdivision and development appeal board, or
- b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of Council , and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

10.31 Recreational Resort Holdings District- Dorchester Ranch Resort (RRHD) (amended by Bylaw 2018/29)

10.31.1 Purpose

The purpose of the RRH-DRR district is to allow the development of individually owned recreational holdings within the Dorchester Ranch Resort subdivision within the S ½ -25 – 45 – 1 W5M. It recognizes the desire to allow for mixed Residential/Recreational uses. Commercial activities are also allowed where they are compatible with residential use.

10.31.2 Permitted Uses

- a) Recreational Units Use **or** single detached modular dwelling (maximum length of 16.8m (55 ft).), limited to one per lot
- b) Recreational Extensive (amended by Bylaw 2019/44)
- c) Public parks
- d) Public utility installations
- e) Buildings and uses accessory to the above

10.31.3 Discretionary Uses

- a) Dwelling, Mobile – New (to a maximum length of 16.8 m (55 ft.))
- b) ~~Home occupations~~
- c) Bed and breakfast (amended by Bylaw 2019/44)
- d) Golf courses, as defined in Section 1.2
- e) Showhomes
- f) Day Care
- g) **Offsite Home Occupation (Type 1)**
- h) Buildings and uses accessory to the above (amended by Bylaw 2019/44)

10.31.4 Recreational Units

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units. As Recreational Units Use is a Permitted use, Short Term Camping and Recreational Units Storage are not allowed in this district.

10.31.5 Lot sizes

- a) In a proposed subdivision served **or** proposed to be served by a municipal water system and a municipal sewer system, each lot intended for residential use must have an area of at least 416 square meters (4,477 square feet) and a mean width of at least 12.8 meters (42 feet).
- b) In addition to the sizes set out above, an irregular or pie shaped lot shall have a road frontage of at least 7.69 meters (25.2 feet).
- c) The lot size requirements set out above may be over-ridden by other standards

set out in an area structure plan following input from health and environmental agencies.

10.31.6 Setbacks

- a) No development can be located within 6 meters (19.6 ft.) of a road, the shore of a water feature as defined by Section 3 of the Public Lands Act, or the property line of a reserve parcel
- b) No development can be located within 2.44 metres (8 feet) of any other property line. (Unless approved Alberta Safety Codes fire ratings are met to allow wall or respective building materials to reduce distance.) (amended by Bylaw 2019/44)
- c) Lots directly adjacent to the golf course will have a rear yard setback no less than 6 meters (19.6 ft).
- d) In the RRH-DRR district, rear yard and side yard setbacks cannot be relaxed by the Development Officer.

10.31.7 Height Restriction

- a) The principal dwelling shall be a maximum of one (1) story AND not more than 6.7 m (22 ft.) above grade at any point
- b) Unattached accessory building(s) shall be restricted in height to a maximum of 3.7 m (12 ft.) above grade at its highest point and shall not exceed the height of the principal dwelling/RV unit

10.31.8 Site Coverage

The area of land covered by all buildings must not exceed 40% of the area of the lot on which the buildings are situated.

10.31.9 Wastewater

The collection, treatment, and disposal of waste water (sewage) must be addressed in any subdivision or development application, and a system acceptable to the development officer must be specified in an agreement under this Land Use Bylaw or the Act.

10.31.10 Means of registration

A development under RRH-DRR zoning shall be registered as a subdivision and not as a condominium or bare land condominium.

10.31.11 Third party restrictions on land use

When making a decision on an application for a development permit, the development officer is not bound by any restrictive covenants, architectural guidelines, or similar restrictions registered on the title of a lot.

10.31.12 Sewage and Wastewater


Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

10.31.13 Utility Hookups

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

10.31.14 Enforcement

Offences and fines are outlined in Section 5, Contravention.



Appendix A:

Animal Units

If a livestock operation is the size* listed in the regulations under AOPA, it is a confined feeding operation which requires approval from the NRCB, and no municipal approval is required. If the operation is smaller than the size listed below, it is an intensive livestock operation, and a development permit may be required.

At the date this Bylaw was passed, the figures in the AOPA regulations were as listed below.

Threshold Levels


Schedule 1 from AOPA: Animal Units

Category of Livestock	Type of Livestock	Factor to be used to determine the animal units
Beef	Cows/Finishers (900+ lbs)	1.1
	Feeders (450 – 900 lbs)	2
	Feeder Calves (< 550 lbs)	3.6
Dairy (*count lactating cows only to calculate animal units)	Free Stall – Lactating Cows with all associated dries, heifers, and calves*	0.5
	Free Stall – Lactating with Dry Cows only*	0.6
	Free Stall – Lactating cows only	0.7
	Tie Stall – Lactating cows only	0.7
	Loose Housing – Lactating cows only	0.7
	Dry cow	1
	Replacements – Bred Heifers (Breeding to calving)	1.15
	Replacements – Growing Heifers (350 lbs to breeding)	1.9
	Calves (< 350 lbs)	5
Swine (*count sows only to calculate animal units)	Farrow to finish*	0.56
	Farrow to wean*	1.5
	Farrow only*	1.9
	Feeders/Boars	5
	Growers/Roasters	8.5
	Weaners	18.2
Poultry	Chicken – Breeders	100
	Chicken – Layer–Liquid (includes associated pullets)	125
	Chicken – Layers (Belt Cage)	150
	Chicken – Layers (Deep Pit)	150
	Chicken – Pullets/Broilers	500
	Turkeys – Toms/Breeders	50
	Turkey – Hens (light)	75
	Turkey – Broilers	100
	Ducks	100
	Geese	50
Horses	PMU	1
	Feeders > 750 lbs	1
	Foals < 750 lbs	3.3
	Mules	1
	Donkeys	1.5
Sheep	Ewes/rams	5

Category of Livestock	Type of Livestock	Factor to be used to determine the animal units
	Ewes with Lambs	4
	Lambs	21
	Feeders	10
Goats	Meat/Milk (per Ewe)	6
	Nannies/Billies	10
	Feeders	13
Bison	Bison	1
Cervid	Elk	1.7
	Deer	5
Wild Boar	Feeders	6
	Sow (farrowing)	1.25

AR 257/2001 Sched. 1;90/2004;193/2006Jurisdiction over Livestock Operations

*size- refers to the number of Animal Units listed Under Schedule 1 from AOPA Animal Units



Appendix B:

Jurisdiction over Livestock Operations

Schedule 2 from AOPA:

Threshold Levels

If the *size* * is more than what is listed in the table below you will be need to contact the NRCB to require the proper permits from the NRCB.

Category of Livestock	Type of Livestock	Column 2	Column 3
		Number of Animals (registration)	Number of Animals (approvals)
Beef	Cows/Finishers (900+ lbs)	150 – 349	350+
	Feeders (450 – 900 lbs)	200 – 499	500+
	Feeder Calves (< 550 lbs)	360 – 899	900+
Dairy (*count lactating cows only)	Lactating cows* (Lactating cows only – associated Dries, Heifers, and Calves are not counted)	50 – 199	200+
Swine (*count sows only)	Farrow to finish*	30 – 249	250+
	Farrow to wean*	50 – 999	1000+
	Farrow only*	60 – 1249	1250+
	Feeders/Boars	500 – 3299	3300+
	Roasters	500 – 5999	6000+
	Weaners	500 – 8999	9000+
Poultry	Chicken – Breeders	1000 – 15999	16000+
	Chicken – Layer (includes associated pullets)	5000 – 29999	30000+
	Chicken – Pullets/Broilers	2000 – 59999	60000+
	Turkeys – Toms/Breeders	1000 – 29999	30000+
	Turkey – Hens (light)	1000 – 29999	30000+
	Turkey – Broiler	1000 – 29999	30000+
	Ducks	1000 – 29999	30000+
	Geese	1000 – 29999	30000+
Horses	PMU	100 – 399	400+
	Feeders > 750 lbs	100 – 299	300+
	Foals < 750 lbs	350 – 999	1000+
	Mules	100 – 299	300+
	Donkeys	150 – 449	500+
Sheep	Ewes/rams	300 – 1999	2000+
	Ewes with Lambs	200 – 1999	2000+
	Lambs	1000 – 4999	5000+
	Feeders	500 – 2499	2500+
Goats	Meat/Milk	200 – 1999	2000+
	Nannies/Billies	400 – 2999	3000+
	Feeders	500 – 4999	5000+

Bison	Bison	150 – 349	350+
Cervid	Elk	150 – 399	400+
	Deer	200 – 999	1000+
Wild Boar	Feeders	100 – 299	300+
	Sow (farrowing)	50 – 99	100+

- When Dairy Replacement Heifers are housed away from the dairy treat as Beef – Feeders.
- When Dairy calves are housed away from the dairy treat as Beef – Feeder Calves

AR 257/2001 Sched. 2;90/2004;193/200

*size- refers to the number of Animal Units listed Under Schedule 1 from AOPA Animal Units

Appendix C:

Setbacks from the Subdivision
and Development Regulation

Setbacks from Sour Gas Facilities, Gas and Oil Wells and Wastewater Treatment Facilities, Waste Sites and Landfills

from the Subdivision and Development Regulation (AR43/2002)

Sour gas facilities

10(1) A subdivision authority must send a copy of a subdivision application and a development authority must send a copy of a development application for a development that results in a permanent additional overnight accommodation or public facility, as defined by the AER, to the AER if any of the land that is subject to the application is within 1.5 kilometers of a sour gas facility or a lesser distance agreed to, in writing, by the AER and the subdivision authority.

(2) If a copy of a subdivision application or development application is sent to the AER, the AER must provide the subdivision authority or development authority with its comments on the following matters in connection with the application:

- a) the AER's classification of the sour gas facility;
- b) minimum development setbacks necessary for the classification of the sour gas facility.

(3) A subdivision authority and development authority shall not approve an application that does not conform to the AER's setbacks unless the AER gives written approval to a lesser setback distance.

(4) An approval under subsection (3) may refer to applications for subdivision or development generally or to a specific application.

Gas and oil wells

11(1) A subdivision application or a development application shall not be approved if it would result in a permanent additional overnight accommodation or public facility, as defined by the AER, being located within 100 meters of a gas or oil well or within a lesser distance approved in writing by the AER.

(2) For the purposes of this section, distances are measured from the well head to the building or proposed building site.

(3) In this section, "gas or oil well" does not include an abandoned well as defined by the AER.

(4) An approval of the AER under subsection (1) may refer to applications for subdivision or development generally or to a specific application.

Distance from wastewater treatment

12(1) In this section, "working area" means those areas of a parcel of land that are currently being used or will be used for the processing of wastewater.

(2) Subject to subsection (5), a subdivision authority shall not approve an application for subdivision for school, hospital, food establishment or residential use unless

- (a) the property line of the proposed lot for school, hospital, food establishment or residential use is 300 metres or more from the working area of an operating wastewater treatment plant, or
- (b) on considering the matters referred to in section 7, each proposed lot includes a suitable building site for school, hospital, food establishment or residential use that is 300 meters or more from the working area of an operating wastewater treatment plant.

(3) Subject to subsection (5), a development authority shall not issue a development permit for a school, hospital, food establishment or residence within 300 meters of the working area of an operating wastewater treatment plant nor may a school, hospital, food establishment or residence be constructed if the building site is within 300 meters of the working area of an operating wastewater treatment plant.

(4) Subject to subsection (5),

- (a) a subdivision authority shall not approve an application for subdivision for the purposes of developing a wastewater treatment plant and a development authority may not issue a permit for the purposes of developing a wastewater treatment plant unless the working area of the wastewater treatment plant is situated at least 300 meters from any school, hospital, food establishment or residence or building site for a proposed school, hospital, food establishment or residence.

- (b) a development authority shall not issue a permit for the purposes of developing a wastewater treatment plant unless the working area of the wastewater treatment plant is situated at least 300 metres from the building site for an existing or a proposed school, hospital, food establishment or residence.

(5) The requirements contained in subsections (2) to (4) may be varied by a subdivision authority or a development authority with the written consent of the Deputy Minister of Environment and Sustainable Resource Development.

(6) A consent under subsection (5) may refer to applications for subdivision or development generally or to a specific application.

Distance from landfill, waste sited

13(1) In this section,

- (a) “disposal area” means those areas of a parcel of land

- i. that have been used and will not be used again for the placing of waste material, or
- ii. where waste processing or a burning activity is conducted in conjunction with a hazardous waste management facility or landfill;

- b) “working area” means those areas of a parcel of land

- i. that are currently being used or that still remain to be used for the placing of waste material, or
- ii. where waste processing or a burning activity is conducted in conjunction with a hazardous waste management facility, landfill or storage site.

(2) Subject to subsection (5), a subdivision authority shall not approve an application for subdivision for school, hospital, food establishment or residential use if the application would result in a property line of a lot created by subdivision for any of those uses being located

- a) within 450 meters of the working area of an operating landfill,
- b) within 300 meters of the disposal area of an operating or non-operating landfill,
- c) within 450 meters of the disposal area of a non-operating hazardous waste management facility,
- c.1) within 450 metres of the working area or disposal area of an operating hazardous waste management facility, or
- d) within 300 meters of the working area of an operating storage site.

(3) Subject to subsection (5), a development authority shall not issue a development permit for a school, hospital, food establishment or residence, nor may a school, hospital, food establishment or residence be constructed if the building site

- a) is within 450 meters of the working area of an operating landfill,
- b) is within 300 meters of the disposal area of an operating or non-operating landfill,
- c) is within 450 meters of the disposal area of a non-operating hazardous waste management facility,
- c.1) is within 450 metres of the working area or disposal area of an operating hazardous waste management facility, or
- d) is within 300 meters of the working area of an operating storage site.

(4) Subject to subsection (5), a subdivision authority shall not approve an application for subdivision, and a development authority shall not issue a permit, for the purposes of developing a landfill, hazardous waste management facility or storage site unless

- a) the working area of a landfill is situated at least 450 meters,
- b) the disposal area of a landfill is situated at least 300 meters,
- c) the working or disposal area of a hazardous waste management facility is situated at least 450 meters, and
- d) the working area of a storage site is situated at least 300 meters

from the property line of a school, hospital, food establishment or residence or building site proposed for a school, hospital, food establishment or residence.

(5) The requirements contained in subsections (1) to (4) may be varied by a subdivision authority or a development authority with the written consent of the Deputy Minister of Environment.

(6) A consent under subsection (5) may refer to applications for subdivision or development generally or to a specific application.



Appendix D:

Non-Conforming Use and Non-Conforming Buildings

Non-conforming Use and Non-Conforming Buildings

From the Municipal Government Amendment Act, 2000 Chapter M-26 as amended.

643(1) If a development permit has been issued on or before the day on which a land use Bylaw or a land use amendment Bylaw comes into force in a municipality and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the Bylaw.

(2) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use Bylaw then in effect.

(3) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.

(4) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.

(5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except

- a) to make it a conforming building,
- b) for routine maintenance of the building, if the development authority considers it necessary, or
- c) in accordance with a land use Bylaw that provides minor variance powers to the development authority for the purposes of this section.

(6) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use Bylaw.

(7) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.



Appendix E:

Development Appeal

Development Appeals

from the Municipal Government Amendment Act, 2000 Chapter.M-26 as amended.

Permit

683 Except as otherwise provided in a land use Bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use Bylaw.

Permit deemed refused

684 (1) The development authority must make a decision on the application for a development permit within 40 days after the receipt by the applicant of an acknowledgment under section 683.1(5) or (7) or, if applicable, in accordance with a land use bylaw made pursuant to section 640.1(b).

- (2) A time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the development authority.
- (3) If the development authority does not make a decision referred to in subsection (1) within the time required under subsection (1) or (2), the application is, at the option of the applicant, deemed to be refused.
- (4) Section 640(5) does not apply in the case of an application that was deemed to be refused under section 653.1(8) or 683.1(8).

Grounds for appeal

685(1) If a development authority

- a) fails or refuses to issue a development permit to a person,
- b) issues a development permit subject to conditions, or
- c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.

(3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use Bylaw were relaxed, varied or misinterpreted.

(4) Despite subsections (1), (2) and (3), if a decision with respect to a development permit application in respect of a direct control district

- (a) is made by a council, there is no appeal to the subdivision and development appeal board, or
- (b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of council, and if the subdivision and development appeal

board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision

Appeals

686(1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board

(a) in the case of an appeal made by a person referred to in section 685(1),

(i) with respect to an application for a development permit,

(A) within 21 days after the date on which the decision is made under section 642, or

(B) if no decision is made with respect to the application within the 40-day period, or within any extension of that period under section 684, within 21 days after the date the period or extension expires,

Or

(ii) with respect to an order under section 645, within 21 days after the date on which the order is made,

Or

(b) in case of an appeal made by a person referred to in section 685(2), within 21 days after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

(2) The subdivision and development appeal board must hold an appeal hearing within 30 days after receipt of a notice of appeal.

(3) The subdivision and development appeal board must give at least 5 days' notice in writing of the hearing

a) to the appellant,

b) to the development authority whose order, decision or development permit is the subject of the appeal, and

c) to those owners required to be notified under the land use Bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.

(4) The subdivision and development appeal board must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including

a) the application for the development permit, the decision and the notice of appeal,
or

b) the order under section 645.

(5) In subsection (3), “owner” means the person shown as the owner of land on the assessment roll prepared under Part 9.

Hearing and decision

687(1) At a hearing under section 686, the subdivision and development appeal board must hear

- a) the appellant or any person acting on behalf of the appellant,
- b) the development authority from whose order, decision or development permit the appeal is made, or a person acting on behalf of the development authority,
- c) any other person who was given notice of the hearing and who wishes to be heard, or a person acting on behalf of that person, and
- d) any other person who claims to be affected by the order, decision or permit and that the subdivision and development appeal board agrees to hear, or a person acting on behalf of that person.

(2) The subdivision and development appeal board must give its decision in writing together with reasons for the decision within 15 days after concluding the hearing.

(3) In determining an appeal, the subdivision and development appeal board

- a) must act in accordance with any applicable ALSA regional plan;
 - a.1) must comply with any applicable land use policies
 - a.2) subject to section 638, must comply with any applicable statutory plans;
 - a.3) subject to clause (d), must comply with any land use bylaw in effect;
- b) must have regard to but is not bound by the subdivision and development regulations;
- c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
- d) may make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
 - (i) the proposed development would not
 - (A) unduly interfere with the amenities of the neighbourhood, or
 - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,

and

(ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw



Appendix F:

Subdivision Appeal

Subdivision Appeals

from the Municipal Government Amendment Act, 2000 Chapter M-26 as amended, Sections 678-682.

Appeals

678(1) The decision of a subdivision authority on an application for subdivision approval may be appealed

- a) by the applicant for the approval,
- b) by a Government department if the application is required by the subdivision and development regulations to be referred to that department,
- c) by the Council of the municipality in which the land to be subdivided is located if the Council, a designated officer of the municipality or the municipal planning commission of the municipality is not the subdivision authority, or
- d) by a school board with respect to
 - i) the allocation of municipal reserve and school reserve or money in place of the reserve,
 - ii) the location of school reserve allocated to it, or
 - iii) the amount of school reserve or money in place of the reserve.

(2) An appeal under subsection (1) may be commenced by filing a notice of appeal within 14 days after receipt of the written decision of the subdivision authority or deemed refusal by the subdivision authority in accordance with section 681

- a) with the Municipal Government Board
 - i. if the land that is the subject of the application is within the Green Area, as classified by the Minister responsible for the *Public Lands Act*,
 - ii. if the land that is the subject of the application contains, is adjacent to or is within the prescribed distance of a highway, a body of water, a sewage treatment or waste management facility or a historical site, or
 - iii. in any other circumstances described in the regulations under section 694(1)(h.2),

or

- b) in all other cases, with the subdivision and development appeal board.

(2.1) Despite subsection (2)(a), if the land that is the subject-matter of the appeal would have been in an area described in subsection (2)(a) except that the affected Government department agreed, in writing, to vary the distance under the subdivision and development regulations, the notice of appeal must be filed with the subdivision and development appeal board. decision is deemed to be 5 days from the date the decision is mailed.

(3) For the purpose of subsection (2), the date of receipt of the decision is deemed to be 5 days from the date the decision is mailed.

(4) A notice of appeal under this section must contain

- a) the legal description and municipal location, if applicable, of the land proposed to be subdivided, and
- b) the reasons for appeal, including the issues in the decision or the conditions imposed in the approval that are the subject of the appeal.

(5) If the applicant files a notice of appeal within 14 days after receipt of the written decision or the deemed refusal with the wrong board, that board must refer the appeal to the appropriate board and the appropriate board must hear the appeal as if the notice of appeal had been filed with it and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the first board.

Notice of hearing

679(1) The board hearing an appeal under section 678 must give at least 5 days' written notice of the hearing to

- a) the applicant for subdivision approval,
- b) the subdivision authority that made the decision,
- c) if land that is the subject of the application is adjacent to the boundaries of another municipality, that municipality,
- d) any school board to whom the application was referred, and
- e) repealed 1996 c30 s66,
- f) every Government department that was given a copy of the application pursuant to the subdivision and development regulations.

(2) The board hearing an appeal under section 678 must give at least 5 days' notice of the hearing in accordance with subsection (3) to owners of land that is adjacent to land that is the subject of the application.

(3) A notice under subsection (2) must be given in accordance with section 653(4.2).

(3.1) Subsections (1)(c), (d) and (f) and (2) do not apply to an appeal of the deemed refusal of an application under section 653.1(8).

(4) For the purposes of this section, "adjacent land" and "owner" have the same meanings as in section 653.

Hearing and decision

680(1) The board hearing an appeal under section 678 is not required to hear from any person or entity other than

- a) a person or entity that was notified pursuant to section 679(1), and
- b) each owner of adjacent land to the land that is the subject of the appeal,

or a person acting on any of those persons' behalf.

(1.1) For the purposes of subsection (1), "adjacent land" and "owner" have the same meanings as in section 653.

(2) In determining an appeal, the board hearing the appeal

a) must act in accordance with any applicable ALSA regional plan;

(a.1) must have regard to any statutory plan;

b) must conform with the uses of land referred to in a land use Bylaw;

c) must be consistent with the land use policies;

d) must have regard to but is not bound by the subdivision and development regulations;

e) may confirm, revoke or vary the approval or decision or any condition imposed by the subdivision authority or make or substitute an approval, decision or condition of its own;

f) may, in addition to the other powers it has, exercise the same power as a subdivision authority is permitted to exercise pursuant to this Part or the regulations or Bylaws under this Part.

(2.1) In the case of an appeal of the deemed refusal of an application under section 653.1(8), the board must determine whether the documents and information that the applicant provided met the requirements of section 653.1(2).

(2.2) Subsection (1)(b) does not apply to an appeal of the deemed refusal of an application under section 653.1(8).

(3) A subdivision and development appeal board hearing an appeal under section 678 must hold the hearing within 30 days after receiving a notice of appeal and give a written decision together with the reasons for the decision within 15 days after concluding the hearing.

(4) The Municipal Government Board hearing an appeal under section 678 must hold the hearing within 60 days after receiving a notice of appeal and give a written decision together with the reasons for the decision within 15 days after concluding the hearing.

Failure to make decision

681(1) If a subdivision authority fails or refuses to make a decision on an application for subdivision approval within the time prescribed by the subdivision and development regulations, the applicant may, within 14 days after the expiration of the time prescribed,

a) treat the application as refused and appeal it in accordance with section 678, or

b) enter into an agreement with the subdivision authority to extend the time prescribed in the subdivision and development regulations.

(2) If an agreement to extend is entered into pursuant to subsection (1)(b) and the subdivision authority fails or refuses to make a decision within the time prescribed in the agreement, the

applicant may, within 14 days after the expiration of the extended period, treat the application as refused and appeal it in accordance with section 678.\

(3) A subdivision authority may not deal with an application for subdivision approval after the expiration of the period of time prescribed in the subdivision and development regulations for making the decision unless an agreement is entered into pursuant to subsection (1)(b).

Endorsement of subdivision plan

682(1) When on an appeal the Municipal Government Board or the subdivision and development appeal board approves an application for subdivision approval, the applicant must submit the plan of subdivision or other instrument to the subdivision authority from whom the appeal was made for endorsement by it.

(2) If a subdivision authority fails or refuses to endorse a plan of subdivision or other instrument submitted to it pursuant to subsection (1), the member of the board that heard the appeal who is authorized to endorse the instrument may do so.



Appendix G:

Land Use District Maps



Appendix H:

Recreation Unit Matrix



Appendix I:

Slope Index

where there is a developed road within the road allowance and where the mining will occur at an elevation of three (3) feet or less above the bottom and the adjoining County ditch system. Where adjacent to a Provincial Highway, the setback shall be determined by Alberta Transportation.

- c) Where there is an undeveloped road allowance, mining and stockpiling may occur up to and within the road allowance but shall be at the discretion of the County's Public Work's department as well as Alberta Transportation. Further, it may be requested that reclamation of the mined road allowance not contain a future waterbody.
- d) Resource extraction operation types A and B shall have no required rear yard setback where the affected parcels of land are under the same ownership or where a letter of permission has been obtained waiving the setback requirement from the adjoining owner(s). If the adjoining lands are publicly owned lands the applicable district setbacks shall be applied unless approval is obtained from the appropriate governing body of the lands.

(Section 9.10.8 was amended by Bylaw 2019/44)

9.10.9 Fence Setbacks

- a. Fences, gates, and walls that do not require a development permit as specified by the conditions outlined within Section 3.2 will have no setback requirements to property lines but must remain on private property;
- b. Fences, gates, and walls that do require a development permit will have setback requirements (up to and including a 100% relaxation to an adjacent property line) that shall be at the discretion of the development authority.

(Section 9.10.9 was amended by Bylaw 2019/44)

9.11 Signs

General Sign Regulations

9.11.1 Development permits are required for signs with the exception of:

- a) one (1) sign located on a single lot more than 300.0 meters (984 feet) from the right-of-way of a highway or road and 1.2 meters (4 feet) by 0.6 meters (2 feet) in size or less;
- b) signs for an election campaign posted 60 days before and 5 days after the relevant federal, provincial or municipal election date;
- c) signs posted for a community event or auction posted 14 days before the date the event or auction occurs and removed on the day after the event or auction;
- d) signs offering for sale or rent the lot or parcel on which the sign(s) is posted; and
- e) signs for municipal, municipal public works, emergency, or Alberta Transportation purposes.

9.11.2 All content on erected signs must be relevant to the land use and/or land ownership on which the sign is located.

9.11.3 A maximum of one (1) sign per lot is permitted.

- 9.11.4** All signs shall be discretionary.
- 9.11.5** The maximum size of a sign, that is not within either a commercial or industrial district, shall be no greater than 8.9 square meters (96 square ft.)
- 9.11.6** The maximum size of a sign within either a commercial or industrial district shall be no greater than 12.0 square metres (130 square ft.).
- 9.11.7** Applications for illuminated or animated signs will be considered on a case-by-case basis. A permit may be granted, provided that:
- a) the sign conforms to all other regulations in this Bylaw; and
 - b) the illumination or animation will not cause safety hazards or interfere with the use or enjoyment of any adjacent properties, as per the discretion of the Development Officer.
- 9.11.8** The Development Officer may consult with adjacent landowners, adjacent municipalities and any other external agencies including Alberta Transportation and AER, before making a decision on an application for a development permit for a sign.
- 9.11.9** Where this Bylaw does not provide the Development Officer with sufficient direction as location of a sign in a given part of the County, the Development Officer may issue a development permit for a sign but must treat the sign as a discretionary use under the Bylaw.
- 9.11.10** The Development Officer may issue a development permit for any sign that is not specified in this Bylaw as a discretionary use.
- 9.11.11** The Development Officer will not approve a development permit for a commercial sign within 3.0 km (1.8 miles) of the boundary of the City of Wetaskiwin unless the proposed sign has all other relevant approvals including provincial approval.
- 9.11.12** No sign shall be placed within 300.0 meters (984 feet) of a provincial highway or 800.0 meters (1/2 mile) of an intersection with a provincial highway without prior approval from Alberta Transportation.
- 9.11.13** Any signs including signs attached to or towed by vehicles including, tractor trailers or similar units approved under previous Bylaws shall not receive grandfather status if signs have been or are changed after the original approval. The owner of the property on which the sign is located must either remove the sign or apply for a development permit upon the passing of this Bylaw. Unauthorized signs may be subject to any orders, fines, fees, charges or penalties issued by the County. **Note:** Exceptions may be granted to exchangeable letter board signs.
- 9.11.14** The use of Tractor Trailer signs shall not be permitted as an acceptable method of advertising or displaying signs. Only Tractor Trailer signs which have valid approval from Alberta Transportation and the County may be considered grandfathered and may remain at their current location, subject to Section 9.11.13 above.
- 9.11.15** All signs shall be kept in a safe, clean and proper condition, and may be required to be renovated or removed if not properly maintained.



Rural Municipalities of Alberta (RMA) Advocacy – Tractor Trailer Signs Along Provincial Highways – Report

Meeting Date (Report Reference Only): 2019/09/17

Meeting (Report Reference Only): Council Planning & Development

Background

On July 18, 2019, the Rural Municipalities of Alberta (RMA) sent a letter to the Honourable Rick McIver, Minister of Transportation, expressing the members concerns with highway trailer signs. The letter, which is provided for review by Council, provided information on previous work, included a list of recommendations to address concerns with these signs, and requested an update from the Minister of Transportation. Administration notes that the County of Wetaskiwin does indeed have several unauthorized tractor trailer signs, with the majority of them being along Highways 2, 2A, 13, and 616.

Regarding this matter, Administration notes that these signs are regulated under the *Highway Development and Protection Act* and associated regulations, all of which are overseen by Alberta Transportation. In a response to a concerned citizen that the County of Wetaskiwin was copied on, Alberta Transportation noted the following regarding the matter:

"Under the Act, Alberta Transportation is responsible for signs within the right of way of provincial highways. The Act also gives Alberta Transportation authority to manage signs within the development control zone outside the provincial highway rights of way (development control zones extend 300 metres from a right of way boundary and 800 metres from the centre line of provincial highway intersections with other public roads). The Act prohibits advertisement signs in the highway development control zone along major highways in rural municipalities."

Additionally, the County of Wetaskiwin has specific references to sign regulations, including tractor trailer signs, as contained within the current Land Use Bylaw, which are as follows:

"Section 9.11.8: The Development Officer may consult with adjacent landowners, adjacent municipalities and any other external agencies including Alberta Transportation and AER, before making a decision on an application for a development permit for a sign."

Section 9.11.12: No sign shall be placed within 300 metres (984 feet) of a provincial highway or 800 metres (1/2 mile) of an intersection with a provincial highway without prior approval from Alberta Transportation."

*Section 9.11.13: Any signs including signs attached to or towed by vehicles including, tractor trailers or similar units approved under previous Bylaws shall not receive grandfather status if signs have been or are changed after the original approval. The owner of the property on which the sign is located must either remove the sign or apply for a development permit upon the passing of this Bylaw. Unauthorized signs may be subject to any orders, fines, fees, charges or penalties issued by the County. **Note:** Exceptions may be granted to exchangeable letter board signs.*

Section 9.11.14: The use of Tractor Trailer signs shall not be permitted as an acceptable method of advertising or displaying signs. Only Tractor Trailer signs which have valid approval from Alberta Transportation and the County may be considered grandfathered and may remain at their current location, subject to Section 9.11.13 above."

As further clarification, Administration notes that a tractor trailer sign is considered a "Development" and if located on a property in the County of Wetaskiwin, is technically required to have an approved Development Permit. Currently, only one (1) Tractor Trailer sign has been approved by the County. No other applications have been made to or been granted approval by the County.

In summary, the matter of unauthorized Tractor Trailer signs is an issue that continues to be ongoing and requires a collaborative approach between both Municipalities and the Province. In this regard, the correspondence between the Rural Municipalities of Alberta and the Minister of Transportation provides a proactive step forward in alleviating this increasing worsening matter.

Recommendations

Administration recommends that Council accept the update on tractor trailer signs along provincial highways and the advocacy made on the subject by the Rural Municipalities of Alberta (RMA) as information.

Recommended Resolution

that Council accept the update on tractor trailer signs along provincial highways and the advocacy made on the subject by the Rural Municipalities of Alberta (RMA) as information.



Hon. Ric McIver
Minister of Transportation, Deputy House Leader
320 Legislature Building
10800 – 97 Avenue
Edmonton, AB
T5K 2B6

July 18, 2019

Re: Highway Signs

Dear Minister McIver,

Following up on our text message conversation regarding highway trailer signs, I wanted to pass along information from the RMA. Concerns with highway trailer signs were brought forward by RMA members, and previously RMA has worked with your Ministry to explore solutions. As you may know, Alberta is unique in Canada in that municipal governments manage lands in all four corners of the province. As a result, many provincial highways run adjacent to privately held land that is within a rural municipality.

In 2015, RMA members passed resolution 23-15F: Alberta Transportation Highway Signage, which states:

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties [now RMA] request that Alberta Transportation enforce third party sign regulations within the development control zone;

FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties [now RMA] request that Alberta Transportation provide all municipalities with the sole authority to permit and regulate electronic signs that are within the Alberta Transportation development control zone.

The regulation referenced in the resolution is the *Highways Development and Protection Regulation* under the *Public Highways Development Act*. The regulation states that signs within 300 metres of a controlled highway, or 800 metres of a highway intersection, must receive a permit from Alberta Transportation.

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The initial response from Alberta Transportation indicated limited interest in addressing municipal concerns with unlicensed third-party signage. However, beginning in April 2018, RMA and Alberta Transportation began to meet to discuss the issue further. This led to a working group being formed over the summer of 2018, with representation from RMA, Leduc County, Red Deer County, Mountain View County, Woodlands County, and Alberta Transportation. The working group developed the following recommendations, which were sent to the previous Minister of Transportation in October 2018.

- That the Government of Alberta review the legislation, regulations, policy documents, etc. to ensure that rural municipalities and urban municipalities have the same regulatory application.
- That the Government of Alberta review the legislation, regulations, policy documents, etc. to encourage municipal authority, recognizing that municipalities have local characteristics to accommodate.
- That the Government of Alberta review the legislation, regulations, policy documents, etc. to restrict what is known as equipment signage (e.g. trailers) for third part corporations.
- That the Government of Alberta review the legislation, regulations, policy documents, etc. to set a minimum standard regarding billboard signage.
- That the Government of Alberta require that all permitted signs within the development control zone follow the “sign standard”.
- That the Government of Alberta amend its permit application to utilize language discussed in the working group and be representative of the embedded collaboration between the province and the municipality. Moreover, that it has verbiage regarding the condition of attaining municipal approval as there is local decision-making powers over signage.
- That the Government of Alberta review the legislation, regulations, policy documents, etc. to alter or create a system whereby the province enforces non-permitted signage. In the absence of this provincial mechanism, that the Government of Alberta delegate to the municipality the authority to enforce the provincial regulations and penalties.
- That the Government of Alberta support RMA in an educational campaign on this topic. The campaign can include newsletter communications, municipal website updates/guidance, bylaw language recommendations, advertising of the Alberta Transportation guideline document.



Should these recommendations not be accepted, the working group supports the permitting process being standardized to have the Government of Alberta issue their permit before the municipality. This recommendation could allow for more consistent application but should only be considered if communication and working relationships do not repair the gap.

We look forward to working with you and your Ministry to address our members' concerns regarding highway trailer signs, as well as the other concerns we have discussed in the past.

Sincerely,

A handwritten signature in black ink, appearing to read "Al Kemmere", with a long horizontal flourish extending to the right.

Al Kemmere, President