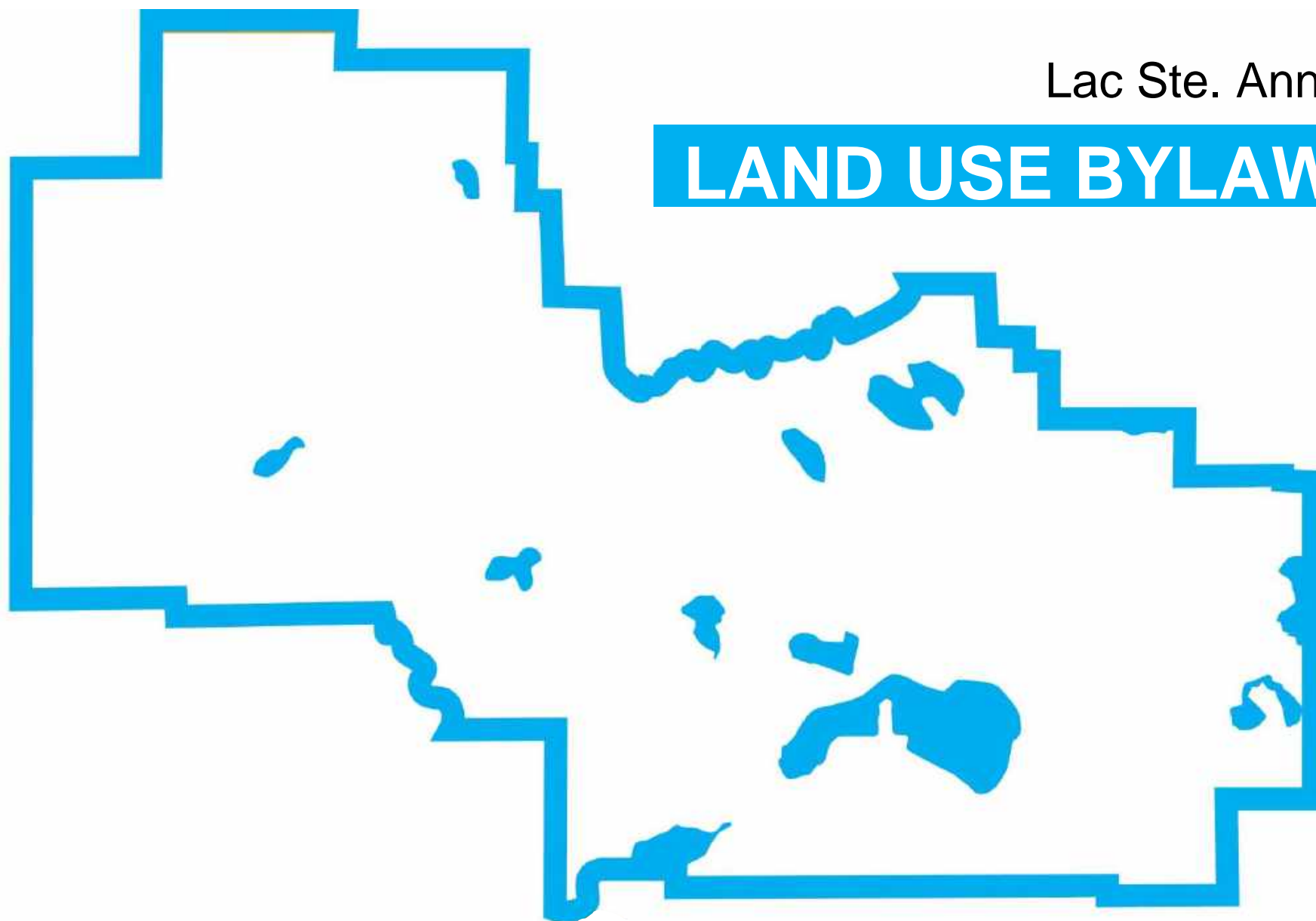


Lac Ste. Anne

# LAND USE BYLAW





## Bylaw updates that have been added

| Bylaw                 | Date           | Summary   |
|-----------------------|----------------|---|
| Bylaw 13-2016         | March 2, 2016  | Redistricting AG2 to CREC (Masse Properties)  |
| Bylaw 17-2016         | April 6, 2016  | -Added S 3.15.2 (Dev Authority may refuse subsequent development permits for the same or similar use if it was previously refused in the past year)<br>-Amended S 4.4.2 (substitute phrase “one (1)” with “two (2)”)<br>-Amended S 5.2.1 (SDAB appeal)<br>-Amended Table 9.1.1,9.1.3, 9.2.1, 9.2.3, 9.6.3, 9.12.1, 9.12.3, 9.13.1, 9.14.3, 9.12.2,9.12.3, 9.19.3, 11.1.1<br>-Added S 11.2.72<br>-Replaced S 11.2.13 |
| Bylaw 24-2016         | May 12, 2016   | Amended Table 9.15.3 (Substituted with Minimum dwelling area of 111.48 m3)  |
| Bylaw 28-2016         | July 6, 2016   | -Added S 11.2.73 (DP may be issued for Mobile Homes older than 20 years old)<br>-Amended S 10.1.56 (deleted the phrase “mft”)<br>-Amended Table 9.17.1 (Added Mobile Home as a Discretionary use)<br>-Amended Table 9.17.2 (Reworded phrase to “Side; Lesser of 10% of lot width or 1.5m (4.92ft)”)<br>-Amended Table 9.12.1 (Added Mobile Home as a Permitted Use)   |
| Bylaw 36-2016         | Sept 6, 2017   | Redistricting IN to CRS, Amended Map 6  |
| Bylaw 07-2017         | April 5, 2017  | Redistricting CRX to IN, Amended Map 6  |
| Bylaw 08-2017         | May 3, 2017    | -Amended Table 9.15.1 (Deleted Mobile Home)<br>-Mass Redistricting (Hillview Estates), Amended Map 5 & 6  |
| Bylaw 22-2017         | April 11, 2019 | Land Use Bylaw  |
| Bylaw 24-2014-02-2018 | June 14, 2018  | -Redistricting AG2 to HC, Amended Map 6<br>-Redistricted AG2 to IN, Amended Map 6   |
| Bylaw 24-2014-03-2018 | July 4, 2018   | Redistricting to CREC (Frank Izsak), Amended Map 4  |

| Bylaw                 | Date          | Summary   |
|-----------------------|---------------|---|
| Bylaw 24-2014-04-2018 | July 4, 2018  | Redistricting AG1 to IN, Amended Map 5  |
| Bylaw 24-2014-05-2018 | Oct 3, 2018   | Cannabis Retail Sales   |
| Bylaw 24-2014-06-2018 | Sept 15, 2018 | Redistricting AG2 to CREC (Nakamun Oasis)   |
| Bylaw 24-2014-07-2018 | Nov 7, 2018   | Redistricting AG1 to AR, Amended Map 5  |
| Bylaw 24-2014-08-2018 | Oct 23, 2018  | Redistricted CRX to HD, Amended Map 6   |
| Bylaw 22-2017-01-2019 | Nov 6, 2019   | -Redistricted Ag1 to DC, Amended Map 6<br>-Added new Direct Control Section 23- Industrial Cannabis Production  |
| Bylaw 22-2017-02-2019 | Oct 2, 2019   | -Amended Table 9.12.2 by adding bed & Breakfast as a Discretionary use<br>-Amended Table 9.13.2 by adding Bed & Breakfast as a Discretionary use                              |
| Bylaw 22-2017-03-2019 | Nov 6, 2019   | Add Single Detached secondary dwelling as a Discretionary Accessory use within Agricultural Fringe District (AGF)   |
| Bylaw 22-2017-01-2020 | May 6, 2020   | Mayerthorpe Rezoning, Amended Map 1 & 2   |
| Bylaw 22-2017-02-2020 | Feb 3, 2020   | -Added S 2.7 (Legal Non-conforming uses), S 11.10 (Intermunicipal Fringe Overlay), S 3.13.25 (Overland Drainage Easement)<br>-Amended Figure 11.11.1<br>-Added Map 14, 15, 16 |
| Bylaw 22-2017-03-2020 | Sept 2, 2020  | Redistricting IN to CLR, Amended Map 6  |
| Bylaw 22-2017-05-2020 | Feb 3, 2021   | Redistrict Ag2 to CREC, Amended Map 6   |

| Bylaw                 | Date             | Summary  |
|-----------------------|------------------|--|
| Bylaw 22-2017-01-2021 | WITHDRAWN        | Amending Appendix 18-A Waters Edge Resort (DC 14-01)   |
| Bylaw 22-2017-02-2021 |                  | Allow Cannabis Production on Agricultural 1 (AG1) and Agricultural 2 (AG2) ; Add 11.5.13         |
| Bylaw 22-2017-03-2021 | July 22, 2021    | Redistricting AGF to CREC (Connochie)  |
| Bylaw 22-2017-04-2021 | October 6, 2021  | Redistricting Various properties - see schedule  |
| Bylaw 22-2017-05-2021 | January 13, 2022 | Redistricting AG2 to DC, Amended Map 4, Adding a new Direct Control - Lac Ste. Anne Metis        |
| Bylaw 22-2017-06-2021 | December 8, 2021 | Deleting Section 3.10.2 (c) and replacing in entirety  |
| Bylaw 22-2017-01-2022 | July 20, 2022    | Redistricting AG1 and CRR to CRS, Amended Map 6  |
| Bylaw 22-2017-02-2022 | March 10, 2022   | Amending Section 2.6.2, Adding Section 4.7   |
| Bylaw 22-2017-03-2022 |                  | Redistricting Various County owned lands from CL to CRX  |
| Bylaw 22-2017-04-2022 | April 14, 2022   | Redistricting CRX to CR3, Mission Creek Estates and Amended Map 4                                |
| Bylaw 22-2017-05-2022 |                  | Redistricting AG1 to AR, Amended Map 3   |
| Bylaw 22-2017-06-2022 |                  | Redistricting AG1 to DC (Hummocky), Amended Map 5, Adding a new Direct Control - Hummocky Resort |
| Bylaw 22-2017-07-2022 |                  | Adding a new Section 11.2.100 - Short term Rental Homes  |
| Bylaw 22-2017-08-2022 |                  | Amending Direct Control District 9.22.16 Windmill Harbour  |



BYLAW NO. 22-2017

**Bylaw #22-2017  
OF LAC STE. ANNE COUNTY  
IN THE PROVINCE OF ALBERTA**

A BYLAW OF LAC STE ANNE COUNTY IN THE PROVINCE OF ALBERTA, TO ADOPT A LAND USE BYLAW

WHEREAS the *Municipal Government Act*, Revised Statutes of Alberta 2000 - Chapter M-26, - and amendments thereto, authorize Council of a Municipality to enact a Land Use Bylaw to guide future development within the Municipality.


NOW THEREFORE Lac Ste. Anne Land Use Bylaw #24-2014 and amendments thereto is hereby repealed.

NOW THEREFORE Council of Lac Ste. Anne County in the Province of Alberta does hereby adopt the Lac Ste. Anne County Land Use Bylaw this 11<sup>th</sup> day of April, 2019

Read a first time this 25<sup>th</sup> day of January, 2019.

Read a second time this 3<sup>rd</sup> day of April, 2019.

Read a third time with the unanimous support of the Council Members present this 11<sup>th</sup> day of April, 2019.

  
\_\_\_\_\_  
Reeve – Joe Blakeman

April 25, 2019  
\_\_\_\_\_  
Date of Signing

  
\_\_\_\_\_  
Chief Administrative Officer – Mike Primeau

APRIL 25, 2019  
\_\_\_\_\_  
Date of Signing





# Table of Contents

## PART I INTRODUCTION & MANDATE

|          |  |          |
|----------|--|----------|
| <b>1</b> | <b>Enactment.....</b>                          | <b>2</b> |
| 1.1      | Title .....                                    | 2        |
| 1.2      | Purpose.....                                   | 2        |
| 1.3      | Compliance with Other Legislation.....         | 2        |
| 1.4      | Effective Date .....                           | 2        |
| 1.5      | Application .....                              | 3        |
| 1.6      | Previous Bylaws.....                           | 3        |
| 1.7      | Application in Progress .....                  | 3        |
| 1.8      | Non-Conformity.....                            | 3        |
| 1.9      | Severability .....                             | 4        |
| 1.10     | Interpretation.....                            | 4        |
| <b>2</b> | <b>Approval and Appeal Authorities .....</b>   | <b>5</b> |
| 2.1      | Development Authority .....                    | 5        |
| 2.2      | Development Officer .....                      | 6        |
| 2.3      | Subdivision Authority .....                    | 6        |
| 2.4      | Subdivision and Development Appeal Board ..... | 6        |
| 2.5      | Municipal Planning Commission .....            | 6        |
| 2.6      | Decision-Making Structure .....                | 6        |
| 2.7      | Legal Non-Conforming Uses .....                | 7        |

## PART II ADMINISTRATIVE PROCEDURES

|          |   |          |
|----------|---|----------|
| <b>3</b> | <b>Development Permit Process .....</b> | <b>9</b> |
| 3.1      | Control of Development.....             | 9        |

|          |  |           |
|----------|--|-----------|
| 3.2      | Development Not Requiring a Development Permit.....      | 9         |
| 3.3      | Development Permit and Agreement Fees .....              | 11        |
| 3.4      | Requirements for Development Permit Applications .....   | 11        |
| 3.5      | Requirements for Specific Applications .....             | 15        |
| 3.6      | Notice of Complete Application.....                      | 26        |
| 3.7      | Notice of Proposed Development.....                      | 26        |
| 3.8      | Referrals for Development Permit Applications.....       | 26        |
| 3.9      | Decision on Development Permit Applications .....        | 29        |
| 3.10     | Variance Provisions .....                                | 30        |
| 3.11     | Deemed Refusal .....                                     | 30        |
| 3.12     | Notice of Decision.....                                  | 31        |
| 3.13     | Development Permit Conditions .....                      | 32        |
| 3.14     | Validity of Development Permits.....                     | 46        |
| 3.15     | Extension of Development Permits .....                   | 46        |
| 3.16     | Resubmission Interval.....                               | 46        |
| 3.17     | Suspension or Cancellation of Permits .....              | 47        |
| <b>4</b> | <b>Subdivision Process .....</b>                         | <b>48</b> |
| 4.1      | Requirements for Subdivision Applications .....          | 48        |
| 4.2      | Complete Applications.....                               | 48        |
| 4.3      | Decision on Subdivision Applications.....                | 49        |
| 4.4      | Subdivision Approval Conditions .....                    | 50        |
| 4.5      | Validity of Subdivision Approval .....                   | 52        |
| 4.6      | Endorsement of Subdivision .....                         | 52        |
| 4.7      | Municipal Exemption .....                                | 52        |
| <b>5</b> | <b>Subdivision and Development Appeals Process .....</b> | <b>53</b> |
| 5.1      | Grounds for Appeals.....                                 | 53        |

|                                    |  |           |  |   |            |
|------------------------------------|--|-----------|--|---|------------|
| 5.2                                | Appeal Procedure .....                           | 53        | 9.2                                    | Agricultural 2 (AG2) .....                            | 69         |
| 5.3                                | Hearing and Decision .....                       | 54        | 9.3                                    | Agricultural Fringe (AGF).....                        | 72         |
| 5.4                                | Court of Appeal.....                             | 55        | 9.4                                    | Highway Development (HD) .....                        | 75         |
| <b>6</b>                           | <b>Enforcement .....</b>                         | <b>56</b> | 9.5                                    | Hamlet Commercial (HC).....                           | 78         |
| 6.1                                | Contravention .....                              | 56        | 9.6                                    | Industrial (IN) .....                                 | 81         |
| 6.2                                | Prohibitions.....                                | 56        | 9.7                                    | Institutional (INT) .....                             | 84         |
| 6.3                                | Non Compliance .....                             | 57        | 9.8                                    | Airport (AP) .....                                    | 86         |
| 6.4                                | Warning Notice .....                             | 57        | 9.9                                    | County Land (CL) .....                                | 88         |
| 6.5                                | Violation Tickets .....                          | 57        | 9.10                                   | Commercial Recreation (CREC) .....                    | 90         |
| 6.6                                | Right of Entry .....                             | 58        | 9.11                                   | Mobile Home Subdivision (MHS) .....                   | 92         |
| 6.7                                | Stop Orders.....                                 | 58        | 9.12                                   | Country Residential Ranch (CRR) .....                 | 94         |
| 6.8                                | Appeal to Stop Orders .....                      | 59        | 9.13                                   | Country Living Residential (CLR).....                 | 97         |
| 6.9                                | Enforcement of Stop Orders .....                 | 59        | 9.14                                   | Existing Country Residential (CRX) .....              | 100        |
| 6.10                               | Offenses and Penalties.....                      | 59        | 9.15                                   | Country Residential Subdivision (CRS).....            | 103        |
| <b>7</b>                           | <b>Land Use Bylaw Amendment Process .....</b>    | <b>60</b> | 9.16                                   | Country Residential Estates (CRE).....                | 106        |
| 7.1                                | Procedure for Amendments.....                    | 60        | 9.17                                   | Country Residential 3 (CR3).....                      | 110        |
| 7.2                                | Amendment Review Process .....                   | 61        | 9.18                                   | Lakeside Residential (LR) .....                       | 113        |
| 7.3                                | Notification of Public Hearing.....              | 62        | 9.19                                   | Urban Residential (UR).....                           | 116        |
| 7.4                                | Decision by County Council.....                  | 62        | 9.20                                   | Bareland Recreational Resort (Rec).....               | 119        |
| 7.5                                | Resubmission Interval .....                      | 62        | 9.21                                   | Aggregate Resource Extraction & Processing (AR) ..... | 122        |
|                                    |  |           | 9.22                                   | Direct Control District (DC).....                     | 124        |
| <b>PART III LAND USE DISTRICTS</b> |  |           | <b>PART IV DEVELOPMENT REGULATIONS</b> |   |            |
| <b>8</b>                           | <b>Establishment of Land Use Districts .....</b> | <b>64</b> | <b>10</b>                              | <b>General Development Regulations .....</b>          | <b>127</b> |
| 8.1                                | General Requirements.....                        | 64        | 10.1                                   | Site Development .....                                | 127        |
| <b>9</b>                           | <b>Land Use District Regulations .....</b>       | <b>65</b> | 10.2                                   | Site Setbacks .....                                   | 135        |
| 9.1                                | Agricultural '1' (AG1).....                      | 65        |  |   |            |

|           |  |            |
|-----------|--|------------|
| 10.3      | Special Utilities .....  | 145        |
| 10.4      | Recreation Resort .....  | 146        |
| <b>11</b> | <b>Specific Use Regulations .....</b>                            | <b>147</b> |
| 11.1      | Agriculture, Resources and Related Uses .....                    | 147        |
| 11.2      | Residential and Related Uses .....                               | 151        |
| 11.3      | Commercial Uses .....  | 162        |
| 11.4      | Institutional, Cultural and Related Uses .....                   | 164        |
| 11.5      | Industrial, Manufacturing and Related Uses .....                 | 165        |
| 11.6      | Parks, Recreational, and Related Uses .....                      | 167        |
| 11.7      | Waste Management.....  | 173        |
| 11.8      | Utilities and Related Uses.....                                  | 174        |
| 11.9      | Communication, Energy and Related Uses .....                     | 175        |
| 11.10     | Intermunicipal Fringe Overlay.....                               | 177        |
| <b>12</b> | <b>Parking and Loading Standards .....</b>                       | <b>178</b> |
| 12.1      | General Regulations.....   | 178        |
| 12.2      | Parking Schedule .....   | 179        |
| 12.3      | Parking Area Provisions .....                                    | 179        |
| <b>13</b> | <b>Landscaping Standards.....</b>                                | <b>181</b> |
| 13.1      | General Landscaping Requirements.....                            | 181        |
| 13.2      | Landscaping Design and Maintenance .....                         | 181        |
| 13.3      | Landscaping Security.....  | 181        |
| <b>14</b> | <b>Sign Regulations .....</b>                                    | <b>183</b> |
| 14.1      | General Sign Regulations .....                                   | 183        |
| 14.2      | Development Permit and Application Requirements for Signs<br>184 |            |
| 14.3      | Development Permit Approval for Signs .....                      | 184        |

|      |                                   |     |
|------|-----------------------------------|-----|
| 14.4 | Sign Owners' Responsibility ..... | 184 |
|------|-----------------------------------|-----|

**PART V DEFINITIONS**

|           |                          |            |
|-----------|--------------------------|------------|
| <b>15</b> | <b>Definitions .....</b> | <b>187</b> |
|-----------|--------------------------|------------|

**PART VI MAPS**

|               |   |
|---------------|---|
| <b>Map 0</b>  | Key Map                                     |
| <b>Map 1</b>  | Region 'A'                                  |
| <b>Map 2</b>  | Region 'B'                                  |
| <b>Map 3</b>  | Region 'C'                                  |
| <b>Map 4</b>  | Region 'D'                                  |
| <b>Map 5</b>  | Region 'E'                                  |
| <b>Map 6</b>  | Region 'F'                                  |
| <b>Map 7</b>  | Hamlet of Sangudo                           |
| <b>Map 8</b>  | Hamlet of Gunn                              |
| <b>Map 9</b>  | Hamlets of Darwell & Rich Valley            |
| <b>Map 10</b> | Hamlets of Glenevis & Cherhill              |
| <b>Map 11</b> | Hamlets of Rochford Bridge & Greencourt     |
| <b>Map 12</b> | Setbacks from Key Water Bodies              |
| <b>Map 13</b> | Priority Conservation Wetlands              |
| <b>Map 14</b> | Intermunicipal Fringe Overlay - Mayerthorpe |
| <b>Map 15</b> | Intermunicipal Fringe Overlay               |
| <b>Map 16</b> | Intermunicipal Fringe Overlay - Onoway      |

**PART VII APPENDICES**

|                   |                          |
|-------------------|--------------------------|
| <b>Appendix A</b> | Direct Control Districts |
|-------------------|--------------------------|

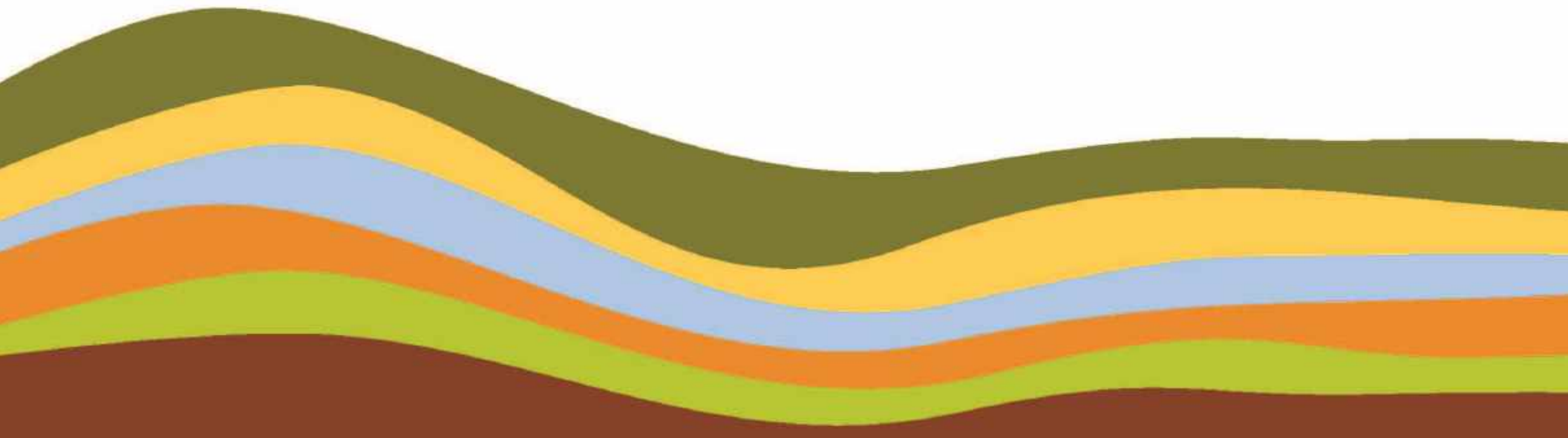


---

# Part I

## Introduction and Mandate

---



## 1 Enactment

### 1.1 Title

- 1.1.1 This Bylaw shall be known as and may be cited as “Lac Ste. Anne County Land Use Bylaw.”

### 1.2 Purpose

- 1.2.1 The purpose of this Bylaw is to regulate, control, and/or prohibit the use and development of land and buildings within Lac Ste. Anne County to ensure health and safety of its inhabitants, and also achieve the orderly and economic development of land, and:
- 1.2.2 To divide Lac Ste. Anne County into land use districts;
- 1.2.3 To prescribe and regulate the use of land or buildings within each district;
- 1.2.4 To establish a method of making decisions on applications for development permits and the issuance of development permits;
- 1.2.5 To provide the manner in which a notice of issuance for a development permit is given;
- 1.2.6 To establish the number of dwellings that may be allowed on a parcel;
- 1.2.7 To establish regulations to assist in the subdivision and development decision making process;
- 1.2.8 To establish procedures of appealing the decisions related to this Land Use Bylaw;
- 1.2.9 To establish general development standards and specific use regulations;

- 1.2.10 To establish parking, signage, and landscaping standards; and
- 1.2.11 To establish subdivision design standards for Lac Ste. Anne County.

### 1.3 Compliance with Other Legislation

- 1.3.1 Notwithstanding that a development permit may not be required in certain instances under this Bylaw, in no way does this exempt the applicant from complying with:
- a) Other requirements for approval by municipal Bylaw, the MGA, conditions, any other instrument affecting building or land, or other applicable regulation;
  - b) Any easement, covenant, agreement, or contract effecting the development;
  - c) Requirements of Alberta Building Code; and
  - d) Alberta Safety Codes Act, R.S.A. 2000, Chapter S-1.
- 1.3.2 The provisions and regulations of this Bylaw do not exempt any person or corporation from complying with the provisions or regulation of any other municipal, provincial, or federal statute;

### 1.4 Effective Date

- 1.4.1 This Land Use Bylaw comes into effect on the date of its third reading. At that time, the former Bylaw No. 24-2014, and its amendments, shall cease to apply to new subdivision and development in Lac Ste. Anne County.

## 1.5 Application

- 1.5.1 This Land Use Bylaw shall serve as a tool to implement policies established in the Municipal Development Plan (MDP), other statutory plans, and the *Municipal Government Act (MGA)*, as amended from time to time.
- 1.5.2 All development hereafter in Lac Ste. Anne County shall conform to the provisions of this Bylaw.

## 1.6 Previous Bylaws

- 1.6.1 Lac Ste. Anne County Land Use Bylaw 24-2014 as amended is hereby repealed and this Bylaw shall apply to all lands within Lac Ste. Anne County.

## 1.7 Application in Progress

- 1.7.1 A completed application for a development permit or subdivision, which is received before adoption of this Bylaw shall be processed in accordance with Lac Ste. Anne County's Land Use Bylaw 22-2017 as amended.

## 1.8 Non-Conformity

- 1.8.1 In accordance with Section 643 of the MGA, 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 for which the permit was issued a non-conforming use or non-conforming building, the development permit continues to be in effect in spite of the coming into force of the Bylaw.

- 1.8.2 A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with the Land Use Bylaw then in effect.
- 1.8.3 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.
- 1.8.4 A non-conforming use of part of a parcel may not be extended or transferred in whole or in part to any other part of the parcel and no additional buildings may be constructed on the parcel while the non-conforming use continues.
- 1.8.5 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.
  - d) 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.
- 1.8.6 The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

## 1.9 Severability

1.9.1 If any Section, clause, or provision of this Bylaw, including anything shown on the land use district Map, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remainder of this Bylaw in whole or in part, other than the Section, clause or provision, including anything shown on the land use district Map, so declared to be invalid.

## 1.10 Interpretation

### Bylaw Text

- 1.10.1 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the word “person” includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual. Words have the same meaning whether they are capitalized or not.
- 1.10.2 The words “shall,” “must,” and “is” require mandatory compliance except where a variance has been granted pursuant to the *Municipal Government Act*.
- 1.10.3 Words, phrases, and terms not defined in this Section may be given their definition in the *Municipal Government Act* or the *Alberta Building Code*. Other words shall be given their usual and customary meaning.
- 1.10.4 Where a regulation involves two (2) or more conditions, provisions, or events connected by the conjunction “and,” this means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly or in combination; and “either-or” indicates the items shall apply singly but not in combination.

1.10.5 Where reference is made to other legislation or documents, this refers to the legislation and documents as may be amended from time to time.

1.10.6 Where a use is defined as discretionary it shall be understood that all decisions related to that use are made on a case by case basis and that an approval of that use in one location does not act as a precedent allowing the same or similar use in another location.

### Land Use District Map

- 1.10.7 Where a district property line is shown on the land use district Maps as approximately following:
- a) A road, lane, railway, pipeline, power line, utility right-of-way, or easement, it follows the centre line, unless otherwise clearly indicated on the land Use Maps;
  - b) It follows the Lac Ste. Anne County property line;
  - c) The edge, shoreline, or high water mark of a river, lake, or other water body, or a topographic contour line or a top of bank line, it follows that line. In the event of change, it moves with the edge or shoreline; or
  - d) A property line, if it follows the property line.
- 1.10.8 Where a district property line is shown as being generally parallel to, or as an extension of, any of the features listed above, it shall be so.
- 1.10.9 In circumstances not covered above, the district property line shall be determined by a Development Officer measuring the property line from some known location on the land use district Maps.



1.10.10 Where the application of the above interpretations does not determine the exact location of a district property line, a Development Officer shall fix the property line in doubt or dispute in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as circumstances require. This decision may be appealed to the Subdivision and Development Appeal Board (SDAB).

1.10.11 When any road or lane is closed, it has the same districting as the abutting land. When different districts govern abutting lands, the centre of the road or lane is the district property line, unless the district property line is shown clearly following the edge of the road or lane. If the road or lane is consolidated with an adjoining parcel, that parcel's district designation applies to affected portions of the closed road or lane.

1.10.12 The Development Permit Process and its relation to other sections of the Land Use Bylaw can be found in Section 3 – Development Permit Process.

## 2 Approval and Appeal Authorities

### 2.1 Development Authority

2.1.1 The Development Authority for Lac Ste. Anne County is:

- a) The person appointed by resolution of Council as Development Officer pursuant to this Bylaw; and
- b) The Municipal Planning Commission (MPC) established by Bylaw pursuant to the MGA.

2.1.2 The Development Authority shall carry out the powers and duties set out in regulations established under the MGA and this Bylaw, as amended from time to time.

2.1.3 The Office of the Development Officer is established through this Bylaw and shall be filled by person(s) employed or contracted by the municipality.

2.1.4 The Development Officer shall perform such duties that are specified in the Development Authority Bylaw and this Bylaw.

2.1.5 The Development Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments to it. The Development Officer shall also keep a register of all applications for development, including the decisions made on those applications, and the reasons for those decisions.

2.1.6 For the purposes of Section 542 of the MGA, the Development Officer is hereby designated as authorized by the municipality to discharge the relevant powers and functions.

## 2.2 Development Officer

2.2.1 A Development Officer shall be responsible for the following:

- a) Approving all forms, notices and other documents necessary for the processes of applying for development permits, notifying applicants that an application for a development permit and subdivision application is complete or incomplete, issuing a development permit, refusing to issue a development permit, cancelling or suspending a development permit and any other process that is part of the functions and duties of the Development Authority or Subdivision Authority of the Municipality
- b) Reviewing all applications for a development permit and establishing specific conditions related to each development permit application;
- c) Referring an application to any municipal, provincial, federal, or inter-jurisdictional department or any other agency or body; and
- d) Considering and approving a development permit that is consistent with a licence, permit, approval, or other authorization granted by either the Alberta Energy Regulator (AER) or Natural Resources and Conservation Board (NRCB).

## 2.3 Subdivision Authority

2.3.1 In accordance with Section 623(1) of the MGA, the Subdivision Authority for Lac Ste. Anne County is established thru the Subdivision Authority Bylaw pursuant to the MGA.

## 2.4 Subdivision and Development Appeal Board

2.4.1 The SDAB for Lac Ste. Anne County, as established through the Lac Ste. Anne County SDAB Bylaw, shall perform the duties and functions as described in the Bylaw and the MGA.

2.4.2 The SDAB shall review all appeal applications within its jurisdiction for development permit appeal, stop order appeal, and subdivision application appeal.

## 2.5 Municipal Planning Commission

2.5.1 The MPC is established by the Lac Ste. Anne County MPC Bylaw.

2.5.2 The MPC shall perform such duties as are specified in Sections 3, 4, 5, 6 and 7 of this Bylaw and as are specified in the MPC Bylaw and the Development Authority Bylaw.

2.5.3 The MPC shall:

- a) Decide upon all development permit applications referred to it by the Development Officer; and
- b) Perform such other duties as described or implied in this Bylaw or as may be assigned to it by Council.

## 2.6 Decision-Making Structure

2.6.1 The Development Officer shall be responsible for making decisions on all development permit applications involving permitted uses. Any applications involving discretionary uses or those involving variances may be decided upon by the Development Officer, or be referred to the MPC.

2.6.2 Unless the land to be subdivided is included in an approved Area Structure Plan, or the Subdivision Authority Bylaw provides otherwise, all subdivision applications beyond first parcel may be referred to MPC.

## **2.7 Legal Non-Conforming Uses**

- 2.7.1 Notwithstanding s. 643 of the MGA and s. 1.8 of this Land Use Bylaw, the Development Authority may issue a Development Permit for an enlargement, an addition to, or the renovation or structural alteration of a non-conforming building where the Development Authority is of the opinion the enlargement, addition, renovation or structural alteration is minor in nature and does not change the general nature of the building.

---

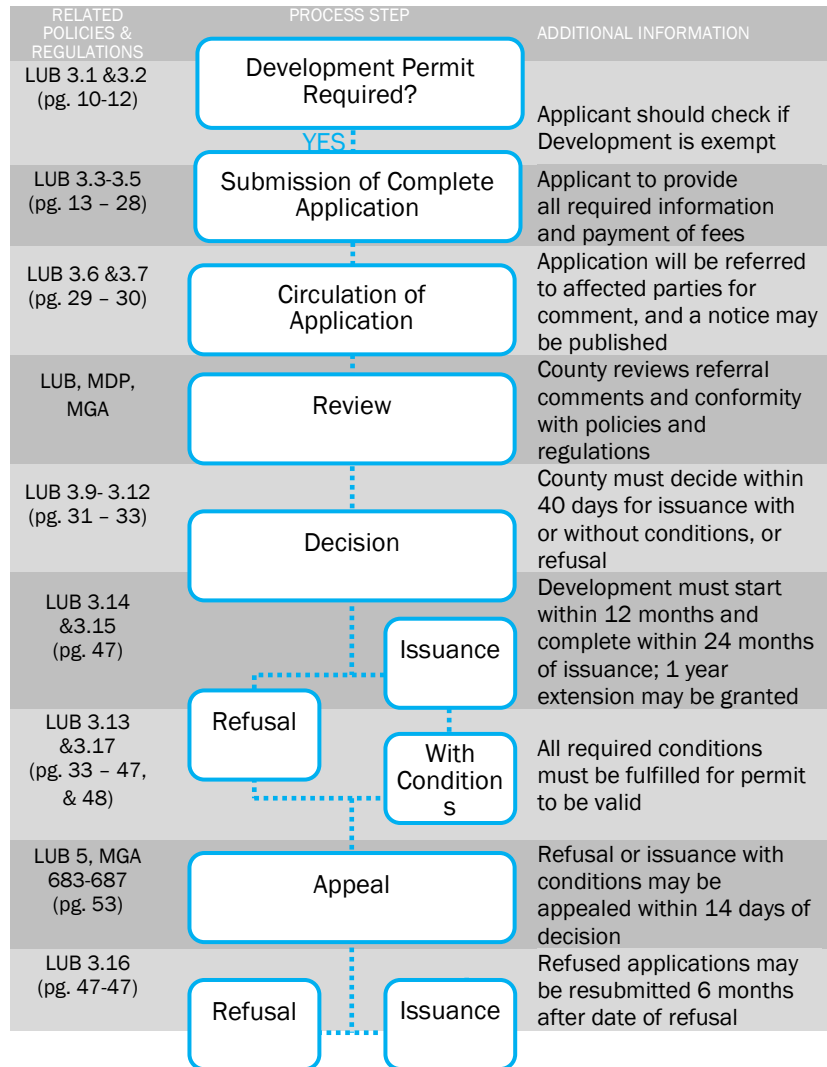
# Part II

## Administrative Procedures

---



### 3 Development Permit Process



### 3.1 Control of Development

- 3.1.1 No development other than that designated in Subsection 3.2 of this Bylaw shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.
- 3.1.2 In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure and obtain other safety code approvals or licences that may be required by other regulatory departments or agencies.
- 3.1.3 A building permit shall not be issued unless a development permit, where required, has also been issued.

### 3.2 Development Not Requiring a Development Permit

- 3.2.1 The following developments do not require a development permit but must otherwise comply with all other provisions of this Bylaw:
  - a) Maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation;
  - b) Use of any such building(s) as are referred to in Subsection (a) above for the purpose for which the construction was commenced;
  - c) Demolition of a structure, if the construction of the structure did not require a development permit;
  - d) Erection of a fence or other enclosure which is no higher than 1.8 metres (m) (6.0 feet [ft]) in height provided that there is no contravention of this or any other Bylaw of the municipality and provided that such a fence or enclosure does not obstruct the visibility at roadway intersections;

- e) Construction, renovation, or on-site relocation of Farm Buildings, as defined in this Bylaw, in conjunction with extensive agricultural operations, provided the development conforms to all applicable setbacks applied to parcels 12.1 hectares (ha) (30.0 acres) or more in size. (Please note: a dwelling is not a Farm Building);
  - f) Construction, renovation, or on-site relocation of buildings used on an approved gravel extraction-site, if it conforms to all setbacks and the structure is less than 37.2 m<sup>2</sup> (400 ft<sup>2</sup>);
  - g) On-site relocation of a crusher related to gravel extraction and processing if crushing is permitted within a development permit.
  - h) Creation, maintenance and repair of public works, services, and utilities carried out by or on behalf of federal, provincial, and municipal public authorities on land that is publicly owned or controlled;
  - i) Dugouts for extensive agricultural use that are more than 45.7 m (150.0 ft) from all property lines and residences and not located in multi-parcel subdivision areas of over five (5) parcels;
  - j) Landscaping or beautification of property through painting, paving, stuccoing, etc;
  - k) Signs exempted from development permit approval as described in Section 14 of this Bylaw;
  - l) Accessory buildings less than 9.29 m<sup>2</sup> (100.0 ft<sup>2</sup>) in area (applies to outside dimensions), including tarp structures. A building permit shall be required for Accessory Buildings 9.29 m<sup>2</sup> (100.0 ft<sup>2</sup>) or greater;
  - m) Towers not exceeding 4.60 m (15.10 ft) in height;
  - n) Satellite dishes;
  - o) Seasonal decorations;
  - p) Home occupations that do not involve any client traffic, external storage, or off-site employees;
  - q) All decks and uncovered porches where the structure is less than 0.60 m (2.0 ft) above grade, provided all site setback requirements in the applicable land use district are met;
  - r) Above-ground, pre-manufactured swimming pools with a water volume less than 6.11 m<sup>3</sup> (215.80 ft<sup>3</sup>);
  - s) Tree clearing, except in priority wetlands; and
  - t) In all land use districts, the municipality's use of land that it either owns, has an equitable interest in, or is the lessee, for a purpose approved by Council in connection with any municipal work or operation, including the construction, maintenance, repair, or ongoing operation of such use;
  - u) The permanent or temporary placement of Recreational Vehicles on any parcel, except for parcels districted Country Residential 3 (CR3), provided that the regulations of the district allow for placement of Recreational Vehicles and provided further that Section 3.13.108 through 3.13.110 and Sections 11.2.92 through 11.2.99 are complied with.
  - v) The placement of a Recreational Vehicle on an individual separately titled lot within the Bareland Recreational Resort (REC) District, provided that the applicable setback requirements are complied with.
- 3.2.2 Notwithstanding the provisions of Policy 3.3.1, private sector development of public infrastructure may require a development permit.

3.2.3 If there is any doubt as to whether or not a development permit is required, the Development Authority shall require a development permit.

### 3.3 Development Permit and Agreement Fees

3.3.1 All fees and charges under and pursuant to development permit and subdivision applications, appeals, statutory plans, Bylaws, and this Bylaw, and any amendments to them shall be as established by Bylaw of Council.

### 3.4 Requirements for Development Permit Applications

#### General Requirements

3.4.1 All applications for a development permit shall be made to the Development Authority in writing on the application provided by Lac Ste. Anne County, and shall:

- a) Be signed by the registered owner or his or her agent where a person other than the owner is authorized by the owner to make the application. The correctness of the information supplied shall, when required by the Development Authority, be verified by a statutory declaration;
- b) State the proposed use or occupancy of all parts of the land and buildings and provide any other information as may be required by the Development Authority; and
- c) Include parcel plans in duplicate at a scale satisfactory to the Development Authority, showing the following:
  - i) North point;
  - ii) Legal description of the parcel;

- iii) Location of principal building and other structures including Accessory Buildings, garages, carports, fences, driveways, paved areas, and major landscaped areas, including buffering and screening areas where provided;
- iv) Outlines of the roof overhangs on all buildings;
- v) Front, rear, and side yard setbacks;
- vi) Access and egress points to and from the parcel;
- vii) On a vacant parcel in a residential land use district, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal; and
- viii) Estimated cost of the project, excluding land prices.
- ix) The type of existing Sewer System or how the Developer intends to address sewage.

3.4.2 In addition to the information described above, at the discretion of the Development Authority the applicant may also be required to provide parcel plans to show any of the following:

- i) The provision of off-street loading and vehicle parking;
- ii) The exterior elevations of all buildings showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed;
- iii) A parcel grading plan indicating, but not limited to the elevation of the parcel at all corners and the grade at all corners of the proposed development as well as the grades of the adjacent streets, lanes and sewers servicing the parcel;

- iv) Storm drainage plan;
- v) The location of existing and proposed municipal and private local improvements as well as a cost and time estimation of the installation of these improvements; and
- vi) The lowest finished floor elevation in either the basement or main floor in the principal and Accessory Buildings where applicable.
- vii) Be accompanied by an electronic copy (by way of USB key or CD) of all plans and drawings;
- viii) Provide a real property report to be submitted by the applicant to verify compliance of all existing and proposed buildings with this Bylaw;
- ix) Include certificate of title from the land Titles Office;
- x) Indicate authorization by all registered owners where there is more than one registered owner;
- xi) Be signed with the corporate seal or include verification of corporate signing authority, where the registered owner is a corporation; and
- xii) Provide any other pertinent information or tests required by the Development Officer respecting the parcel or adjacent lands.
- xiii) Hold a preapplication meeting with Lac Ste. Anne County Administration

**Direct Control District Requirements**

- 3.4.3 In the case of a development permit application made pursuant to a Direct Control district, all requirements and procedures pertaining to the development permit application will be at the direction and to the satisfaction of Council.
- 3.4.4 In determining the development permit application requirements and procedures pursuant to a Direct Control district the Council may consider and be guided by the provisions outlined in this Section and may require the applicant to submit any or all of the following for the purpose of relating any proposal to the growth of Lac Ste. Anne County:
  - a) An explanation of the intent of the project.
  - b) The features of the project that make it desirable to the general public and Lac Ste. Anne County. This is to include an evaluation of how the project may contribute to the present and projected needs of Lac Ste. Anne County as a whole.
  - c) An economic analysis of the proposal's anticipated economic impact on the municipality.
  - d) A detailed development scheme containing the following information:
    - i) Location of all proposed buildings;
    - ii) Elevation and architectural treatment of all buildings and associated structures;
    - iii) Proposed servicing scheme and its relationship to Lac Ste. Anne County's existing and/or proposed servicing plans;



- iv) Anticipated scheduling and sequence of development;
- v) Mechanisms by which conformance to the plan will be ensured, such as through a combination of caveats, easements, service agreements and performance bonds;
- vi) Details of all earthwork and tree removal;
- vii) All yard setbacks, parcel coverage, parcel areas, floor areas, sizes of parcels, and number of parking stalls; and
- viii) Such additional requirements as are determined necessary by Council with regard to the nature of the proposed development and the surrounding use(s) that may be affected.

3.4.5 When, in the opinion of the Development Officer, sufficient details of the proposed development have not been included with an application for a development permit, the Development Authority may return the application to the applicant for further details. The returned application shall not be determined to be in its final form until all required details have been submitted to the satisfaction of the Development Authority. Should the municipality deem the submitted application incomplete, the Development Authority may issue a notice acknowledging the application is incomplete.

3.4.6 As part of the development permit application, the Development Authority may require the applicant to provide written consent to enter upon the subject property to verify compliance of all existing and proposed development(s) with this Bylaw.

3.4.7 Where an incomplete application has been submitted, the County shall hold the application for thirty (30) days. If the applicant fails to collect the incomplete application within this period, the County shall return the application by post and retain all fees associated with the application.

3.4.8 The Development Authority may require a complete Hydrological Ground Water Impact Report for any commercial, industrial, or multi-parcel development.

**Proposed Developments Adjacent to Environmentally Sensitive Areas**

3.4.9 As part of the development permit application, the Development Authority may require a geotechnical study, prepared by a qualified engineer, addressing the proposed development. The geotechnical study shall include a slope stability study and establish building setbacks from property lines based on the characteristics of the subject property.

3.4.10 The Development Authority may require any or all of the following as part of a development permit application on land that has been identified as environmentally sensitive in the Lac Ste. Anne County Environmental Inventory:

- a) A certificate from a qualified professional engineer certifying that the design of the proposed development was undertaken with full knowledge of the soil and slope conditions of the subject property;
- b) As part of a development permit application, or Land Use Bylaw amendment application, the location of the top of bank, shall be determined by a survey conducted by a geotechnical engineer, or by any other method determined to be satisfactory to the Development Authority;

- c) A geotechnical study or a slope stability study may be required in accordance with Map 12 and to the satisfaction of the development authority to confirm that the proposed development would not cause a negative impact on the slope stability of the subject site or any adjacent lands.
- d) An environmental audit or Environmental Impact Assessment, prepared by a qualified professional, if the proposed development may, in the opinion of the Development Authority, result in potentially significant environmental effects or nuisance (requirements for an environmental audit and Environmental Impact Assessment are outlined in Section 3.4.12 and Section 3.4.14, respectively); and
- e) A certificate from a qualified engineer when the proposed development includes cut and/or fill sections on slopes including the addition of fill to the subject property.

3.4.11 When considering a development permit application involving land in or near an environmentally sensitive area, as defined by the Lac Ste. Anne County Environmental Inventory, the Development Authority may refer the application to federal or provincial departments and other relevant environmental agencies for comments prior to reaching a decision.

**Requirements for Environmental Audits**

3.4.12 An environmental audit report shall contain:

- a) A history of the subject property's ownership and use;
- b) A description of the natural environment and social environment surrounding the subject property that may be sensitive to contamination;

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

**Requirements for Environmental Impact Assessment**

3.4.13 The Development Authority may require an applicant to conduct and submit an Environmental Impact Assessment as part of a development permit application, an application to amend this Bylaw, an application for subdivision approval, or an application to adopt or amend a statutory plan.

3.4.14 An Environmental Impact Assessment shall address the following information where applicable:

- a) The proposed development;
- b) Types of natural features, such as wetlands, wildlife habitat, vegetation conservation areas, and rare plant species;

- c) Boundaries of natural features;
- d) Ecological functions of the area;
- e) Potential direct and indirect impacts resulting from the proposed development;
- f) Appropriate setbacks and buffers for natural features to maintain their functions—setbacks from water bodies shall be in accordance with the Riparian Setback Matrix Model (RSMM) detailed in Section 10.2.21;
- g) Sensitivity of natural features and functions to new development;
- h) Potential environmental hazards such as steep slopes and flooding; and
- i) Identification and evaluation of mitigation measures.

### 3.5 Requirements for Specific Applications

3.5.1 For any of the specific applications in this section, the Development Authority may require one or more planning meetings with the Development Authority

#### Open House

3.5.2 Where an Open House is required, the following requirements must be met by the Applicant:

- a) The Open House must be advertised by the following:
  - i) regular mail sent to all landowners within 2 miles of the proposed development site, at least 14 days prior to the date of the Open House,

- ii) printed in a local newspaper for two consecutive weeks prior to the Open House.
- b) Advertisements must include:
  - i) the location, date, and time of the Open House;
  - ii) a description of the development; and
  - iii) the Applicant's contact information.
- c) At the Open House, the Applicant must:
  - i) provide information and/or a formal presentation about the proposed development;
  - ii) record the names and/or number of attendees; and
  - iii) provide a means for collecting feedback and/or written comments from attendees about the proposed development.
- d) The Applicant must submit a summary of the results of the Open House including the names of the attendees, the number of attendees, the information provided by the Applicant at the Open House and any feedback or written comments from attendees as part of their development permit application. If concerns are raised at the Open House with the proposed development, the Applicant must also include information about how the proposed development will address those concerns.

#### Aggregate Resource Extraction and Aggregate Resource Processing

3.5.3 Prior to submitting a development permit application for an Aggregate Resource Extraction use or an Aggregate Resource

Processing use, the applicant may be required to conduct an Open House pursuant to 3.5.2.

3.5.4 An application for a development permit for an Aggregate Resource Extraction use or an Aggregate Resource Processing use shall be made to the Development Authority in writing, and shall:

- a) Be signed by the registered owner, or his or her agent where the owner has provided such written authorization to the County that the agent may act on behalf of the owner;
- b) State the proposed use or occupancy of all parts of the land and buildings;
- c) Include a detailed description of how the proposed development complies with the requirements of any relevant municipal policies and regulations;
- d) Include an Environmental Impact Assessment completed in accordance with Section 3.4.13 and
- e) Include the following additional information:
  - i) A completed development permit application form;
  - ii) A written and graphical description of adjoining land uses within a minimum distance of 3.2 km (2.0 miles) of the legal property line of the subject site.
  - iii) Maximum tonnes of aggregate to be extracted per year, and total amount of aggregate to be extracted over the lifetime of the operation;
  - iv) The proposed development area, including the total area that will be disturbed by the development over the life of the development;
  - v) A list of all other approvals required (which may include provincial water diversion licence for pit dewatering and Federal requirements);

- vi) A copy of any applications as well as a copy of any responses or approvals from other authorities such as Alberta Environment and Parks and Alberta Transportation, to allow the County to maintain complete records and to ensure that all relevant land use criteria are being satisfactorily addressed;
- vii) A description of the gravel mining method;
- viii) A description of the extraction process;
- ix) The type of crusher to be used; and

3.5.5 The Applicant shall submit as part of the application one or more site plans, at a scale satisfactory to the Development Authority (it is recommended that the scale drawings be developed and printed on 11" X 17" paper at a minimum), showing all of the following:

- a) North point;
- b) Legal description of site;
- c) Site dimensions and location with respect to parcel boundaries;
- d) Pre-disturbance topographical map at a minimum of 1:5000 scale with a minimum contour index of 1.0 m;
- e) Location of existing facilities (i.e., water wells, buildings and major landscaped area including buffering and screening area) and where the proposed activity is to be located within the property;
- f) Location of existing drainage features, and significant natural features on and within 0.5 km (0.31 miles) of the site;
- g) Access and egress points to and from the site;
- h) Extraction locations and final extraction elevation;

- i) Stockpile locations (e.g., for topsoil, subsoil overburden, and aggregate);
- j) A phasing diagram showing phasing scheme for the pit;
- k) Locations and extents of designated processing buffer areas containing production, washing, fueling, and crushing activities (including an explanation of the placement of such things as fuel storage, crushers, asphalt, and wash machines, as well as the orientation of the engines for such machines);
- l) Line-of-sight data from the site to all residential uses within a minimum of 400.0 m (1312.34 ft) or as determined by the Development Authority;
- m) Accompanying text to site plan explaining the sequence of mining, the placement of fuel storage areas, and the placement of the crusher (i.e., bottom of pit);
- n) The location of existing and proposed municipal and private local improvements as well as a time and engineering cost estimate of the installation of these improvements;
- o) If there is a pipeline in the area, its location in conjunction with the proposed development; and
- p) Estimated cost of the project, excluding land prices.

3.5.6 For all applications within 0.5 km (0.31 miles) of a water body, the applicant shall provide the following as part of the application:

- a) Identification of all upstream, downstream, and associated hydraulically connected water bodies;
- b) Identification of surface water and groundwater flows, volumes, and directions to water bodies identified in Subsection (a);

- c) Identification of natural in-stream flow requirements required for maintaining the health of water bodies identified in Subsection (a), as determined by a registered professional; and
- d) Itemized cost of establishing and maintaining the applicable environmental continuous monitoring of the items identified in Subsections (a), (b), and (c) for the life of the operation.

*Reclamation*

3.5.7 The applicant shall include site plans in duplicate at a scale satisfactory to the Development Authority (it is recommended that the scale drawings be developed and printed on 11" X 17" paper at a minimum) showing the following:

- a) Topsoil and subsoil salvage and replacement;
- b) Cross-sections, including the slopes and the gradients prior to gravel mining and the reclaimed slopes once the reclamation is completed; and
- c) Contour elevations of the subject site before and after pit completion.

3.5.8 A reclamation plan shall be required for all aggregate resource extraction use approvals. A County approved reclamation plan shall be prepared by a qualified professional and shall include, but not be limited to:

- a) A description of the operational plan for the site;
- b) The location of all improvements, stockpiles, equipment, access, signage, and pits;
- c) A topographical map, at a minimum of 1:5000 scale with a minimum contour index of 1.0 m, showing the predicted contours of the site after completion of the reclamation, where the final contours shall be no steeper than 4:1;

- d) A phasing diagram, in accordance with the Provincial Guide, Progressive Reclamation, showing the phasing scheme for the pit including the time frame when reclamation will be completed;
- e) The amount of aggregate materials, in cubic metres (m<sup>3</sup>), located on the site to be extracted under this permit. This information is for internal use only;
- f) For pits not utilizing a scale on-site, the estimated amount of aggregate material, in cubic metres (m<sup>3</sup>), for each phase;
- g) The estimated cost for reclamation, including estimated costs for each phase;
- h) A description of the steepness of slopes;
- i) Potential end land use (i.e., agricultural, country, residential);
- j) Use(s) that may be effected;
- k) Re-vegetation to be used on the reclaimed site;
- l) Details about pit reclamation, including subsoil and topsoil replacement and compaction; and
- m) Location of water bodies, if any.

3.5.9 The reclamation plan shall comply, at a minimum, with the following standards:

- a) Drainage: Prior to re-contouring, the pit floor area should be sloped to a low point located at the bottom of the pit area.
- b) Re-contouring: The slope must be developed in a manner similar to pre-disturbance topography.

- c) Subsoil and Topsoil Replacement: The available subsoil and topsoil should be spread evenly across the re-contoured areas of the site.
- d) Seed Bed Preparation: The re-contoured and reclaimed areas of the site should accommodate conventional tillage equipment and, as a result, the soil should be adequately prepared for seeding at the site with an approved species of vegetation.
- e) Seeding and Vegetation Establishment: The site should be seeded in a manner suitable to the applicant in consultation and approval with Lac Ste. Anne County.

*Operations, Safety and Emergency Response Plan*

3.5.10 The applicant shall include the following information related to operations and safety at the aggregate extraction and processing site satisfactory to the Development Authority:

- a) Days and hours of operation including a breakdown of hours of operation for:
  - i) Aggregate Resource Extraction activities;
  - ii) Aggregate Resource Processing activities;
  - iii) Reclamation activities;
  - iv) Transportation of aggregate off-site;
  - v) Stripping operations;
  - vi) Mining/crushing/washing operations
  - vii) Asphalt production;
  - viii) Concrete production; and

- ix) Hauling operations.
- b) Descriptions of the extraction process including sequencing, stripping, and stockpiling details.
- c) Type of crusher being used.
- d) Total amount of sand and gravel to be mined out.
- e) The proposed number of years of operation and when reclamation will commence.
- f) Access and haul roads.
- g) Details on location, specifications and standards of construction of all main internal roadways located within the site.
- h) Location of stockpiles.
- i) Provisions for loading and parking;
- j) The garbage and storage area, fencing and screening proposed for this area, and methods of disposing of garbage.
- k) Location of servicing, fueling, and rinsing of trucks, including fuel storage areas.
- l) A plan to limit surface water from entering the site.
- m) Location of any potential containers to collect used oil and filters.
- n) A plan to prevent permeation of contaminants into the soil.
- o) Details about on-site sewage and garbage disposal:
  - i) Method of effluent disposal;
  - ii) Portable toilets;
  - iii) Sewage hauling and removal protocols;
  - iv) Garbage bins; and
  - v) Any other important details.
- p) Details about the use of asphalt, wash, crush, or concrete plant part of the pit operation. If these materials are to be used as part of the pit operation, describe the type of equipment used in the asphalt, wash, crush, and/or concrete plant including its placement, the placement of the power source, the location of the water source, and where the source gravel will come from if it originates off-site.
- q) A written security plan that identifies:
  - i) Potentially dangerous situations or areas;
  - ii) Typical procedures to be used for monitoring the site during periods of activity;
  - iii) When activities are suspended;
  - iv) Information access;
  - v) Fencing;
  - vi) Security features;
  - vii) Signage; and
  - viii) Emergency response procedures, including procedures for responding directly to a complainant, the County, or regulatory body, and procedures for documenting and keeping records of complaints.

- r) Methods to be used to restrict public access and to protect wildlife and neighbouring livestock.
- s) Location of the nearest city, town, village, or summer village and its distance from the proposed pit.
- t) The name, address, and telephone number of any landowners or occupants that are affected by the proposed development, which at a minimum includes those landowners or occupants within 2.0 km (1.24 miles) of the proposed development and those whose residences are located on a haul route;
- u) A list of emergency contact personnel to be used by the County for the pit operation, for active times, when the pit operation is suspended, and during final reclamation. An Emergency Management Plan, approved by the Director of Emergency Management, must be submitted.

*Setback and Screening*

3.5.11 The applicant shall include the following information related to setbacks and screening at the aggregate extraction and processing site to the satisfaction of the Development Authority:

- a) Written consent from all pipeline and right-of-way holders within the pit or within the vicinity of the pit.
- b) Details of the screening and landscaping to be undertaken by the applicant, to reduce the negative visual impact of the development. The details should include, but are not limited to, information related to:
  - i) The location and area of native vegetation that will remain undisturbed;

- ii) The location, design, and staging of any visual barriers to be constructed by the applicant, such as fences or berms;
  - iii) The location and area where the applicant will plant vegetation and trees; and
  - iv) Details on any other measures to be taken by the applicant.
- c) Proposed setbacks or buffers related to protection of natural heritage features, ecological function, or rare and endangered species.

*Transportation of Aggregate On or Off-site*

3.5.12 The applicant shall include the following information related to transportation of aggregate to and from the proposed site to the satisfaction of the Development Authority:

- a) A description of all haul routes. The description shall indicate the shortest and most desired route from the proposed pit to a processing area, if off-site or from another site to the processing area if being transported on-site. The description shall also indicate the shortest route to the nearest provincial roadway within a suitable access to accommodate projected traffic from the proposed development, and approximate gravel truck counts and frequency per day for both full and empty gravel trucks.
- b) At the discretion of the Development Authority, details of alternate routes to the one being proposed.
- c) At the discretion of the Development Authority, site plans in duplicate at a scale satisfactory to the Development Authority (it is recommended that the scale drawings be



- developed and printed on 11" X 17" paper at a minimum) showing the proposed haul routes.
- d) Description of plans for removal of internal roads, fences, and barriers or any internal roads that may be left.
- e) Details of the dust control measures to be implemented, including the suppressant materials or methods to be used on the haul roads and the estimated frequency for the application of these measures.
- f) A report on the proposed haul route or haul routes (if more than one route is proposed) that shall include and address the following:
  - i) Anticipated generation of motor vehicle traffic on a daily, weekly, or monthly basis;
  - ii) Number of vehicles that will be used in the hauling of materials and the proposed hauling route to and from site;
  - iii) Access locations to and from the site, including municipal roads and highways;
  - iv) A description of roads constructed within the site that are required for the operation of pit;
  - v) A description of any road construction or road upgrading that is necessary to access the pit's working area;
  - vi) Details on whether the haul route is on a school bus route;
  - vii) Information on whether haul routes have been established and agreed to;
- viii) Information on the number of gravel trucks that will be operating and whether the number has been agreed to;
- ix) Details of any traffic impact assessment that has been undertaken and implemented to address potential traffic issues; and
- x) Details on moratoriums to be placed on hauling during spring road bans.
- g) In addition to any other information required to be submitted by the applicant, a Traffic Impact Assessment (TIA) shall be prepared by a qualified professional and submitted to shall include the following
  - i) traffic impact on all county roads to be accessed by the resource extraction use.
  - ii) all proposed haul routes to the nearest provincial highway, off-site processing area, and from another site to a processing use on-site.
  - iii) shall address cumulative impacts through the inclusion of anticipated traffic levels, including peak loading, from existing approved gravel operations, other resource extraction uses that have an active development permit application that has not yet been decided, and approvals that are not in operation. The applicant can submit a written request to the County for this information.

*Groundwater*

- 3.5.13 The applicant shall include the following information related to groundwater to the satisfaction of the Development Authority:

- a) An analysis of the potential for adverse impact on groundwater aquifers and water wells as a result of the extraction and reclamation.
  - b) The quantity and quality of well water for any water supply system that may be used in conjunction with the proposed development. Analysis and testing must be consistent with the *Water Act* and Alberta Environment *Guide to Groundwater Authorizations*;
  - c) A hydrogeology report prepared by a qualified hydrogeologist having a professional engineer or professional geoscientist designation. Any hydrogeology report submitted to Lac Ste. Anne County may be provided to the water portal and shared with all users of the water portal. The hydrogeology report shall be prepared in a manner consistent with must be consistent with the *Water Act* and Alberta Environment *Guide to Groundwater Authorizations*. Where extraction is occurring below the water table, the report will include the following:
    - i) Location and description of existing water users (i.e., water wells);
    - ii) Description of the geology, hydrogeology, and surface water features on and surrounding the site;
    - iii) Hydrogeological cross-sections showing hydrostratigraphy and groundwater levels;
    - iv) Aquifers;
    - v) Surface water and groundwater interactions;
    - vi) Proposed dewatering plan and discharge locations;
    - vii) Groundwater quality;
    - viii) Water diversions;
    - ix) Site water budget;
    - x) Impact assessment including existing water users and natural features; and
    - xi) Mitigation and monitoring measures;
  - d) Any hydrogeology report prepared in support of a *Water Act* licence.
- Surface Water*
- 3.5.14 The applicant shall include the following information related to surface water to the satisfaction of the Development Authority:
- a) Site plans in duplicate at a scale satisfactory to the Development Authority (it is recommended that the scale drawings be developed and printed on 11" X 17" paper at a minimum) showing the storm drainage plan including surface and groundwater management measures, and direction of drainage.
  - b) A description of the current surface drainage patterns on the site and the anticipated drainage patterns once the reclamation is complete.
  - c) Consideration of the presence (including downstream) of commercial, recreational, or Aboriginal fisheries that may be affected by changes in the surface water drainage patterns, including but not limited to:
    - i) Water quality and sediment transport;
    - ii) Changes in flow and velocity;
    - iii) Fish passage; and

- iv) Thermal regime, as described under the Federal *Fisheries Act*.
- d) An analysis of the potential for adverse impact on surface water as a result of the extraction and reclamation.

*Noise*

3.5.15 The applicant shall include the following information related to noise to the satisfaction of the Development Authority:

- a) Site plans in duplicate at a scale satisfactory to the Development Authority (it is recommended that the scale drawings be developed and printed on 11" X 17" paper at a minimum) which provides the acoustic mapping of the site;
- b) A description of measures to be taken to minimize noise to neighboring properties;
- c) A written assessment including a description of mitigation measures that will be implemented as part of the overall resource extraction operation to reduce acoustic impacts on adjoining land uses; and
- d) Confirmation that any crusher located on the site shall be located at the bottom of the excavation area as soon as reasonably possible and shall be located so that any muffler located on the crusher is pointed towards the wall of the excavation area or any other structure or surface that may act as a noise barrier (e.g., berm or on-site building).

*Dust*

- 3.5.16 To the satisfaction of the Development Authority, the applicant shall include the following information on the details of the dust control measures to be implemented, including the suppressant materials or methods to be used on the pit floor and on stockpiles located on the site, and the estimated frequency for the application.

*Additional Requirements*

- 3.5.17 The Development Authority, at the Development Authority's discretion, may require any other additional information or documentation as required to determine the suitability of the proposed development.
- 3.5.18 As part of the development permit application, the Development Authority may require that the applicant provide written consent to enter upon the subject site to verify compliance of all existing and proposed development(s) with this Bylaw.
- 3.5.19 The Development Authority may waive any requirement set out in this Section, if, under a unique planning circumstance, the Development Authority is satisfied by submission of a professional assessment that the waiver of the requirement for information or documentation relating the profession's subjectmatter is justified.
- 3.5.20 The Development Authority may, if it is processing a development permit for an extension for a previously approved Aggregate Resource Extraction or Aggregate Resource Processing, do the following:
- a) Determine that the application information submitted with the original development permit application in whole or in part satisfies the application requirements for the development permit for the extension; or

- b) Determine that additional information shall be submitted for the development permit for the extension, even if such information was not required for processing the original development permit application.

**Campgrounds**

- 3.5.21 For a development permit application for a Campground – Major or Campground – Minor use, the Applicant must conduct an Open House pursuant to section 3.5.2.

**Cannabis Production**

- 3.5.22 For a development permit application for a Cannabis Production facility, the Application must conduct an Open House pursuant to section 3.5.2.

**Cannabis Retail Sales**

- 3.5.23 An application for Cannabis Retail Sales use shall require:
  - a) Proof of provincial license;
  - b) Details of site location and surround uses; and
  - c) Detailed floor plan that provides dimensions.

**Communication Towers**

- 3.5.24 An application for a Communication Tower must comply with the requirements of the County's Communication Tower Policy

**Home Based Businesses**

- 3.5.25 For a development permit application for a Home Based Business – Major within a multiparcel subdivision, the Applicant must conduct an Open House pursuant to section 3.5.2.
- 3.5.26 An application for a development permit for a Home Based Business – Major or a Home Based Business – Minor shall included the following:
  - a) A detailed description of the business.

- b) Typical hours of operation.
- c) Number of resident and non-resident employees.
- d) Number of vehicle trips per day.
- e) A site plan indicating:
  - i) Location of Outdoor Storage and potential measures to mitigate visual and noise impacts on adjacent properties;
  - ii) Parking layout; and
  - iii) A breakdown of the business use area in relation to the remainder of the property.
- f) Any other information requested by the Development Authority.

**Industrial Developments**

- 3.5.27 At the discretion of the Development Authority, any non-aggregate industrial development within 0.5 km (0.31 miles) of a water body may be subject to the provisions of section 3.4.

**Micro Homes**

- 3.5.28 A development permit application for a Micro Home use shall meet the requirements of Section 3.4 in addition to providing the following:
  - a) Detailed floor plan that provides dimensions; and
  - b) Elevation drawings that convey the architectural character of the Micro Home.
  - c) A Kitchen and Washroom within the Micro Home.

**Mobile Homes Older Than 20 Years**

3.5.29 An application for a development permit for a Mobile Home older than 20 years old at the time of application must include an inspection report prepared by a licensed Safety Codes Officer to the satisfaction of the development authority.

**Non-Aggregate Stripping, Filling, Excavation and Grading**

3.5.30 A development permit application for site stripping, filling, excavation, grading, and/or re-contouring (including construction of artificial water bodies and dugouts) shall include the following information:

- a) parcel where the excavation, stripping, or grading is to be  
Location and area of the site on which the development is proposed;
- b) Existing land use and vegetation;
- c) Type of excavation, stripping, or grading proposed, showing dimensions of the operation or the area of the land and depth to which the topsoil is to be removed, and the effect on existing drainage patterns;
- d) Location on the parcel where the excavation, stripping, or grading is to be made on the parcel.
- e) Condition in which the excavation, stripping or grading is to be left when the operation is complete (including submission of site grading or re-contouring plans if required by the Development Officer or MPC) or the use of the area from which the topsoil is removed; and
- f) Where, in the process of development, areas require levelling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, and replaced following the completion of the work

**Relocation of Buildings**

3.5.31 Any building to be moved in or placed within any district established by this Bylaw, other than a Farm Building in an agricultural district, will require approval by the Development Authority.

3.5.32 An application to relocate a building shall require:

- a) Properly labeled colour photos of all sides of the structure;
- b) A statement of the present location of the building;
- c) A notification of the relocation route, date, and time that the relocation is to take place;
- d) A complete site plan showing all buildings located or to be located on the parcel; and
- e) A deposit of:
  - i) \$4000.00 for a habitable residence; or
  - ii) \$1500.00 for any other structure greater than 27.87 m<sup>2</sup> (300 ft<sup>2</sup>).

### **3.6 Notice of Complete Application**

- 3.6.1 Within twenty (20) days of the receipt of the application for development permit the development officer shall determine if the application is complete.
- 3.6.2 If the Development Officer concludes the application for the development permit is complete the Development Officer shall issue a notice to the applicant indicating that the application is complete.
- 3.6.3 If the Development Officer concludes the application for the development permit is incomplete the Development Officer shall issue a notice in writing indicating to the applicant what outstanding documents and information must be submitted to make the application complete. The notice must indicate the date by which the additional information is to be submitted.
- 3.6.4 If the applicant fails to submit the outstanding information by the date set in the notice the application is deemed refused and the Development Authority shall issue a notice to the applicant indicating that the application is refused and the reasons for the refusal.
- 3.6.5 At any time the applicant and the Development Officer can, in writing, extend the time prescribed in Section 3.6.1 that the Development Officer has to determine if an application is complete.
- 3.6.6 At any time prior to the date prescribed in the notice issued pursuant to Section 3.6.3 for the applicant to submit the additional information required to complete the application, the applicant and the Development Officer can, in writing, extend the date by which the information required to complete the application must be submitted.

### **3.7 Notice of Proposed Development**

- 3.7.1 Prior to an application for a discretionary use being considered, the Development Authority may require the applicant, at the applicants expense, to provide notice of the application using one or more of the following methods:
  - a) A notice to be published in the local newspaper to the satisfaction of the development Authority, for at least 2 consecutive weeks;
  - b) A notice by regular mail to all properties within a 2.0 mile (3.22 km) radius of the proposed development location;
  - c) A similar notice to be published on the County website.
- 3.7.2 The notices issued pursuant to Section 3.7.1 shall state:
  - a) The proposed use of the building or parcel.
  - b) That an application respecting the proposed use will be considered by the Development Authority.
  - c) That any person who objects to the proposed use of the parcel may deliver to the Development Authority a written statement of their objections indicating:
    - i) Their full name and address for service of any notice to be given to them in respect of the objection; and
    - ii) The reasons for their objections to the proposed use.

### **3.8 Referrals for Development Permit Applications**

- 3.8.1 The Development Authority may refer any application to any person it deems necessary.

3.8.2 The Development Authority may refer any development permit application to the MPC for review and comment.

3.8.3 Referrals shall include the following information:

- a) The date by which objections must be received by the Development Authority; and
- b) The date, time and place the application will be considered by the Development Authority.

3.8.4 At the discretion of the Development Authority, interested person(s) may be provided with an opportunity to make representation on the application as part of the development permit application review process.

#### **Referrals to External Agencies**

3.8.5 The Development Authority may refer any development permit application to another municipal department or external agency for their review and comment. The following is a description of mandatory referrals to external agencies.

- a) Alberta Transportation: The applicant shall be required to obtain an approval from Alberta Transportation, in the following circumstances:
  - i) Subdivision applications within 1600.0 m (1.0 miles) of a provincial highway;
  - ii) Development permit applications within 300.0 m (0.19 miles) of a provincial highway; and
  - iii) Development permit applications within 800.0 m (0.50 miles) of a provincial highway intersection.
- b) Alberta Energy Regulator (AER):

- i) An application for a permanent dwelling, public facility or unrestricted country residential development, as defined by the AER, shall be referred to the AER if and of the land that is subject to the application is within 1.5 kilometres of a sour gas facility.
- ii) The applicant shall be required to obtain approval from AER for developments within 100.0 m (328.08 ft) of sour gas, gas or oil facilities in accordance with AER regulations;
- c) Alberta Health: The applicant may be required to obtain an approval from Alberta Health, subject to location of the subject property, at the discretion of Development Authority.
- d) Critical wildlife, vegetation, and physical environments: To support the preservation of land that is identified or determined by the municipality to be a critical wildlife habitat, vegetative area, and/or physical environment, the Development Authority may refer any development permit application that may adversely affect the subject or adjacent property to the appropriate government department for comments and recommendations;
- e) Crown land development: When the municipality receives a development application that is to be located on Crown land or near a regionally significant or natural area, a copy of the development permit application shall be forwarded to the appropriate government department for comment and recommendations;

**Referrals to Landowners**

from another municipality or may have an adverse impact on the neighboring municipality.

- 3.8.6 The Development Authority shall refer the following development permits to adjacent land owners for review and comment:
- a) Garages over 1200 sq. ft. in multiparcel subdivisions;
  - b) Intensive or Extensive Recreation uses in all districts except those districted Commercial Recreation (CREC);
  - c) Home Based Business Major in multiparcel subdivisions;
  - d) Cannabis Production facilities.
- 3.8.7 The Development Authority shall refer setback variance requests of 70% or more to the landowner directly impacted by the variance setback for review and comment.
- 3.8.8 Inter-municipal referrals: The Development Authority may refer the application for subdivision, development permit, and rezoning to the adjacent municipalities subject to the following criteria:
- i) All subdivision and development within 3.20 km (2.0 miles) of the corporate property line of a Town, Village, or Summer Village shall be subject to the urban fringe policies of the Lac Ste. Anne County MDP;
  - ii) All subdivision and development applications on parcels within 800.0 m (0.50 miles) of the corporate property line of a rural municipality where the main use is a discretionary use; and
  - iii) Notwithstanding the above, subdivision and development proposals that may have an impact on another municipality or that will require services



### 3.9 Decision on Development Permit Applications

#### Permitted Use Applications

- 3.9.1 The Development Authority shall be the approving authority for all proposed development that is listed as either a permitted or discretionary use under a land use district contained in Part 3 of this Bylaw. Any development permit application may be referred to the MPC for decision at the discretion of the Development Authority.
- 3.9.2 Upon receipt of a completed application for a development permit for a permitted use, the Development Authority shall approve the application, with or without conditions, where the proposed use conforms to this Bylaw.

#### Discretionary Use Applications

- 3.9.3 Development permit applications for all discretionary uses under land use districts contained in Part 3 of this Bylaw may be referred to the MPC for their review and decision.

#### Direct Control District Applications

- 3.9.4 Upon receipt of a completed application for a development permit pursuant to a Direct Control District, the Council may, and prior to making a decision, refer the application to the Development Authority or any municipal department or external agency for comment.

- 3.9.5 At some point, as determined by Council, prior to deciding upon the development permit application before it, the Council may provide public notice, through means and to whom it considers necessary, that a decision on a development permit pursuant to a Direct Control District is to be made and that Council may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.

- 3.9.6 The Council may approve, with or without conditions, or refuse the application, giving reasons for the refusal.

#### Temporary Use Approval

- 3.9.7 Where a development is not required on a permanent basis, the Development Authority may approve the proposed development permit for a specified period of time. The expiry date of all temporary development permits shall be clearly indicated on the notice of decision.

#### Decisions on Development Adjacent to Environmentally Sensitive Areas

- 3.9.8 The municipality may use the recommendations of an environmental audit or Environmental Impact Assessment as a basis for:
- a) Reasons for issuing a development permit with or without conditions; and
  - b) Reasons to refuse a development permit application.

### 3.10 Variance Provisions

3.10.1 The Development Authority may approve an application for a development permit, notwithstanding that the proposed development does not comply with this Bylaw if, in the opinion of the Development Authority, the proposed development would not:

- a) Unduly interfere with the amenities of the neighborhood;
- b) Materially interfere with or affect the use, enjoyment, or value of the neighboring properties; and
- c) The proposed development conforms to the use prescribed for the land or building in this Bylaw.

3.10.2 In approving an application for a development permit the Development Authority shall adhere to the general purpose and intent of the appropriate land use district and to the following:

- a) A variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building that are not generally common to other land in the same land use district;
- b) Except as otherwise provided in this Bylaw, there shall be no variance from the regulations prescribing dwelling density; and
- c) Notwithstanding other provisions related to the granting of variances, the Development Authority may vary a development control standard at their discretion.
- d) Applications requiring a variance shall be referred as follows:

- i) for setback variances of greater than 70%, the application shall be referred to the affected landowner of the adjacent parcel;
- ii) for front setback variances of greater than 25%, the application shall be referred to Public Works for comment regarding the setback.

### 3.11 Deemed Refusal

3.11.1 In accordance with the MGA, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Authority is not made within forty (40) days of the completed application being received by the Development Authority unless an agreement to extend the forty (40) day period herein described is established between the applicant(s) and the Development Authority.

3.11.2 In accordance with MGA, an incomplete application for a development permit shall be deemed to be refused if the applicant fails to submit the information required to complete the application to the development authority within the time prescribed in the notice, issued by the Development Officer to the applicant, that indicates the application is incomplete and identifies the information that must be submitted in order for the application to be complete.

### 3.12 Notice of Decision

3.12.1 A notice of decision shall be delivered to the applicant in the following manner;

- a) By mail; or
- b) Pursuant to section 608 of the Municipal Government Act, where the applicant and/or the landowner has consented to receive documents from the County by electronic means and has provided an email address for that purpose, the Notice of Decision shall be sent by email. Where multiple landowners are listed on the application, notification will be sent by email to all landowners who have consented to receive electronic notification and provided an email address.

3.12.2 A development permit does not come into effect until twenty one (21) days after a notice of decision is communicated. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.

3.12.3 The Development Authority may require a notice of decision to be:

- a) Published in a newspaper circulating in the area; or
- b) Published on the County website.
- c) Be mailed to the directly adjacent landowners.

The Development Authority may require a notice of decision to be provided by any means other than those listed above, or by any other means not listed above.

3.12.4 Development permits issued for permitted uses where the proposed development is in complete conformance with this Bylaw need only be advertised, at the discretion of the Development Authority, to the applicant and Landowner of the subject property.

3.12.5 Where an application for a development permit has been refused, the notice of decision need only be sent by mail to the applicant.

3.12.6 Where an appeal is lodged against a notice of decision of the Development Authority, the Subdivision and Development Appeal Board, or the Alberta Court of Appeal, a development permit shall not come into effect until the appeal has been finally determined.

3.12.7 Where a development permit has been refused, an application for a development permit for a similar use for the same site will not be accepted for a period of 24 months from the date of the Development Authority's decision on the previous application.

### 3.13 Development Permit Conditions

#### General Conditions for All Development Permits

- 3.13.1 Subsection 3.13 contains standard conditions that apply to all development permits. The Development Authority may amend or remove any of the conditions listed or add additional conditions not referenced here as needed on a case by-case basis.
- 3.13.2 In addition to other requirements of this Bylaw, the Development Authority shall require the applicant to enter into an agreement and to abide by any or all of the following as conditions of approval for a development permit application:
- a) Install or pay for the installation of utilities (i.e., water, sewer and natural gas);
  - b) Pay for an off-site levy or redevelopment levy imposed by bylaw;
  - c) Prior to construction or commencement of any development, the owner/applicant or contractor is responsible to obtain building, electric, plumbing, sewage, and gas permits, if required. Permits must be obtained from Lac Ste. Anne County. The applicant is required to consult with the permit issuer to ensure that there are no conflicts between homeowner/contractor permits and the person(s) responsible for performing the actual work;
- 3.13.3 Prior to construction or commencement of any development, the owner/applicant or contractor is responsible to obtain building, electric, plumbing, sewage, and gas permits, if required. Permits must be obtained from Lac Ste. Anne County. The applicant is required to consult with the permit issuer to ensure that there are no conflicts between homeowner/contractor permits and the person(s) responsible for performing the actual work;
- 3.13.4 The applicant shall be responsible for obtaining and complying with any required permits from federal, provincial, or other regulatory bodies. The Applicant shall also be responsible for complying with the condition of any easement, covenant, building scheme, or development agreement affecting the site.
- 3.13.5 The development that is the subject of the permit be commenced within twelve (12) months of the issue date of the development permit and be completed within twenty fourth (24) months;
- 3.13.6 This decision to require the structure be completed within two years from the date of issuance; if this decision is appealed (to the Subdivision and Development Appeal Board {SDAB} or Municipal Government Board {MGB}), any new decision will be valid for the length of time indicated in the decision issued by the SDAB or MGB.
- 3.13.7 All development shall be landscaped and graded in a manner that all surface run-off is either contained on-site, or public drainage system (i.e., a municipal ditch). Any changes to drainage shall require Water Act Approval from Alberta Environment and Parks.
- 3.13.8 The applicant shall remove all garbage and waste at his/her own expense and keep the site in a neat and orderly manner.
- 3.13.9 Any field work or construction undertaken prior to the effective date of the development permit is at the risk of the Owner(s)/Applicant(s).
- 3.13.10 The Applicant must obtain Public Works approval for all approaches required for the proposed development.
- 3.13.11 Any changes, amendments, or additions to this development permit shall require a new development permit application, including but not limited to an expansion or intensification of the use.

3.13.12 The proposed development shall be sited and conform to all building setbacks as shown on the submitted drawing, shall not be moved or enlarged except where authorized and conform to all building setbacks as required as per the Land Use Bylaw requirements.

3.13.13 All arrears including property taxes that may be owed by the Applicant to the County are to be paid in full.

3.13.14 Failure to conform to the conditions of a permit will render it null and void.

3.13.15 All development shall be landscaped and graded in a manner that all surface run-off is either contained on-site, directed into an existing water body (i.e., a lake or stream) or public drainage system (i.e., a municipal ditch).

3.13.16 Any field work or construction undertaken prior to the effective date of the development permit is at the risk of the owners/applicants.

3.13.17 Any changes or additions to a permit shall require a new development permit application.

3.13.18 For garages or Accessory Buildings as built prior to construction of the principal building on a multi-parcel subdivision parcel, the applicant will be required to submit a security deposit of \$2000.00 to Lac Ste. Anne County prior to any construction to ensure an application for a residence is submitted within three (3) years from the date of this approval. The deposit will be refunded upon county inspection for commencement of an approved residence on said parcel.

3.13.19 In addition to the requirements set out in Subsection 3.13.2, the Development Authority may also require the applicant to enter into an agreement and to abide by any or all of the following as conditions of approval for a development permit application:

3.13.20 Construct or pay for the construction of public roadways or parking areas;

a) Construct or pay for a pedestrian walkway (sidewalk) system to serve the development;

b) Repair, reinstate, or pay for the repair or reinstatement to original condition of the curbing, sidewalk, and boulevard, and landscaping, which may be damaged or otherwise affected by the development or building operations on the site; and

3.13.21 Additional conditions for development permit approval as described below for specialized uses.

3.13.22 The applicant must obtain Public Works approval for all approaches required for the proposed development.

3.13.23 The building should be connected to municipal service (water and/or sewer) at the applicant's expense.

3.13.24 The applicant/owner shall enter into an Overland Drainage Easement and Restrictive Covenant with the Lac Ste. Anne County, in a form and on terms and conditions satisfactory to the County, which shall be registered against title to the lands prior to the commencement of development.

**Conditions for Aggregate Resource Extraction or Processing Applications**

*General*

3.13.25 The applicant shall ensure that all aspects of the extraction and reclamation operation take place in full compliance with the approved application.

3.13.26 The applicant shall ensure that all aspects of the extraction and reclamation operation take place in full compliance with any requirements or recommendations contained within any professional's report submitted as part of this development permit, including but not limited to, a hydrogeology report, surface water report, noise impact report, traffic impact report, and environmental impact assessment.

3.13.27 All aggregate resource extraction or aggregate resource processing uses shall require the applicant to enter into a development agreement pursuant to Section 650 of the *Municipal Government Act* with Lac Ste. Anne County if such agreement is deemed necessary by Lac Ste. Anne County; the agreement shall contain terms satisfactory to Lac Ste. Anne County.

3.13.28 The applicant shall pay to the County all costs incurred in reviewing the development permit application and ensuring compliance with the same, including but not limited to compliance with the activities plan and reclamation plan. Further details of cost recovery may be outlined in the development agreement or aggregate haul agreement.

3.13.29 Any changes, amendments, or additions to this development permit shall require a new development permit application, including but not limited to an expansion or intensification of the use.

3.13.30 Failure of the applicant to conform to any of the conditions of the development permit will render it null and void.

3.13.31 The aggregate extraction site including processing, reclamation or other areas involving related activities may be subject to inspection at any time deemed necessary by the County.

3.13.32 The applicant shall provide the County (and its agents) with access to the lands and all records necessary and beneficial to satisfy the County that the applicant has complied with this development permit, the terms and requirements of the aggregate haul agreement, and the requirements of the development agreement, including without limiting the generality of the foregoing:

- a) All information that verifies the details in the aggregate shipped tonnage roll for the lands;
- b) Tonnage of aggregate stockpiled on the lands or elsewhere; and
- c) Tonnage of aggregate removed from the lands.

3.13.33 Without limiting the generality of the foregoing, the access mentioned in Subsection 3.13.32 shall include the ability of the County or its agents to inspect the applicant's operations to ensure compliance with the development permit, aggregate haul agreement, and development agreements and impose the costs for the audit on the applicant if it is found that the applicant did not provide accurate or complete information including aggregate levels.

3.13.34 The applicant shall provide the County with copies of any and all plans and reports on wetland compensation required by and submitted to AESRD. The plans and reports shall be submitted to the County concurrently with the submission of reports to AESRD.

3.13.35 Aggregate extraction shall not take place on any area designated with a reserve caveat placed by the County.

*Hours of Operation*

3.13.36 Hours of operation for aggregate resource extraction shall be determined on a case-by-case basis, with the following considerations:

- a) Noise impacts
- b) Light pollution
- c) Use and enjoyment of adjacent properties
- d) 24 hrs/day, 6 days/week (in all Policy Areas where aggregate extraction and processing is allowed except in the Rural Residential Policy Area) subject to confirmation of noise impacts, noise mitigation plans and other applicable reports;
- e) Shall not operate or haul on Sundays and Statutory Holidays (including but not limited to, New Year's Day, Alberta Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Heritage Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day), unless prior approval has been obtained from the County.

*Duration*

3.13.37 All work for the development that is the subject of a development permit is to be commenced within twenty-four (24) months of the effective date of all regulatory approvals.

3.13.38 The development permit shall expire five (5) years from the date all regulatory approvals are issued. All extraction activity, excluding reclamation work, must cease upon the expiration of the development permit, unless a new development permit has been applied for and approved by Lac Ste. Anne County. Final reclamation work of grading and seeding must be completed within the greater of one (1) year of all extraction activities ceasing on the site, or one (1) year from the expiry of the development permit. This deadline does not apply if an application has been made and a development permit approved for the continuation of extraction activities on the site.

3.13.39 The applicant is advised that any application for an extension of the aggregate resource extraction operation beyond the term of the development permit is subject to review by the Development Authority, who shall be notified in writing of any request for an extension. Such requests shall be accompanied by the appropriate development permit application fee, if required. It is expected that any request for an extension shall be made no less than six (6) months prior to the expiry date of this development permit.

3.13.40 Notwithstanding the above, where the submitted and approved activities plan and reclamation plan for the aggregate resource extraction or aggregate resource processing use evidence that the aggregate resource extraction or aggregate resource processing use will cease within five (5) calendar years from the date when an application for a development permit for a new residential use within a country residential District is submitted, the requirement for a restrictive covenant may be waived.

*Reclamation and Restoration*

3.13.41 The applicant shall ensure the final completion of reclamation of the site within one (1) year of extraction operations ceasing in the open pit area and completion of restoration of environmental features in a phased approach within two (2) years as outlined in Subsection 3.13.38. In this regard, the applicant shall:

- a) Obtain development and reclamation registration from AESRD, including the provision of security to the satisfaction of AESRD for a Class I pit, if applicable; and
- b) Upon satisfactory completion of reclamation on-site, the applicant shall obtain a reclamation certificate from AESRD and provide a copy of the same to the County for a Class I pit.

3.13.42 If operations of the aggregate resource extraction use are abandoned prior to the expiration of the development permit, the applicant shall complete the reclamation of the site in accordance with the reclamation plan within one (1) year of the abandonment of the operations on the site. For the purposes of this condition, the operation of the aggregate resource extraction use shall be deemed to be abandoned if the applicant fails to haul aggregate from the site for a period of more than two (2) years.

3.13.43 Obtain necessary approvals for the restoration plan with detailed site plans for implementation. Establish necessary agreements with other parties for any off-site wetland compensation.

*Operations, Safety, and Emergency Response Plan*

3.13.44 The applicant shall provide a copy of the emergency response plan for the site prior to commencing extraction activity. The emergency response plan shall comply with the requirements of this Bylaw to the satisfaction of the Director of Emergency Management.

3.13.45 The applicant shall ensure that there is an adequate provision for fire prevention and protection to the satisfaction of the Fire Chief for Lac Ste. Anne County.

3.13.46 The applicant shall install, at the applicant's sole expense, appropriate signage on and near the site that in the sole discretion of the Development Officer is required for public safety, which includes, but is not limited to "TRUCKS TURNING" signs and "DANGER OPEN PIT" signs. The location of any such signs shall be approved by Public Works for Lac Ste. Anne County and the sign shall be of a professional grade as approved by Alberta Transportation.

3.13.47 The applicant shall construct and install, at the applicant's sole expense, a fence along all property lines adjacent to a public roadway or within 100.0 m (328.08 ft) of a residential dwelling, to the satisfaction of the County and shall ensure that the lands are securely gated and locked when not in use by the applicant.

3.13.48 The applicant shall ensure that there is appropriate lighting of the site so as to provide security and to add visual interest. Lighting standards and fixtures shall be located and arranged so that no light is directed at any adjoining properties and so that it does not interfere with the effectiveness of any traffic control device.



3.13.49 The applicant shall remove all garbage, waste, recyclables, and used oil from the lands and dispose of such materials in an approved disposal facility. The applicant shall keep the lands in a clean and orderly manner, at the applicant's own expense, including but not limited to, ensuring appropriate waste receptacles are located on the lands, that no garbage or waste is imported onto the lands, and that any trees that may be required to be removed from the excavation site are properly piled.

3.13.50 The applicant shall supply, at the applicant's own expense, portable commercially serviced toilets to be used on the lands during the entire term of the permit.

3.13.51 No highly explosive materials used for blasting will be used or stored on the premises. No activity shall be allowed that would interfere with radio or television in the area, nor there be any offensive odour, heat, or glare noticeable at or beyond the property line.

3.13.52 Only CSA-approved double walled fuel containment vaults shall be allowed on-site at any time.

3.13.53 Secondary containment, not less than 100% of the largest container, shall be provided to all areas where lubricating oil is stored on-site.

#### *Security*

3.13.54 Development permit fees shall be paid and the development permit must be issued prior to the commencement of any work to prepare the site for the aggregate resource extraction operation including, but not limited to, the construction of fencing, the placement of signage, the stripping of topsoil, or the mobilization of equipment on the site. Failure to pay the development permit fees may, at the discretion of the Development Authority, result in the suspension of the development permit.

3.13.55 The applicant for an aggregate resource extraction or aggregate resource processing use shall provide a letter of credit or other acceptable security to the County to ensure complete reclamation of the site. The security shall be held in a non-interest bearing account and shall be returned to the applicant once the development permit conditions and the development agreement have been fulfilled.

3.13.56 At no time shall the County be liable for any actions of the operation, and no cost shall be incurred by the County.

3.13.57 The applicant shall assume all liability for all damages to persons and property of all kinds or in any way due to the operation whether the same has been negligently operated or not.

#### *Screening*

3.13.58 No storage or display of goods shall be visible from outside the structure. No stockpile of any type shall be higher than 12.2 m (40 ft) from pre-development ground height.

3.13.59 The applicant shall provide berms directly adjacent to roadways, on terms acceptable to the Development Authority or as outlined in an approved reclamation plan. The berms shall be constructed no later than six (6) months after the issuing of a development permit. Upon reclamation, berms are to be removed.

#### *Transportation of Aggregate Off-Site*

3.13.60 The applicant shall enter into and abide by the provisions of an Aggregate Haul Agreement with Lac Ste. Anne County. The Agreement shall include terms to the satisfaction of the Development Officer, including but not limited to, the following:

- a) Dust control measures and road maintenance;
- b) Security requirements;

- c) Signage;
- d) Hours of operation for hauling;
- e) Haul routes, which may differ between routes for empty trucks as opposed to routes for loaded trucks;
- f) Haul routes that require paving and the time from issuance of a development permit for all paving to be completed; and
- g) Maximum truck numbers and volume.

3.13.61 The aggregate haul agreement shall be executed by the applicant prior to the commencement of excavation work on the site.

3.13.62 The haul route may be amended from time to time, when in the opinion of the County circumstances warrant the haul route agreement to be amended.

3.13.63 The applicant shall enter into and abide by the provisions of a development agreement, if such agreement is deemed necessary by Lac Ste. Anne County, addressing the issues referenced in Section 650 of the MGA; the Agreement shall contain terms satisfactory to Lac Ste. Anne County.

3.13.64 The applicant shall not undertake any work or construction on the lands, including grading, prior to entering into a development agreement and aggregate haul agreement with the County.

3.13.65 The applicant shall obtain approval from the County for the location of any and all accesses to the development and any and all accesses approved, shall be constructed to the standards and specifications of the County, at the applicant's sole expense. Any access constructed by the applicant is subject to inspections by the County at any time during regular business hours, to ensure compliance with the County's standards and specifications.

3.13.66 The applicant shall ensure that no vehicle accessing the site shall be permitted to park on any municipal road. In this regard, an on-site parking area shall be provided to accommodate all vehicles waiting to load materials.

3.13.67 The applicant shall ensure that no gravel trucks enter or exit the lands when a school bus is within 300.0 m (984.25 ft) of the access to the lands.

3.13.68 The haul routes referenced in the road haul agreement may include a different route for the empty trucks as opposed to the haul route for loaded trucks.

3.13.69 All haul routes shall be paved within two (2) years of the issuance of a development permit, with timing to be addressed in the development agreement.

3.13.70 The applicant shall comply with the aggregate haul agreement. All trucks shall be clearly marked to the satisfaction of the Development Officer.

3.13.71 The applicant shall, prior to undertaking any work on county roads, obtain the consent of the County to do such work. This shall include but shall not be limited to the installation of signage on County road right-of-ways.

3.13.72 The applicant shall provide regular gravel truck counts to the County for every vehicle once every quarter, in a manner suitable to the County, during the operation of the pit, as detailed in the aggregate haul agreement.

3.13.73 An aggregate extraction or processing operation shall not create vehicle or pedestrian traffic that would be disruptive to the receiving parking area.

*Surface Water*

3.13.74 The applicant shall ensure that the development does not cause any adverse drainage impact on adjacent property or flooding of nearby ditches in excess of their capabilities.

3.13.75 Any required *Water Act* approvals must be obtained prior to County approval.

3.13.76 All portions of the site that will not be excavated shall be landscaped in a manner that all surface run off is contained on-site, unless *Water Act* approval has been granted stating otherwise. Portions of the site that will be excavated shall be landscaped in accordance with the reclamation plan. The reclamation plan shall detail how surface run-off will be managed.

*Groundwater*

3.13.77 The applicant shall ensure that the development does not cause any adverse groundwater impacts on adjacent existing water users, aquifers, or the natural environment.

*Noise*

3.13.78 The applicant shall preserve all existing stands of trees and shrubbery outside of the development area for environmental and sound attenuation purposes.

3.13.79 The applicant should adopt a purchasing policy that includes consideration of noise attenuation for all new plant equipment.

3.13.80 The applicant shall undertake all noise mitigation measures specified in the aggregate haul agreement, which should include:

- a) Avoiding unnecessary revving of engines and switch off equipment when not required;

- b) Ensuring plant and vehicles are properly maintained, and regularly checking silencers and bearings to ensure dust population is minimized; and

- c) Using rubber linings where possible in chutes and dumpers to reduce impact of noise.

*Vegetation Control*

3.13.81 The applicant shall ensure that weed and invasive species control measures are in place for the life of the pit, which shall be at the applicant's sole expense. The applicant shall work with Lac Ste. Anne County's Agricultural Service Board to develop and implement an active weed control program for the development. The applicant shall contact Lac Ste. Anne County's Agricultural Services Manager or Assistant Agricultural Services Manager for guidance.

3.13.82 The applicant shall ensure that the lands are seeded and vegetation maintained, where possible, or planted, at the applicant's sole expense, as required by the County. The applicant may work with Lac Ste. Anne County's Agricultural Service Board to develop and implement a seeding and vegetation program for the development. The applicant shall contact Lac Ste. Anne County's Agricultural Services Manager or Assistant Agricultural Services Manager for guidance.

*Dust*

3.13.83 The applicant shall ensure that all extraction activities be carried out so as to create a minimum of dust, noise and environmental disturbance. The Development Authority may, in its sole discretion, require the implementation of administrative controls to minimize the impact of noise and dust beyond the property lines of the site.

*Monitoring and Reporting*

3.13.84 A monitoring and mitigation plan or Environmental Management Plan (EMP) shall be implemented based on the recommended monitoring and mitigation measures outlined in the Environmental Impact Assessment and supporting environmental studies. The EMP shall:

- a) Provide a link between monitoring results and the implementation of mitigation or contingency measures if needed, including communication and reporting protocols;
- b) Outline baseline environmental conditions pre-construction;
- c) Provide guidelines for protection of groundwater and sensitive environmental features or wildlife;
- d) Provide details of the monitoring measures, frequency, locations, and triggers;
- e) Detail resulting contingency or mitigation measures and outline best management practices for operations to reduce potential for environmental issues.

3.13.85 An annual monitoring report shall be prepared for County review, including:

- a) Summary of monitoring results;
- b) Assessment of impacts;
- c) Compliance with conditions of approval;
- d) Recommended changes to monitoring and mitigation measures or locations; and
- e) Summary of any complaints received and follow-up actions.

*Other Approvals*

3.13.86 The applicant shall ensure that all trucks used in connection with the development are clearly marked as per the applicable federal, provincial, or municipal requirements.

3.13.87 The applicant shall obtain written consent from all pipeline, easement, and right-of-way holders that have an interest registered on the certificate of title for the lands and provide copies of such consents to the County.

3.13.88 Approval of this application does not excuse the applicant from ascertaining and complying with the requirements of any federal, provincial, or municipal legislation or the condition of any easement, covenant, building scheme, or development agreement affecting the lands.

3.13.89 The applicant is responsible for obtaining and complying with any required permits from federal, provincial, or other regulatory bodies. The applicant is also responsible for complying with the condition of any easement, covenant, building scheme, or development agreement affecting the site.

3.13.90 The operation of the aggregate resource extraction use shall be compliant with all provincial and federal legislation including but not limited to legislation directed at protection of the environment, human health, and the management of hazardous waste and the reporting of hazardous spills.

3.13.91 Applicant must provide all required federal and provincial approvals to the County within thirty (30) days of approval.

3.13.92 The applicant shall notify the County within sixty (60) days if the applicant applies for a change and/or if any change to any provincial approval related to the operation of the aggregate resource extraction use is approved by the Province.

*Public Consultation Process*

3.13.93 The applicant shall be required to undertake public consultation in accordance with the MGA for all re-districting applications to re-district the land to Aggregate Resource Extraction and Processing (AR) district.

**Conditions for Commercial Development**

3.13.94 Notwithstanding other provisions in this Bylaw, any commercial development will be subject to the following conditions:

- a) The site shall be re-districted to commercial land use district for any commercial development;
- b) The applicant will be required to provide an emergency and fire protection plan; and
- c) The applicant will be required to submit an engineering assessment evaluating the storm water management capacity of the site and potential solutions for mitigating the impacts on the capacity of the overall storm water basin.

**Conditions for Crushing, Washing and Asphalt Plant Applications**

3.13.95 The hours of operation for a crushing, washing or asphalt plant should be determined as follows:

- a) 24 hrs/day, 7 days/week (in all Policy Areas where aggregate extraction and processing is allowed except the rural residential Policy Area).
- b) 7:00 a.m. to 7:00 p.m. Monday through Friday (in rural residential Policy Area).

**Conditions for Development Adjacent to Environmentally Sensitive Lands**

3.13.96 The Development Authority may require any or all of the following as a condition of approval for a development permit application on land that has been identified as environmentally sensitive in the Lac Ste. Anne County Environmental Inventory:

- a) That measures be taken to ensure that infiltration into area slopes, the subject property, and adjacent lands are minimized;
- b) That private driveways shall require permeable surface treatments;
- c) That waste water treatment systems of a higher specification than otherwise permitted as part of this bylaw be required so as to minimize the potential impact of effluent;
- d) That certain building materials be either required or not permitted where it may minimize the special environmental character of the area;
- e) The registration of a restrictive covenant against the certificate of title for the subject property related to the approved development;
- d) The registration of an easement against the certificate of title for the subject property entitling the municipality, or an agent on behalf of the municipality, the right to enter the subject property and carry out such improvements and repairs as are required to maintain the stability of adjacent properties which, if not corrected, could adversely affect surrounding lands; or

- e) The registration of an easement against the certificate of title for the subject property may be subject to some or all of the following conditions:
  - i) A minimum of 0.40 ha (1.0 acre) must be developable for building site;
  - ii) The building site must be a minimum of 0.50 m (1.60 ft) above flood plain;
  - iii) Scaled site plan for all structures within the proposal (house, garage, well, sewage system);
  - iv) Volume of fill required and where will it come from;
  - v) Erosion control measures;
  - vi) Approval from AESRD; and
  - vii) Allowance for building on a quarter-section where there is an existing site not located within the flood plain.

**Conditions for Extraction and Reclamation Applications**

3.13.97 The following conditions shall apply to applications for extraction and/or reclamation:

- a) All aspects of the extraction and reclamation operation shall take place in full compliance with an approved reclamation plan;
- b) The applicant shall be responsible for conformance with all requirements of the reclamation plan;
- c) The applicant shall provide a letter of credit for the entire reclamation amount, or in the case of a multi-phase

operation, the amount for the largest (most expensive) phase outlined in the reclamation plan;

- d) All costs incurred by the County in reviewing the reclamation plan shall be the responsibility of the applicant;
- e) All costs incurred by the County reclamation Officer shall be the responsibility of the applicant;
- f) The applicant shall post appropriate signage on and near the site (i.e., trucks turning, danger open pit) and fence all property lines adjacent to public road ways or within 100.0 m (328.08 ft) of a residential dwelling. Location of all signage to be determined in cooperation with Public Works;
- g) The applicant shall be responsible for dust control measures along designated haul routes. Dust control to be addressed in haul route agreement noted above;
- h) A haul agreement shall be required from Lac Ste. Anne County to provide authorization for all trucks used for transportation of aggregates. All trucks to be clearly marked to the satisfaction of the Community Peace Officer;
- i) That the gravel extraction be carried out so as to create a minimum of dust, noise, and environmental disturbance. In this regard, the County may require the implementation of administrative controls to minimize the impact of noise and dust beyond the property lines of the site; and
- j) Gravel trucks cannot use pit access when a School bus is within 300.0 m (984.20 ft).

**Conditions for Garages**

3.13.98 Where a development permit for a garage is to be granted prior to a principal residence being developed on the property, a condition may be placed on the permit requiring that a deposit of up to \$2000.00 be paid by the applicant, in order to ensure the building envelope is completed to the satisfaction of the Development Authority.

**Conditions for Home Based Business Application**

3.13.99 The permit is valid for one (1) year commencing the effective date, and shall be automatically renewed each year afterwards subject to conformance with the Land Use Bylaw and the conditions of approval contained in the permit.

3.13.100 The applicant is advised that any application for renewal is subject to review by the Development Authority. The Development Authority shall be notified in writing of such renewal requests, accompanied by the appropriate development permit application fee, if required, at least six months prior to the expiry date of the development permit.

3.13.101 The applicant is responsible for obtaining and complying with any required permits from federal, provincial, or other legislation, or the condition of any easement, covenant, building scheme, or development agreement affecting the land.

3.13.102 All major and minor Home-Based Businesses may also be regulated through the County's Business Licence Bylaw.

**Conditions for Industrial Development Applications**

3.13.103 Notwithstanding other provisions in this Bylaw, any industrial development will be subject to the following conditions:

- a) Small-scale industries that may be classified under minor or major Home Based Businesses shall be subject to the

conditions applicable for the Home Based Businesses in the County;

- b) The site shall be re-districted to Industrial land use district for any large-scale industrial development in designated industrial Parks;
- c) The applicant will be require to provide an emergency and fire protection plan; and
- d) The applicant will be required to submit an engineering assessment evaluating the storm water management capacity of the site and potential solutions for mitigating the impacts on the capacity of the overall storm water basin.

**Conditions for Mobile Home Applications**

3.13.104 All mobile homes shall have Canadian Standards Association Certification.

3.13.105 All skirting shall be from floor to ground level and shall match or complement the external finish of the mobile home.

3.13.106 The mobile home to be removed from property when no longer required for intended use.

**Conditions for Non-Aggregate Stripping, Filling, Excavation and Grading Applications**

- 3.13.107 Developments involving the construction of artificial water bodies or dugouts may require, as a condition of development approval, that it shall be the sole responsibility of the applicant to ensure that such signs, fences, and any other construction items be put in place as the applicant shall consider necessary to protect the public generally, and the residents of the area in particular, from any danger arising as a result of the construction or installation of the artificial water body or dugout on the applicant's property.
- 3.13.108 A permit is required before the commencement or continuation of the removal of topsoil and such permits shall only be granted where it is shown to the satisfaction of the Development Authority that the land will not be adversely affected by removal. The Development Authority may refer any application for removal of topsoil to the Soil Conservation Officer acting under the *Soil Conservation Act, RSA 2000*, for approval.

**Conditions for Recreational Vehicle Applications**

- 3.13.109 Recreational Vehicles shall be solely for private personal use. No fee, payment or other consideration shall be charged or collected for placement of the Recreational Vehicle(s) on the parcel and the Recreational Vehicles shall not be used for a commercial purpose.
- 3.13.110 The applicant shall install a septic tank in full compliance with Alberta Safety Codes and the Lac Ste. Anne County Sewer Bylaw.
- 3.13.111 The placement of the recreational Vehicles shall comply with the applicable site setback requirements and any other applicable regulations.

**Conditions for Relocation of Buildings**

- 3.13.112 The applicant shall sign a letter of undertaking (agreement) and post security in the form of an irrevocable letter of credit or cash in the amount of \$4,000.00 for a residence and \$2,000.00 for a single-wide manufactured/mobile home prior to the issuance of a permit and the building being moved on-site. This security will ensure that any required modification to the design siting, finishing, and cladding of the relocated building are completed.
- 3.13.113 In the event the funds allocated in the letter of credit are not sufficient to ensure satisfactory completion of the required modifications, the Development Authority may undertake the modifications at the expense of the applicant.
- 3.13.114 If this is a temporary residence, the applicant shall enter into a memorandum of agreement with Lac Ste. Anne County pertaining to the following:
- a) The applicant shall post security in the applicable amount as outlined in the County's Schedule of Fees;
  - b) The present mobile residence shall be removed from the property within thirty (30) days of occupying the new dwelling unit, or thirty days of the construction requiring the use of a temporary residence ending; and
  - c) If modifications, renovations, or improvements are required they shall be specified in the permit application.
- 3.13.115 The modifications, renovations, or improvements shall be completed within 160 days of the relocation of the structure or at the Development Authority's discretion.



3.13.116 Upon completion of the structure the Development Authority will inspect the site to determine compliance. If work is not done to the County's satisfaction, the Development Authority shall be at the liberty to use the security to have the work completed to bring the building into compliance.

3.13.117 The Development Authority may require, when a development permit application is received to relocate a building, that a notice in writing be forwarded to all adjacent landowners in the neighbourhood.

3.13.118 Any renovations and any conditions imposed by the Development Authority to a relocated building shall be completed within one year of the issuance of the development permit. Non-compliance shall result in the forfeiture of the performance bond or letter of credit.

3.13.119 Except where exempted by the Development Authority, any building receiving approval to be relocated shall be brought up to all existing standards, ordinances, rules, regulations, and Bylaws, including the *Alberta Safety Codes Act*.

3.13.120 When reviewing development permit applications for relocated buildings, the Development Authority shall consider the impact of the proposed relocated building on the aesthetics and value of the adjoining properties.

3.13.121 In the case of a building to be relocated, it shall, in the opinion of the Development Authority, be compatible, with respect to age and appearance, with the buildings in the receiving neighbourhood once all required renovations and improvements have been completed.

3.13.122 All homes constructed outside of the Province of Alberta must comply with the *Alberta Safety Codes Act*.

3.13.123 Prior to the relocation of a building within the County, the applicant must provide a copy of the approved building permit.

**Conditions for Residential Development Adjacent to Aggregate Resource Extraction or Processing**

3.13.124 Applications for a development permit for a new residential use within a country residential district for which the proposed use does not comply with the minimum separation distance from an aggregate resource extraction or aggregate resource processing use as set out in Subsection 11.1.11 may be approved. If approved, the development permit may include as a condition of approval a restrictive covenant, which outlines the risk of a gravel pit operation in the area and may require additional buffering or vegetative screening on the part of the applicant in order to minimize adverse impacts from nearby aggregate resource extraction or processing use. The restrictive covenant shall remain on title for fifty (50) years from the time the plan is endorsed or until the site has been fully reclaimed.

**Conditions for Residential Development Adjacent to Confined Feeding Operation**

3.13.125 Applications for a development permit for a new residential use within a country residential district for which the proposed use does not comply with the Minimum Distance Separation from an existing confined feeding operation, as determined by the NRCB, may be approved as a discretionary use. If approved, the development permit may include as a condition of approval a restrictive covenant, which outlines the risk of a confined feeding operation in the area and may require additional buffering or vegetative screening on the part of the applicant in order to minimize adverse impacts from nearby confined feeding operation use.

### **Conditions for Work Camps**

3.13.126 A development permit for a Work Camp may require county road upgrading or entering into a road use agreement with respect to impact on the roadway used to provide access to the camp, such as dust control and other matters.

### **Additional Conditions**

3.13.127 The Development Authority may, at its discretion, apply any further conditions upon a development permit as it deems necessary.

## **3.14 Validity of Development Permits**

3.14.1 A development permit remains in effect unless:

- a) It is suspended or cancelled; or
- b) The development that is the subject of the development permit is not commenced within twelve (12) months from the date of the issuance of the development permit or as otherwise noted, or not carried out with reasonable diligence; and
- c) The development that is the subject of the development permit is to be externally completed within twenty-four (24) months of the effective date of the development permit (or as otherwise noted), or be shown to be carried out with reasonable diligence.

## **3.15 Extension of Development Permits**

3.15.1 The Development Officer may grant a one-time extension to the end date of a development permit for a maximum of one (1) year where the permit is for a building or use that is permitted or, in the opinion of the Development Officer, does not adversely impact the use, enjoyment, or value of neighbouring properties.

## **3.16 Resubmission Interval**

3.16.1 If an application for a development permit is refused by the Development Authority or on an appeal to the Subdivision and Development Appeal Board, the Development Authority may refuse to accept subsequent development permit applications for the same or similar use on the same parcel for a period of twenty-four (24) months from the date of refusal unless, in the opinion of the Development Authority:

- a) The reasons for refusal have been adequately addressed; or

- b) The circumstances of the application have changed significantly.

3.16.2 If the applicant for a development permit for the same or a similar use on the same parcel is refused by the Development Authority or on an appeal to the Subdivision and Development Appeal Board or Municipal Government Board within twenty-four months from the date the first application for the same or similar use was refused the Development Authority may refuse to accept subsequent development permit applications for the same or similar use on the same parcel for a period of up to forty-eight (48) months from the date of refusal unless, the application is for a permitted use that complies in all respects within the Land Use Bylaw

3.16.3 If an application for a redistricting application is refused by Council or on an appeal to the Municipal Government Board. Council may refuse to accept subsequent redistricting applications for the same or similar use on the same parcel for a period of twenty-four (24) months from the date of refusal unless, in the opinion of the Development Authority:

- a) The reasons for refusal have been adequately addressed; or
- b) The circumstances of the application have changed significantly.

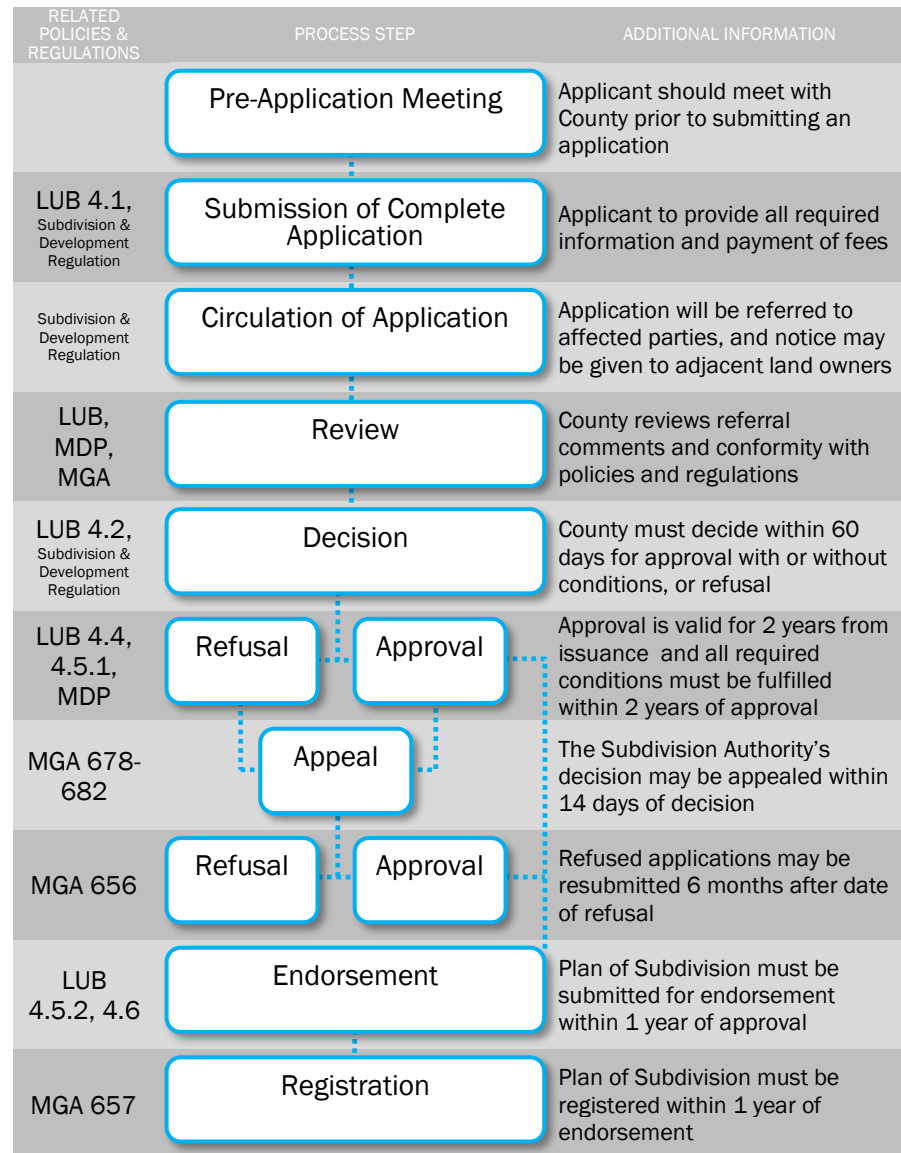
### **3.17 Suspension or Cancellation of Permits**

3.17.1 The Development Authority may suspend or cancel the notice of decision or the development permit by notice, in writing, to the holder of the permit if, after a development permit has been issued, the Development Authority becomes aware that:

- a) The application for the development contains a misrepresentation;
- b) Facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;
- c) The development permit was issued in error; or
- d) The conditions of development approval are not complied with in a satisfactory manner.

3.17.2 If a person fails to comply with a notice under the MGA [Section 645], the Development Authority may suspend or cancel any existing development permit by notice, in writing, to the holder of the permit.

## 4 Subdivision Process



### 4.1 Requirements for Subdivision Applications

4.1.1 The applicant shall be responsible for the following:

- a) All applicable fees according to the County fee schedule. These include, but are not limited to, application, appraisal, mapping, administration, and endorsement fee.
- b) The expense of drafting a development agreement.
- c) Payment of a Subdivision Road Improvement Levy in accordance with County policy.
- d) All legal, engineering, and evaluation costs related to the application and approval of the proposed subdivision.

### 4.2 Complete Applications

4.2.1 Within twenty (20) days of the receipt of an application for subdivision the Subdivision Authority shall determine if the application is complete

4.2.2 If the Subdivision Authority concludes the application for subdivision is complete the Subdivision Authority shall issue a notice to the applicant indicating that the application is complete.

4.2.3 If the Subdivision Authority concludes the application for subdivision is incomplete the Subdivision Authority shall issue a notice in writing indicating to the applicant what outstanding documents and information must be submitted to make the application complete. The notice must indicate the date by which the additional information is to be submitted.

- 4.2.4 If the applicant fails to submit the outstanding information by the date set in the notice the application is deemed refused and the Subdivision Authority shall issue a notice to the applicant indicating that the application is refused and the reasons for the refusal.
- 4.2.5 At any time, the applicant and the Subdivision Authority can, in writing, extend the time prescribed in Section 4.2.1 that the Subdivision Authority has to determine if an application is complete.
- 4.2.6 At any time prior to the date prescribed in the notice issued pursuant to Section 4.2.3 for the applicant to submit the additional information required to complete the application, the applicant and the Subdivision Authority can, in writing, extend the date by which the information required to complete the application must be submitted.

- i. Where multiple landowners are listed on the application, notification will be sent by email to all landowners who have provided an email address. Any landowners who do not provide an email address will be notified by mail;
  - ii. Pursuant to section 608(2) of the MGA, the notice of decision will be deemed received 7 days from the time of sending, unless there is evidence that it was received earlier;
  - iii. In the event an email is returned to sender, the notice of decision shall be mailed to the respective party.
- 4.3.3 A decision from the Subdivision Authority may be appealed to the SDAB or MGB.

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

- 4.3.1 The municipality may use the recommendations of an environmental audit or Environmental Impact Assessment as a basis for comments to the Subdivision Authority in recommending to approve, approve with conditions, or refuse an application for subdivision.
- 4.3.2 Notice of Decision shall be delivered to the applicant in the following manner;
  - a) By mail; or
  - b) Where the applicant and/or the landowner has provided an email address on the application, the Notice of Decision shall be sent to the respective person by email only, subject to the following criteria:

## 4.4 Subdivision Approval Conditions

4.4.1 This section contains standard conditions that apply to all subdivisions, in addition to any outlined in the applicable district. The Subdivision Authority may amend, remove or add to any of the conditions listed as needed on a case-by-case basis.

4.4.2 All subdivision conditions must be fulfilled within twenty-four (24) months of date of subdivision approval.

4.4.3 The applicant shall enter into a development agreement, in a form satisfactory to the County, to do any or all of the things referenced in Section 655(1)(b) of the MGA. This development agreement may include, but is not limited to:

- a) Suitable access to each parcel constructed to County standards;
- b) Water;
- c) Sewage disposal;
- d) Public transportation operated by or on behalf of the municipality;
- e) Irrigation;
- f) Drainage;
- g) Fuel;
- h) Electric power;
- i) Heat;
- j) Waste management;
- k) Telecommunications;

l) Rural addressing;

m) Traffic control signs;

n) Subdivision entrance signs;

o) Street names and rural addressing;

p) Installation of rural addressing for each lot created;

q) School Division bus signage installed at the entrance of the subdivision; and

r) That the County must approve all infrastructure, signage, street names, and rural addressing prior to installation or plan endorsement.

4.4.4 Pursuant to Section 662 of the MGA, 5.18 m (17.0 ft) of road widening adjoining all municipal road allowances is required and may be registered through caveat.

4.4.5 The Subdivision Authority may require a restrictive covenant be placed on all residential lots:

- a) Restricting basements on all lots that are restricted for basement development as per any geotechnical report required by the County;
- b) Prohibiting clearing of vegetation outside of established building sites except where required for weed management, removal of hazardous trees, and/or selective removal of deadfall;
- c) Prohibiting the development of water wells unless a report prepared in accordance with Section 23 of *the Water Act* recommends that a water well may be approved for the residential site;

- d) Restricting waste-water disposal systems to holding tanks only on certain lots based on assessment of an on-site Wastewater Treatment System Suitability report.
- e) Restricting some lots or units to the sole use of utility services such as water and waste-water above ground infrastructure, sani-dump treatment and collection facilities, pump stations and fire ponds.

#### **Reserve Lands**

- 4.4.6 Pursuant to section 661 of the MGA, the owner of a parcel of land to be subdivided must provide, without compensation, land or money in place of land for roads, public utilities, or reserves as provided for under Division 8 of Part 17 of the MGA.
- 4.4.7 Environmentally sensitive areas identified by the *Lac Ste. Anne Environmental Inventory Study*, which may not otherwise be protected by other Sections of this Bylaw, shall be designated as environmental reserve or environmental conservation easement in accordance with the MGA, the MDP, and the Lac Ste. Anne County RSMM.
- 4.4.8 Municipal, school, or municipal and school reserve shall be provided in accordance with the MGA and the MDP.
- 4.4.9 Public utility lots and rights of way must be provided, if required, in accordance with the MGA and the MDP.
- 4.4.10 The applicant may be required to provide a landscaped buffer area where the Subdivision Authority feels it is necessary to limit any potential noise impact from a neighbourhood use.

#### **Subdivision Adjacent to Aggregate Resource Extraction and Processing**

- 4.4.11 Applications for a new residential subdivision within a Country residential district for which the proposed use does not comply with the minimum separation distance from an aggregate resource extraction or aggregate resource processing use as set out in Subsection 11.1.11 may be approved. If approved, the approval conditions may require a restrictive covenant, which outlines the risk of a gravel pit operation in the area and may require additional buffering or vegetative screening on the part of the applicant in order to minimize adverse impacts from nearby aggregate resource extraction or processing use. The restrictive covenant shall remain on title for fifty (50) years from the time the plan is endorsed or until the site has been fully reclaimed.

#### **Conditions for Residential Development Adjacent to Confined Feeding Operation**

- 4.4.12 Applications for a new residential subdivision within a country residential district for which the proposed use does not comply with the Minimum Distance Separation from an existing confined feeding operation, as determined by the NRCB, may be approved. If approved, the approval conditions may require a restrictive covenant, which outlines the risk of a confined feeding operation in the area and may require additional buffering or vegetative screening on the part of the applicant in order to minimize adverse impacts from nearby confined feeding operation use.

### Condominiums

- 4.4.13 Mail and school bus service shall be prohibited on condominium property.
- 4.4.14 A licence for the provision of a potable water distribution system must be obtained from Alberta Environment and Sustainable Resource Development (AESRD) and issued to the condominium corporation.
- 4.4.15 An on-site firefighting water supply with a minimum capacity of 8,000 gallons and dry hydrant must be provided to the satisfaction of the County.
- 4.4.16 The condominium bylaw must include a provision to require County approval for any amendments to said bylaw.

### 4.5 Validity of Subdivision Approval

- 4.5.1 An approval from the Subdivision Authority, SDAB or MGB is valid for two (2) years from date of issuance. Extension of this period shall not be allowed.
- 4.5.2 Subject to a 21-day appeal period, the applicant must submit a plan of subdivision to the Subdivision Authority for endorsement within two (2) year from date of subdivision approval.

## 4.6 Endorsement of Subdivision

### Plan of Subdivision

- 4.6.1 The applicant shall prepare and present to County staff a plan of subdivision that:
  - a) Complies with Section 657 of the MGA;
  - b) Complies with the *Land Titles Act* of Alberta;
  - c) Is acceptable in all respects to the Registrar of the Land Titles Office of Alberta;
  - d) Shows the boundaries of the proposed subdivision, including all approaches; and
  - e) Shows any required reserve lands.

### Endorsement

- 4.6.2 The plan of subdivision shall not be endorsed by the Subdivision Authority if there are any outstanding:
  - a) Property taxes on the property of the proposed subdivision;
  - b) Compensation of the items outlined in Section 4.1.1;
  - c) Approvals, pursuant to Subsection 4.4.2(r); or
  - d) Statutory required approvals.

## 4.7 Municipal Exemption

Notwithstanding anything written in this Bylaw. Applications made by Lac Ste. Anne County for subdivision shall be exempt from all restrictions or requirements with the exception of those mandatory requirements outlined in the *Municipal Government Act*, Subdivision and Development Regulation.



## 5 Subdivision and Development Appeals Process

### 5.1 Grounds for Appeals

- 5.1.1 In accordance with Section 685(1) of the MGA, the person applying for the permit or affected by the stop order under Section 645 may appeal to the subdivision and development Appeal Board, 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 of the MGA.
- 5.1.2 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.

### 5.2 Appeal Procedure

- 5.2.1 In accordance with Section 678(2) of the MGA, a subdivision appeal is commenced by filing a notice of the appeal containing reasons:
- a) with the MGB if the land that is the subject of the application
    - i) is within the Green Area as classified by the Minister responsible for the Public Lands Act;
    - ii) 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 Subdivision and Development Regulation; or
  - b) To the SDAB in all other circumstances
- 5.2.2 Pursuant to section 678(2) of the MGA, the notice of appeal to either the MGB or the SDAB must be filed within 14 days after receipt of the notice of decision. The date of receipt is deemed to be 7 days after the date the notice was sent, pursuant to section 678(3) of the MGA.
- 5.2.3 In accordance with Section 686(1)(a), a Development Permit appeal or Stop Order appeal is commenced by filing a notice of appeal, containing reasons, with the SDAB within 21 days after:
- a) The date on which the decision is made under Section 642 or the order is made under Section 645; or
  - b) The date the application is deemed to be refused; or
- 5.2.4 In accordance with Section 686(1)(b), a Development Permit appeal or Stop Order appeal is commenced by filing a notice of appeal, containing reasons, with the SDAB within twenty-one (21) days after the date on which the notice of the issuance of the permit was given in accordance with the Land Use Bylaw.
- 5.2.5 The SDAB must hold an appeal hearing within thirty (30) days after receipt of a notice of appeal.
- 5.2.6 The SDAB must give at least five (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 SDAB considers to be affected by the appeal and should be notified.

5.2.7 The SDAB 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 of the MGA.

### 5.3 Hearing and Decision

5.3.1 In accordance with Section 687(1) of the MGA, at a hearing under Section 686, the SDAB 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 SDAB agrees to hear, or a person acting on behalf of that person.

5.3.2 The SDAB must give its decision in writing together with reasons for the decision within fifteen (15) days after concluding the hearing.

5.3.3 In determining an appeal, the Subdivision and Development Appeal Board:

- a) Must act in accordance with any applicable Alberta land Surveyors' Association (ALSA) regional plan;
- b) Must comply with the land use policies and statutory plans and the Land Use Bylaw in effect;
- c) Must comply with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location of premises described in a cannabis license and distances between those premises and other premises;
- d) Must have regard to but is not bound by the subdivision and development regulations;
- e) 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; and
- f) 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 unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land; and
  - ii) The proposed development conforms with the use prescribed for that land or building in the Land Use Bylaw.

## 5.4 Court of Appeal

5.4.1 Pursuant to Section 688 of the MGA, an appeal lies to the Court of Appeal on a question of jurisdiction or law with respect to:

- a) A decision of the Subdivision and Development Appeal Board; or
- b) A decision of the Municipal Government Board on a decision of an appeal under
  - i) Section 619 of the MGA;
  - ii) Section 648.1 of the MGA;
  - iii) Section 678(2) of the MGA; or
  - iv) Section 690 of the MGA.

5.4.2 An application for leave to appeal must be filed with the Court of Appeal within thirty (30) days after the issue of the decision sought to be appealed, and notice of the application must be given to:

- a) Lac Ste. Anne County;
- b) The Municipal Government Board or the Subdivision and Development Appeal Board; and
- c) Any other person(s) that the judge directs.

## 6 Enforcement

### 6.1 Contravention

6.1.1 A Development Authority may find that a development or use of land or buildings is not in accordance with:

- a) The MGA or the regulations;
- b) A development permit or subdivision approval; or
- c) This Bylaw.

If this is the case, the Development Authority may, by notice in writing, order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention, or any or all of them to:

- a) Stop the development or use of the land or buildings in whole or in part as directed by the notice;
- b) Demolish, remove or replace the development; or
- c) Take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the *Municipal Government Act*, the regulations, a development permit, subdivision approval, or this Bylaw, as the case may be.

6.1.2 Where a notice is issued under Subsection 6.1.1, the notice may state the following and any other information considered necessary by the Development Authority:

- a) An explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the MGA the order is being carried out;

- b) The alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;
- c) A time frame in which the contravention must be corrected prior to Lac Ste. Anne County pursuing further action; and
- d) Advise the person of their right to appeal the notice to the Subdivision and Development Appeal Board.

6.1.3 Where a person fails or refuses to comply with an order directed to them pursuant to Subsection 6.1.1 or an order of the SDAB under Section 687 of the *Municipal Government Act* within the time specified, Council, or a person appointed by it, may, in accordance with the MGA, enter upon the land or building and take such action as is necessary to carry out the order. Where an order has not been complied with, Council may register a caveat against the title of the subject property related to the order. Costs and expenses incurred in carrying out the order may be placed on the tax roll for the subject property and shall be collected in the same manner as property taxes.

### 6.2 Prohibitions

6.2.1 No person shall contravene or permit a contravention of this Bylaw. No person shall commence or undertake a development, use, or sign that is not permitted by this Bylaw.

6.2.2 No person shall contravene a condition of a permit issued under this Bylaw.

6.2.3 No person shall authorize or do any development that is at variance with the description, specifications or plans that were the basis for the issuance of a development permit. No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by a Development Officer.

### 6.3 Non Compliance

6.3.1 If, after a development permit has been issued, the Development Authority becomes aware that:

- a) The application for the development contains a misrepresentation;
- b) Facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;
- c) The development permit was issued in error;
- d) The application was withdrawn by way of written notice from the applicant; or
- e) If the condition(s) imposed in the development permit have not been complied with;

The Development Authority may cancel, suspend, or modify as considered appropriate, the development permit by notice, in writing, to the holder of the permit.

6.3.2 A person whose development permit is cancelled, suspended or modified under this Subsection may appeal to the SDAB in accordance with Section 5 of the Bylaw within fourteen (14) days of notice of such action.

### 6.4 Warning Notice

6.4.1 A Designated Officer may issue a warning notice outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures.

### 6.5 Violation Tickets

6.5.1 A Designated Officer shall be authorized and empowered to issue a municipal ticket to any person who the Designated Officer has reasonable and probable grounds to believe it has contravened any provision of this Bylaw.

6.5.2 A municipal ticket may be served:

- a) Personally to the person; or
- b) Mailed to the address shown on a certificate of title for the lands on which the contravention is alleged to have occurred.

6.5.3 The municipal ticket shall be in a form approved by the Chief Administrative Officer and shall state:

- a) The name of the person to whom the municipal ticket is issued;
- b) A description of the offence and the applicable Bylaw Section;
- c) The appropriate penalty for the offence as specified in this Bylaw;
- d) That the penalty shall be paid within fourteen (14) days of the issuance of the municipal ticket in order to avoid prosecution; and
- e) Any other information as may be required by the Chief Executive Officer.

6.5.4 Where a contravention of this Bylaw is of a continuing nature, further municipal tickets may be issued by a designated Officer.

- 6.5.5 A person to whom a municipal ticket has been issued may pay the penalty specified on the municipal ticket and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.
- 6.5.6 Where a municipal ticket has been issued and the penalty specified on the municipal ticket is not paid within the prescribed time, a Designated Officer is hereby authorized and empowered to issue a violation ticket pursuant to Part 2 of *the Provincial Offences Procedure Act*.
- 6.5.7 Notwithstanding Subsection 6.5.6, a Designated Officer may immediately issue a violation ticket to any person whom the designated Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 6.5.8 A violation ticket issued with respect to a contravention of this Bylaw shall be served upon the person responsible for the contravention in accordance with *the Provincial Offences Procedure Act*.
- 6.5.9 If a violation ticket is issued in respect of an offence, the violation ticket may:
- a) Specify the fine amount established by bylaw for the offence; or
  - b) Require a person to appear in court without the alternative of making a voluntary payment.
- 6.5.10 A person who commits an offence may, if a violation ticket is issued in respect of the offence and the violation ticket specifies the fine amount established by bylaw for the offence, make a voluntary payment equal to the specified fine.

- 6.5.11 When a clerk records in the Court records the receipt of a voluntary payment pursuant to this Bylaw and *the Provincial Offences Act*, the receipt of that payment by the MGA of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.
- 6.5.12 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day or part of a day, on which the offence continues and any person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such separate offence.

## 6.6 Right of Entry

- 6.6.1 Where the Development Authority finds that a development or use of land or buildings is not in accordance with:
- a) Part 17 of the MGA, regulations thereto, and/or the Land Use Bylaw; or
  - b) A development permit;

The Development Authority may take such action as specified in Sections 542 and 543 of the MGA.

## 6.7 Stop Orders

- 6.7.1 The Development Authority may act under Subsection 6.7.2 pursuant to Section 645(1) of the MGA, if a Development Authority finds that a development, land use, or use of a building is not in accordance with:
- a) This Part or a Land Use Bylaw or regulations under this Part; or

- b) A development permit or subdivision approval.

The Development Authority may act under Subsection 6.7.2.

6.7.2 If Subsection 6.7.1 applies, the Development Authority 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 in 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 this Part, the Land Use Bylaw or regulations under this Part, a development permit or a subdivision approval, within the time set out in the notice.

## 6.8 Appeal to Stop Orders

6.8.1 A person named in a stop order may appeal to the Subdivision and Development Appeal Board (SDAB).

## 6.9 Enforcement of Stop Orders

6.9.1 Pursuant to Section 646(1) of the MGA, if a person fails or refuses to comply with an order directed to the person under Section 645 or an order of an SDAB under Section 687, the municipality may, in accordance with Section 542, enter on the land or building and take any action necessary to carry out the order.

6.9.2 A municipality may register a caveat under the *Land Titles Act* in respect of an order referred to in Subsection 6.9.1 against the certificate of title for the land that is the subject of the order.

6.9.3 If a municipality registers a caveat under Subsection 6.9.2, the municipality must discharge the caveat when the order has been complied with.

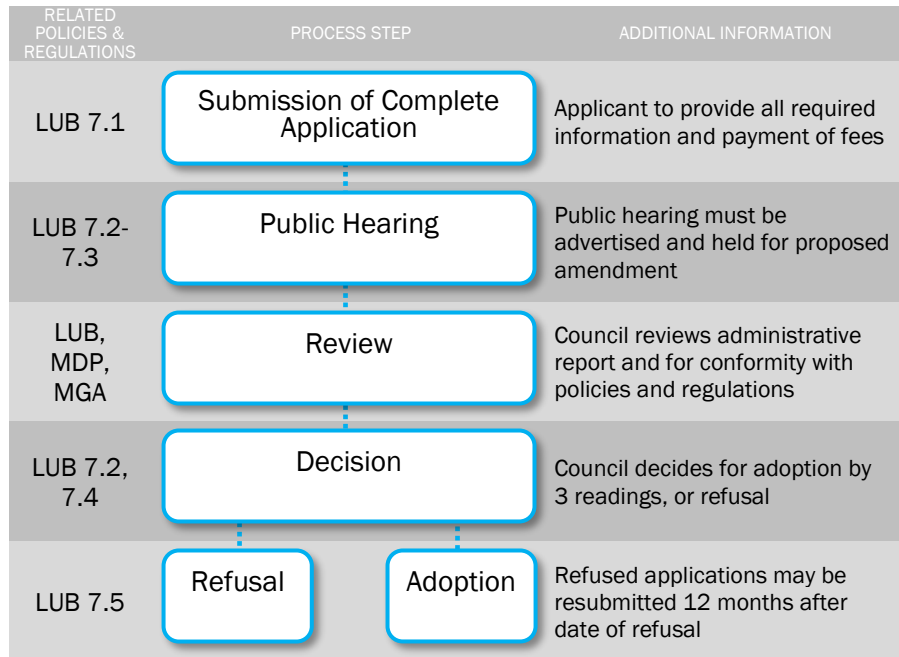
## 6.10 Offenses and Penalties

6.10.1 Any person who contravenes or does not comply with any provision of this Bylaw, or a development permit or subdivision approval, or a condition of a permit or approval, an order, notice or direction given under this Bylaw, or a decision of the SDAB is guilty of an offense and is liable upon conviction to a fine of \$250.00.

6.10.2 Where a person undertakes development prior to a development permit being issued, the following fees shall apply:

- a) \$500.00 for the first offence; and
- b) \$1000.00 for a second offence within the same one (1) calendar year from the date of the first offence.

## 7 Land Use Bylaw Amendment Process



### 7.1 Procedure for Amendments

#### Application Requirements

- 7.1.1 For the purposes of section 7, the Land Use Bylaw Amendment Process, the Development Authority shall not include the Municipal Planning Commission.
- 7.1.2 A person may apply, in writing, apply to amend this Bylaw, by completing the proper form and submitting it to the Development Authority.

7.1.3 As part of the application referred to in Subsection 7.1.1, the applicant must provide the following information:

- Reasons in support of the application;
- The use to be made of the land that is the subject of the application;
- Reference to all utility corridors; and
- The method of land servicing.

#### Payment and Undertaking

7.1.4 A person making an application to amend this Bylaw for a purpose other than the clarification of an existing provision of this Bylaw shall:

- Pay Lac Ste. Anne County an application fee as set by Bylaw of Council;
- Undertake in writing on a form provided by Lac Ste. Anne County to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which Lac Ste. Anne County may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges; and
- Sign a consent authorizing the right of entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed amendment.

#### Investigation by Development Authority

7.1.5 Upon receipt of an application to amend the Land Use Bylaw, the Development Authority shall:



- a) Initiate or carry out any necessary investigation or analysis of the issues involved in or related to the amendment; and
- b) Prepare a detailed report including all maps and relevant material for Council to consider.

**Procedure by Applicant**

- 7.1.6 Upon receiving the preliminary advice of the Development Authority, the applicant shall advise the Development Authority if:
- a) The applicant wishes the Council to proceed with the amendment as submitted by the person, or an alternative amendment proposed by the Council; or
  - b) The applicant wishes to withdraw the application for an amendment.

**Review by Council**

- 7.1.7 The Development Authority shall prepare a detailed report, including all maps and relevant material, for Council respecting the proposed amending bylaw.
- 7.1.8 As soon as is reasonably convenient, the Development Authority shall submit the proposed amendment as originally applied for, or as alternatively determined by the applicant, to the Council, accompanied by the report of the Development Authority and other relevant material, if any, and the Council shall then consider the proposed amendment.
- 7.1.9 Council or the Development Authority may request the Applicant provide additional information or documentation including specific reports, with an application to change a district designation or an application to add use to an existing district.

- 7.1.10 In the case of proposed bylaw to change to a district or add a use to a district for the purpose of applying for a future development permit, Council or the Development Authority may require the applicant to conduct an Open House in accordance with Section 3.5.2 of this Bylaw as part of the application requirements.

**Council May Direct Repayment**

- 7.1.11 If it appears that the proposed amendment is one which is applicable to and for the benefit of Lac Ste. Anne County at large, or most of the persons affected in one area, or to the entire land use district, then the Council may direct that the application fee be returned to the applicant and that Lac Ste. Anne County pay the expense which the applicant has agreed to pay pursuant to the provisions of Subsection 7.1.4.

**Proposed Amendments may originate from Development Authority**

- 7.1.12 The Development Authority may, at any time on its own motion, present for the consideration of Council any proposed amendment to this Bylaw, and the proposed amendment shall be accompanied by the report and recommendation of the Development Authority.

**Amendments Proposed in Council**

- 7.1.13 Council may, at any time, initiate an amendment to this Bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Development Authority for necessary reports and recommendations.

**7.2 Amendment Review Process**

- 7.2.1 Council may, after administrative review, give first reading to a Bylaw to amend this Bylaw.

- 7.2.2 Should first reading be given to a Bylaw to amend this Bylaw, Council shall, by resolution, set the date, time, and place for a public hearing on the proposed amending bylaw.

### **7.3 Notification of Public Hearing**

- 7.3.1 After first reading of a proposed amending bylaw, Administration shall provide notice of the scheduled public hearing in accordance with section 606 and 692 of the MGA.

### **7.4 Decision by County Council**

- 7.4.1 Council shall review the report and recommendations and may:

- a) Request further information;
- b) Approve the proposed text amendment or re-districting as proposed;
- c) Approve the proposed text amendments or re-districting with modifications within the scope of the limitations of the MGA; or
- d) Refuse the proposal.

- 7.4.2 The Council may use the recommendations of an environmental audit or Environmental Impact Assessment as a basis for:

- a) Reasons to amend this Bylaw;
- b) Reasons to refuse an application to amend this Bylaw;
- c) Reasons to approve an application to adopt or amend a statutory plan; and
- d) Reasons to refuse an application to adopt or amend a statutory plan.

### **7.5 Resubmission Interval**

- 7.5.1 Where an application for an amendment to this Bylaw has been defeated by Council, another application for the same or substantially the same amendment shall not be considered within twelve (12) months of the date of the refusal unless Council otherwise directs.

- 7.5.2 Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the MGA [Section 692] regarding enactment of Bylaws.

---

# Part III

## Land Use Districts

---



## 8 Establishment of Land Use Districts

### 8.1 General Requirements

- 8.1.1 Land use districts and the associated district provisions are established for the County in accordance with Part III – Land Use Districts, of this Bylaw.
- 8.1.2 The land use district maps provide in Part VI of this Bylaw divide the County into districts and specify the district provisions applicable to particular lands.
- 8.1.3 Provisions listed in Part IV – Development Regulations comprises all general and specific development regulations, landscaping, parking and loading, and signage and shall govern any permitted and discretionary uses listed within all land use districts.

## 9 Land Use District Regulations

### 9.1 Agricultural '1' (AG1)

**Purpose**

The purpose of the Agricultural '1' (AG1) district is to safeguard the County's highest quality agricultural land for efficient farming operations.



**Regulations**

- 9.1.1 Principal permitted and discretionary uses within the AG1 district are outlined in Table 9.1.1.
- 9.1.2 Accessory permitted and discretionary uses within the AG1 district are outlined in Table 9.1.2.
- 9.1.3 Development regulations for AG1 are outlined in Table 9.1.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.1.1 – Permitted and Discretionary Principal Uses

| Principal Uses                  | Permitted | Discretionary |
|---------------------------------|-----------|---------------|
| Abattoir                        |           | D             |
| Agricultural Colony             |           | D             |
| Airport buildings               |           | D             |
| Airstrip                        |           | D             |
| Communication Tower             |           | D             |
| Extensive Agriculture           | P         |               |
| Extensive Recreation            |           | D             |
| Farm Building                   | P         |               |
| Farmstead                       | P         |               |
| Garage                          | P         |               |
| Gas Processing Plant            |           | D             |
| Hobby Farms                     |           | D             |
| Institutional Use               |           | D             |
| Intensive Agriculture – Class 1 |           | D             |
| Intensive Agriculture – Class 2 |           | D             |
| Intensive Recreation            |           | D             |
| Kennel, Breeding & Boarding     |           | D             |
| Micro Home                      |           | D             |
| Mobile Home                     | P         |               |
| Modular Home                    | P         |               |

Table 9.1.1 – (Continued)

| Principal Uses                     | Permitted | Discretionary |
|------------------------------------|-----------|---------------|
| Modular Unit (Industrial Camp)     |           | <b>D</b>      |
| Municipal Airport                  |           | <b>D</b>      |
| Natural Resource Extraction        |           | <b>D</b>      |
| Natural Resource Processing        |           | <b>D</b>      |
| Outdoor Storage                    |           | <b>D</b>      |
| Place of Worship                   |           | <b>D</b>      |
| Private Haul Route                 |           | <b>D</b>      |
| Public Utility                     |           | <b>D</b>      |
| Recreational Vehicle Storage       |           | <b>D</b>      |
| Regional Landfill                  |           | <b>D</b>      |
| Rural Industry                     |           | <b>D</b>      |
| Self-Storage                       |           | <b>D</b>      |
| Single Detached Dwelling           | <b>P</b>  |               |
| Single Detached Secondary Dwelling |           | <b>D</b>      |
| Stripping of Topsoil               |           | <b>D</b>      |
| Waste Transfer Station             |           | <b>D</b>      |
| Water Reservoir                    |           | <b>D</b>      |
| Work Camp                          |           | <b>D</b>      |

Table 9.1.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses               | Permitted | Discretionary |
|------------------------------|-----------|---------------|
| Bed and Breakfast            |           | <b>D</b>      |
| Commercial – Shopping Market |           | <b>D</b>      |
| Garden Suite                 | <b>P</b>  |               |
| Home Based Business (Major)  |           | <b>D</b>      |
| Home Based Business (Minor)  |           | <b>D</b>      |
| Home Occupation              | <b>P</b>  |               |
| Secondary Suite              | <b>P</b>  |               |
| Shipping Containers          |           | <b>D</b>      |
| Wind Energy Convertor System |           | <b>D</b>      |
| Other Accessory Uses         |           | <b>D</b>      |

Table 9.1.3 – Development Regulations

| Regulation                             | Standard  |
|--|---|
| <b>Parcel Area</b>                     |   |
|  | Min: 12.14 ha* (30.01 acres)<br>*Except where parcel is a fragmented parcel   |
| <b>Dwelling Density</b>                |   |
|  | Max: 2 dwellings per parcel**<br>**1 principal dwelling and 1 secondary dwelling  |
| <b>Agricultural Parcel Density</b>     |   |
|  | Max: 4 agricultural parcels per quarter-section***<br>***Except where parcel is a fragmented parcel   |
| <b>Floor Area (Principal Building)</b> |   |
|  | Min: 55.0 m <sup>2</sup> (592.02 ft <sup>2</sup> )  |
| <b>Min. Setbacks****</b>               |   |
|  | Rear: 7.5 m (24.61 ft)<br>Side: 6.0 m (19.69 ft)<br>Front: 25.0 m (82.02 ft) from any Municipal roadway<br>40.0 m (131.23 ft) from any highway right-of-way (ROW) |
| Minimum Parcel Frontage                | 30m. (98.42ft)  |

\*\*\*\* In additional to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

- 9.1.4 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
- a) General Development Regulations of Section 10;
  - b) Specific Use Regulations of Section 11;
  - c) Parking and Loading Standards of Section 12;
  - d) Landscaping Standards of Section 13; and
  - e) Sign Regulations of Section 14.
- 9.1.5 Any aggregate extraction and/or processing proposed in rural areas will only be permitted within the Aggregate resource extraction and Processing (AR) land use district.
- 9.1.6 Micro homes shall adhere to the following architectural controls:
- a) Structure must have a permanent foundation
  - b) Must have a Kitchen
  - c) Must have a Washroom

**Recreational Vehicle**

- 9.1.7 The following regulations apply with respect to the Recreational Vehicle use on parcels within this district.
- a) The permanent or temporary placement of Recreational Vehicles must comply with sections 11.2.92 to 11.2.99
  - b) A maximum of six (6) Recreational Vehicles are permitted to be permanently placed on a parcel.

- c) The number of Recreational Vehicles may exceed the number outlined in Section 9.1.7(b) on a temporary basis for no more than twenty-one (21) days in a monthly period.

**Property Access**

- 9.1.8 An Access Easement or right-of-way shall be deemed to be not a lawful means off access to a parcel within the district.



## 9.2 Agricultural 2 (AG2)

### Purpose

- 9.2.1 The purpose of the Agricultural ‘2’ (AG2) district is to properly manage agricultural and other land uses in the most environmentally sensitive parts of the County.



### Regulations

- 9.2.2 Permitted and discretionary principal uses within the AG2 district are outlined in Table 9.2.1.
- 9.2.3 Permitted and discretionary accessory uses within the AG2 district are outlined in Table 9.2.2.
- 9.2.4 Development regulations for AG2 are outlined in Table 9.2.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.2.1 – Permitted and Discretionary Principal Uses

| Principal Uses                  | Permitted | Discretionary |
|---------------------------------|-----------|---------------|
| Abattoir                        |           | <b>D</b>      |
| Agricultural Colony             |           | <b>D</b>      |
| Auction                         | <b>P</b>  |               |
| Communication Tower             |           | <b>D</b>      |
| Extensive Agriculture           |           | <b>D</b>      |
| Extensive Recreation            | <b>P</b>  |               |
| Farm Building                   | <b>P</b>  |               |
| Farmstead                       | <b>P</b>  |               |
| Garage                          | <b>P</b>  |               |
| Hobby Farms                     | <b>P</b>  |               |
| Institutional Use               |           | <b>D</b>      |
| Intensive Agriculture – Class 2 |           | <b>D</b>      |
| Intensive Recreation            |           | <b>D</b>      |
| Kennel, Breeding & Boarding     |           | <b>D</b>      |
| Micro Home                      |           | <b>D</b>      |
| Mobile Home                     |           | <b>D</b>      |
| Modular Home                    | <b>P</b>  |               |
| Modular Unit (Industrial Camp)  |           | <b>D</b>      |
| Municipal Facility              |           | <b>D</b>      |
| Outdoor Storage                 |           | <b>D</b>      |
| Place of Worship                |           | <b>D</b>      |
| Private Haul Route              |           | <b>D</b>      |
| Public Utility                  |           | <b>D</b>      |

|                                    |          |
|------------------------------------|----------|
| Recreational Vehicle Storage       | <b>D</b> |
| Regional Landfill                  | <b>D</b> |
| Rural Industry                     | <b>D</b> |
| Self Storage                       | <b>D</b> |
| Single Detached Dwelling           | <b>P</b> |
| Single Detached Secondary Dwelling | <b>D</b> |
| Stripping of Topsoil               | <b>D</b> |
| Waste Transfer Station             | <b>D</b> |
| Water Reservoir                    | <b>D</b> |

Table 9.2.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses               | Permitted | Discretionary |
|------------------------------|-----------|---------------|
| Bed and Breakfast            |           | <b>D</b>      |
| Commerical – Shopping Market |           | <b>D</b>      |
| Garden Suite                 | <b>P</b>  |               |
| Home Based Business (Major)  |           | <b>D</b>      |
| Home Based Business (Minor)  |           | <b>D</b>      |
| Home Occupation              | <b>P</b>  |               |
| Secondary Suite              | <b>P</b>  |               |
| Shipping Containers          |           | <b>D</b>      |
| Wind Energy Convertor System |           | <b>D</b>      |
| Other Accessory Uses         |           | <b>D</b>      |

Table 9.2.3 – Development Regulations

| Regulation                             | Standard   |
|--|--|
| <b>Parcel Area</b>                     | Min: 12.14 ha* (30.01 acres)<br>*Except where parcel is a fragmented parcel  |
| <b>Dwelling Density</b>                | Max: Max. 2 dwelling per parcel**<br>**1 principal dwelling and 1 secondary dwelling   |
| <b>Agricultural Parcel Density</b>     | Max: Max. 4 agricultural parcels per quarter-section***<br>***Except where parcel is a fragmented parcel   |
| <b>Floor Area (Principal Building)</b> | Min: 55.0 m <sup>2</sup> (592.02 ft <sup>2</sup> )   |
| <b>Min. Setbacks****</b>               | Rear: 7.5 m (24.61 ft)<br>Side: 6.0 m (19.69 ft)<br>Front: 25.0 m (82.02 ft) from any Municipal roadway<br>40.0 m (131.23 ft) from any highway ROW |
| Minimum Parcel Frontage                | 30m. (98.42ft)   |

\*\*\*\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

### **Additional Regulations**

- 9.2.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
- a) General Development Regulations of Section 10;
  - b) Specific Use Regulations of Section 11;
  - c) Parking and Loading Standards of Section 12;
  - d) Landscaping Standards of Section 13; and
  - e) Sign Regulations of Section 14.
- 9.2.6 Any aggregate extraction and/or processing proposed for rural areas will only be permitted within the Aggregate Resources Extraction and Processing (AR) land use district.
- 9.2.7 Micro homes shall adhere to the following architectural controls:
- a) Structure must have a permanent foundation
  - b) Must have a Kitchen
  - c) Must have a Washroom

### **Recreational Vehicles**

- 9.2.8 The following regulations apply with respect to the Recreational Vehicle use on parcels within this district.
- a) The permanent or temporary placement of Recreational Vehicles must comply with sections 11.2.92 to 11.2.99
  - b) A maximum of six (6) Recreational Vehicles are permitted to be permanently placed on a parcel.

### **Property Access**

- 9.2.9 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within the district.

### 9.3 Agricultural Fringe (AGF)

#### Purpose

- 9.3.1 The purpose of the Agricultural Fringe (AGF) district is to ensure the proper and sustainable development of lands within the fringe area of urban municipalities throughout the County.



#### Regulations

- 9.3.2 Permitted and discretionary principal uses within the AGF district are outlined in Table 9.3.1.
- 9.3.3 Permitted and discretionary accessory uses within the AGF district are outlined in Table 9.3.2
- 9.3.4 Development regulations for AGF are outlined in Table 9.3.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.3.1 – Permitted and Discretionary Principal Uses

| Principal Uses                 | Permitted | Discretionary |
|--------------------------------|-----------|---------------|
| Communication Tower            |           | <b>D</b>      |
| Extensive Agriculture          | <b>P</b>  |               |
| Extensive Recreation           |           | <b>D</b>      |
| Farm Building                  | <b>P</b>  |               |
| Farmstead                      | <b>P</b>  |               |
| Garage                         | <b>P</b>  |               |
| Industrial Plant               |           | <b>D</b>      |
| Intensive Agriculture–Class 2  |           | <b>D</b>      |
| Intensive Recreation           |           | <b>D</b>      |
| Kennel, Breeding & Boarding    |           | <b>D</b>      |
| Micro Home                     |           | <b>D</b>      |
| Mobile Home                    |           | <b>D</b>      |
| Modular Home                   |           | <b>D</b>      |
| Modular Unit (Industrial Camp) |           | <b>D</b>      |
| Municipal Facility             |           | <b>D</b>      |
| Natural Resource Extraction    |           | <b>D</b>      |
| Natural Resource Processing    |           | <b>D</b>      |
| Place of Worship               |           | <b>D</b>      |
| Public Utility                 |           | <b>D</b>      |
| Recreational Vehicle Storage   |           | <b>D</b>      |
| Rural Industries               |           | <b>D</b>      |
| Self-Storage                   |           | <b>D</b>      |
| Single Detached Dwelling       | <b>P</b>  |               |

|                        |          |
|------------------------|----------|
| Stripping of Topsoil   | <b>D</b> |
| Waste Transfer Station | <b>D</b> |
| Water Reservoir        | <b>D</b> |

Table 9.3.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses                     | Permitted | Discretionary |
|------------------------------------|-----------|---------------|
| Bed and Breakfast                  |           | <b>D</b>      |
| Commercial                         |           | <b>D</b>      |
| Garden Suite                       | <b>P</b>  |               |
| Hobby Farm                         |           | <b>D</b>      |
| Home Based Business (Major)        |           | <b>D</b>      |
| Home Based Business (Minor)        |           | <b>D</b>      |
| Home Occupation                    | <b>P</b>  |               |
| Outdoor Storage                    |           | <b>D</b>      |
| Single Detached Secondary Dwelling |           | <b>D</b>      |
| Secondary Suite                    | <b>P</b>  |               |
| Shipping Containers                |           | <b>D</b>      |
| Wind Energy Convertor System       |           | <b>D</b>      |
| Other Accessory Uses               |           | <b>D</b>      |

Table 9.3.3 – Development Regulations

| Regulation                         | Standard   |
|------------------------------------|--|
| <b>Parcel Area</b>                 |  |
|                                    | Min: 12.14 ha* (30 acres)<br>*Except where parcel is a fragmented parcel   |
| <b>Dwelling Density</b>            |  |
|                                    | Max: 2 dwelling per parcel**<br>**1 principal dwelling and 1 secondary dwelling  |
| <b>Agricultural parcel Density</b> |  |
|                                    | Max: 4 agricultural parcels per quarter-section***<br>***Except where parcel is a fragmented parcel  |
| <b>Floor Area</b>                  |  |
|                                    | Min: 55.0 m <sup>2</sup> (592.02 ft <sup>2</sup> )   |
| <b>Min. Setbacks****</b>           |  |
|                                    | Rear: 7.5 m (24.61 ft)<br>Side: 6.0 m (19.69 ft)<br>Front: 25.0 m (82.02 ft) from any Municipal roadway<br>40.0 m (131.23 ft) from any highway ROW |
| Minimum Parcel Frontage            | 30m (98.43ft)  |

\*\*\*\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

#### **Additional Regulations**

9.3.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:

- a) General Development Regulations of Section 10;
- b) Specific Use Regulations of Section 11;
- c) Parking and Loading Standards of Section 12;
- d) Landscaping Standards of Section 13; and
- e) Sign Regulations of Section 14.

9.3.6 Any aggregate extraction and/or processing proposed for rural areas will only be permitted within the Aggregate Resources Extraction and Processing (AR) land use district.

#### **Recreational Vehicles**

9.3.7 The following regulations apply with respect to the Recreational Vehicle use on parcels within this district.

- a) The permanent or temporary placement of Recreational Vehicles must comply with sections 11.2.92 to 11.2.99
- b) A maximum of three (3) Recreational Vehicles are permitted to be permanently placed on a parcel.
- c) The number of Recreational Vehicles may exceed the number outlined in Section 9.3.7(b) on a temporary basis for no more than twenty-one (21) days in a calendar month.

#### **Property Access**

9.3.8 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within the district.

## 9.4 Highway Development (HD)

### Purpose

- 9.4.1 The purpose of the Highway Development (HD) district is to manage industrial, commercial, and other employment related developments adjacent to the County’s primary highways.



### Regulations

- 9.4.2 Permitted and discretionary principal uses within the HD district are outlined in Table 9.4.1.
- 9.4.3 Permitted and discretionary accessory uses within the HD district are outlined in Table 9.4.2.
- 9.4.4 Development regulations for HD are outlined in Table 9.4.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.4.1 – Permitted and Discretionary Principal Uses

| Principal Uses                  | Permitted | Discretionary |
|---------------------------------|-----------|---------------|
| Automotive Repair & Service     |           | <b>D</b>      |
| Automotive Sales & Rental       | <b>P</b>  |               |
| Business Support Services       |           | <b>D</b>      |
| Bus Storage Yard                |           | <b>D</b>      |
| Campground - Minor              |           | <b>D</b>      |
| Cannabis Retail Sales           |           | <b>D</b>      |
| Commercial – Retail             | <b>P</b>  |               |
| Commercial – Shopping Mall      | <b>P</b>  |               |
| Commercial – Shopping Market    | <b>P</b>  |               |
| Commercial – Strip              | <b>P</b>  |               |
| Communication Tower             |           | <b>D</b>      |
| Eating & Drinking Establishment |           | <b>D</b>      |
| Extensive Recreation            |           | <b>D</b>      |
| Health Services                 | <b>P</b>  |               |
| Hotel                           | <b>P</b>  |               |
| Institutional Use               |           | <b>D</b>      |
| Licensed Public Premise         |           | <b>D</b>      |
| Liquor Store                    |           | <b>D</b>      |
| Loading Facility                |           | <b>D</b>      |
| Modular Home                    |           | <b>D</b>      |
| Motel                           |           | <b>D</b>      |
| Natural Resource Extraction     |           | <b>D</b>      |

Table 9.4.1 – (Continued)

| Principal Uses               | Permitted | Discretionary |
|------------------------------|-----------|---------------|
| Natural Resource Processing  |           | D             |
| Outdoor Storage              |           | D             |
| Personal Service Shops       | P         |               |
| Public Utility               |           | D             |
| Recreational Vehicle Storage |           | D             |
| Rural Industry               |           | D             |
| Self Storage                 | P         |               |
| Single Detached Dwelling     |           | D             |
| Tourist Information Use      |           | D             |
| Towing and Storage Facility  | P         |               |
| Warehouse Sales              | P         |               |

Table 9.4.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses              | Permitted | Discretionary |
|-----------------------------|-----------|---------------|
| Home Based Business (Major) |           | D             |
| Home Based Business (Minor) |           | D             |
| Parking Structures          |           | D             |
| Shipping Containers         |           | D             |
| Other Accessory Uses        |           | D             |

Table 9.4.3 – Development Regulations

| Regulation                             | Standard   |
|--|--|
| <b>Parcel Area</b>                     | Subject to the discretion of the Development Authority   |
| <b>Parcel frontage</b>                 | Min: 30.0 m (98.43 ft)   |
| <b>Floor Area (Principal Building)</b> | Subject to the discretion of the Development Authority   |
| <b>Min. Setbacks*</b>                  | Rear: 7.0 m (22.97 ft)<br>Side: 6.0 m (19.69 ft)<br>Front: 25.0 m (82.02 ft) from any Municipal roadway<br>40.0 m (131.23 ft) from any highway ROW |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.



**Additional Regulations**

- 9.4.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
- a) General Development Regulations of Section 10;
  - b) Specific Use Regulations of Section 11;
  - c) Parking and Loading Standards of Section 12;
  - d) Landscaping Standards of Section 13; and
  - e) Sign Regulations of Section 14.
- 9.4.6 All industrial and commercial parks located within the Inter-Municipal Fringe are subject to architectural controls as outlined in any applicable Inter-Municipal Development Plan, Area Structure Plan, and Area Concept Plan.

**Property Access**

- 9.4.7 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within the district.

## 9.5 Hamlet Commercial (HC)

### Purpose

- 9.5.1 The Hamlet Commercial (HC) district is intended to provide for commercial land uses within the County’s Hamlets and urban areas. The district aims to promote commercial uses of an urban character that facilitate walkable Hamlets and enhance their traditional urban character.



### Regulations

- 9.5.2 Permitted and discretionary principal uses within the HC district are outlined in Table 9.5.1.
- 9.5.3 Permitted and discretionary accessory uses within the HC district are outlined in Table 9.5.2.
- 9.5.4 Development regulations for HC are outlined in Table 9.5.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.5.1 – Permitted and Discretionary Principal Uses

| Principal Uses                    | Permitted | Discretionary |
|-----------------------------------|-----------|---------------|
| Apartment                         |           | <b>D</b>      |
| Automotive Repair & Service       |           | <b>D</b>      |
| Automotive Sales & Rental         |           | <b>D</b>      |
| Business Support Services         |           | <b>D</b>      |
| Cannabis Retail Sales             |           | <b>D</b>      |
| Commercial – Retail               | <b>P</b>  |               |
| Commercial – Shopping Mall        |           | <b>D</b>      |
| Commercial – Shopping Market      | <b>P</b>  |               |
| Commercial – Strip                |           | <b>D</b>      |
| Eating and Drinking Establishment |           | <b>D</b>      |
| Extensive Recreation              |           | <b>D</b>      |
| Health Services                   | <b>P</b>  |               |
| Institutional Use                 |           | <b>D</b>      |
| Intensive Recreation              |           | <b>D</b>      |
| Licensed Public Premises          |           | <b>D</b>      |
| Liquor Store                      |           | <b>D</b>      |
| Office                            |           | <b>D</b>      |
| Parking Structures                |           | <b>D</b>      |
| Park                              | <b>P</b>  |               |
| Personal Service Shops            | <b>P</b>  |               |
| Place of Worship                  |           | <b>D</b>      |
| Public Utility                    |           | <b>D</b>      |

Table 9.5.1 – (Continued)

| Principal Uses          | Permitted | Discretionary |
|-------------------------|-----------|---------------|
| School                  |           | <b>D</b>      |
| Self Storage            |           | <b>D</b>      |
| Tourist Information Use |           | <b>D</b>      |
| Warehousing             |           | <b>D</b>      |

Table 9.5.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses       | Permitted | Discretionary |
|----------------------|-----------|---------------|
| Outdoor Storage      |           | <b>D</b>      |
| Shipping Container   |           | <b>D</b>      |
| Other Accessory Uses |           | <b>D</b>      |

Table 9.5.3 – Development Regulations

| Regulation                             | Standard  |
|--|---|
| <b>Parcel Area</b>                     | Min: 0.04 ha (0.1 acre) (fully serviced)  |
| <b>Floor Area (Principal Building)</b> | Min: 55.0m <sup>2</sup> (592.02 ft <sup>2</sup> )   |
| <b>Min. Setbacks*</b>                  | Rear: 7.5 m (24.61 ft)<br>Side: One side yard of min. 4.0 m (13.12 ft) where no rear access land is available.<br>Front: Subject to the discretion of the Development Officer |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

- 9.5.5 Development regulations not listed in Table 9.5.3 are subject to the discretion of the Development Authority.
- 9.5.6 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
- a) General Development Regulations of Section 10;
  - b) Specific Use Regulations of Section 11;
  - c) Parking and Loading Standards of Section 12;
  - d) Landscaping Standards of Section 13; and
  - e) Sign Regulations of Section 14.

**Property Access**

- 9.5.7 An Access Easement or right-of-way shall be deemed to be not a lawful means of access

## 9.6 Industrial (IN)

### Purpose

- 9.6.1 The Industrial (IN) district is intended to provide for various forms of Industrial development throughout the County. This includes both lighter industrial developments, and also heavier industrial uses of a larger scale and which may require larger buildings and more frequent traffic flow.



### Regulations

- 9.6.2 Permitted and discretionary principal uses within the IN district are outlined in Table 9.6.1.
- 9.6.3 Permitted and discretionary accessory uses within the IN district are outlined in Table 9.6.2.
- 9.6.4 Development regulations for IN are outlined in Table 9.6.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.6.1 – Permitted and Discretionary Principal Uses

| Principal Uses                  | Permitted | Discretionary |
|---------------------------------|-----------|---------------|
| Abattoir                        |           | <b>D</b>      |
| Automotive Repair & Service     |           | <b>D</b>      |
| Automotive Sales & Rental       |           | <b>D</b>      |
| Bulk Chemical Storage           |           | <b>D</b>      |
| Business Support Service        |           | <b>D</b>      |
| Bus Storage Yard                | <b>P</b>  |               |
| Cannabis Production             |           | <b>D</b>      |
| Commercial – Retail             |           | <b>D</b>      |
| Commercial – Strip              |           | <b>D</b>      |
| Communication Tower             |           | <b>D</b>      |
| Contractors Business            | <b>P</b>  |               |
| Eating & Drinking Establishment |           | <b>D</b>      |
| Extensive Agriculture           |           | <b>D</b>      |
| Gas Processing Plant            |           | <b>D</b>      |
| Industrial Plant                |           | <b>D</b>      |
| Kennel, Breeding & Boarding     |           | <b>D</b>      |
| Lagoon Treatment Plant          |           | <b>D</b>      |
| Loading Facility                | <b>P</b>  |               |
| Manufacturing Firm              | <b>P</b>  |               |
| Medicinal Marijuana Production  |           | <b>D</b>      |
| Municipal Facility              | <b>P</b>  |               |
| Natural Resource Extraction     |           | <b>D</b>      |
| Natural Resource Processing     |           | <b>D</b>      |

|                                   |          |          |
|-----------------------------------|----------|----------|
| Oil & Gas Servicing               |          | <b>D</b> |
| Outdoor Storage                   | <b>P</b> |          |
| Parking Structures                |          | <b>D</b> |
| Personal Service Shops            |          | <b>D</b> |
| Public Utility                    |          | <b>D</b> |
| Public Utility Building           | <b>P</b> |          |
| Recreational Vehicle Storage Yard | <b>P</b> |          |
| Regional land Fill                |          | <b>D</b> |
| Rural Industry                    | <b>P</b> |          |
| Salvage Storage Yard              |          | <b>D</b> |
| Self-Storage                      | <b>P</b> |          |
| Towing and Storage Facility       | <b>P</b> |          |
| Warehouse Sales                   | <b>P</b> |          |
| Warehousing                       | <b>P</b> |          |
| Waste Transfer Station            |          | <b>D</b> |
| Work Camps                        |          | <b>D</b> |

Table 9.6.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses       | Permitted | Discretionary |
|----------------------|-----------|---------------|
| Caretaker Residence  |           | <b>D</b>      |
| Shipping Container   | <b>P</b>  |               |
| Shipping Industries  |           | <b>D</b>      |
| Temporary Storage    |           | <b>D</b>      |
| Other Accessory Uses |           | <b>D</b>      |

Table 9.6.3 – Development Regulations

| Regulation                             | Standard   |
|--|--|
| <b>Parcel Area</b>                     |  |
|  | Min: 1.01 ha (2.5 acres)                             |
| <b>Floor Area (Principal building)</b> |  |
|  | Min: 100.0 m <sup>2</sup> (1076.39 ft <sup>2</sup> ) |
| <b>Parcel Depth</b>                    |  |
|  | Min: 30.0 m (98.43 ft)                               |
| <b>Min. Setbacks*</b>                  |  |
| Rear:                                  | 15.0 m (49.21 ft)                                    |
| Side:                                  | 15.0 m (49.21 ft)                                    |
| Front:                                 | 40.0 m (131.23 ft)                                   |
| Minimum Parcel Frontage                | 30m. (98.42ft)                                       |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

- 9.6.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
- a) General Development Regulations of Section 10;

- b) Specific Use Regulations of Section 11;
- c) Parking and Loading Standards of Section 12;
- d) Landscaping Standards of Section 13; and
- e) Sign Regulations of Section 14.

9.6.6 Any parcels designated as IN must have direct access to a highway, arterial, industrial, or collector roadway.

9.6.7 Any IN-designated parcels must be screened from the adjoining local road or highways to the satisfaction of the Development Authority.

9.6.8 Development regulations not listed in Table 9.6.3 are subject to the discretion of the Development Authority.

9.6.9 All industrial and commercial parks located within the Inter-Municipal Fringe are subject to architectural controls as outlined in any applicable Inter-Municipal Development Plan, Area Structure Plan, and Area Concept Plan.

**Caretaker Residence**

9.6.10 Caretaker Residence must be accessory to the Industrial use.

9.6.11 A Caretaker Residence shall be no longer than 55.0 m<sup>2</sup> (592.02 ft<sup>2</sup>).

**Property Access**

9.6.12 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within this district.

## 9.7 Institutional (INT)

### Purpose

- 9.7.1 The purpose of the Institutional (INT) district is to provide for a variety of Institutional uses, including schools, religious facilities, municipal infrastructure, health care, or community facilities plus any associated developments and uses.



### Regulations

- 9.7.2 Permitted and discretionary principal uses within the INT district are outlined in Table 9.7.1.
- 9.7.3 Permitted and discretionary accessory uses within the INT district are outlined in Table 9.7.2.
- 9.7.4 Development regulations for INT are outlined in Table 9.7.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.7.1 – Permitted and Discretionary Principal Uses

| Principal Uses                    | Permitted | Discretionary |
|-----------------------------------|-----------|---------------|
| Communication Tower               |           | <b>D</b>      |
| Extensive Recreation              |           | <b>D</b>      |
| Institutional Use                 | <b>P</b>  |               |
| Intensive Recreation              |           | <b>D</b>      |
| Municipal Facility                | <b>P</b>  |               |
| Municipal Infrastructure          |           | <b>D</b>      |
| Parking Structures                |           | <b>D</b>      |
| Park                              |           | <b>D</b>      |
| Place of Worship                  | <b>P</b>  |               |
| Public Utility                    | <b>P</b>  |               |
| Public Utility Building           | <b>P</b>  |               |
| Protective and Emergency Services |           | <b>D</b>      |
| School                            | <b>P</b>  |               |
| Semi-Detached Dwelling            |           | <b>D</b>      |
| Single Detached Dwelling          |           | <b>D</b>      |
| Social Care Facility              |           | <b>D</b>      |
| Stripping of Topsoil              |           | <b>D</b>      |



Table 9.7.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses       | Permitted | Discretionary |
|----------------------|-----------|---------------|
| Mobile Home          |           | D             |
| Shipping Container   |           | D             |
| Other Accessory Uses |           | D             |

Table 9.7.3 – Development Regulations

| Regulation                             | Standard  |
|--|---|
| <b>Parcel Area</b>                     | Subject to the discretion of the Development Authority. |
| <b>Floor Area (Principal Building)</b> | Min: 55.0 m <sup>2</sup> (595.0 ft <sup>2</sup> )       |
| <b>Min. Setbacks*</b>                  | Subject to the discretion of the Development Authority. |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

- 9.7.5 Development regulations not listed in Table 9.7.3 are subject to the discretion of the Development Authority.
- 9.7.6 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
  - a) General Development Regulations of Section 10;
  - b) Specific Use Regulations of Section 11;
  - c) Parking and Loading Standards of Section 12;
  - d) Landscaping Standards of Section 13; and
  - e) Sign Regulations of Section 14.

**Property Access**

- 9.7.7 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within this district.

## 9.8 Airport (AP)

### Purpose

- 9.8.1 The Airport District (AP) is intended to provide for a number of small scale, local and regional Airports within Lac Ste. Anne County, and to ensure that any development activities within the district shall not compromise the operation of an Airport.



### Regulations

- 9.8.2 Permitted and discretionary principal uses within the AP district are outlined in Table 9.8.1.
- 9.8.3 Permitted and discretionary accessory uses within the AP district are outlined in Table 9.8.2.
- 9.8.4 Development regulations for AP are outlined in Table 9.8.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.8.1 – Permitted and Discretionary Principal Uses

| Principal Uses          | Permitted | Discretionary |
|-------------------------|-----------|---------------|
| Airport buildings       | <b>P</b>  |               |
| Airstrip                | <b>P</b>  |               |
| Institutional Use       |           | <b>D</b>      |
| Municipal Airport       | <b>P</b>  |               |
| Public Utility          |           | <b>D</b>      |
| Tourist Information Use | <b>P</b>  |               |
| Warehousing             |           | <b>D</b>      |

Table 9.8.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses   | Permitted | Discretionary |
|--|-----------|---------------|
| Caretaker Residence, one per parcel                    | <b>P</b>  |               |
| Caretaker Residence, 2 <sup>nd</sup> or more on parcel |           | <b>D</b>      |
| Other Accessory Uses                                   |           | <b>D</b>      |

Table 9.8.3 – Development Regulations

| Regulation             | Standard  |
|------------------------|---|
| <b>Parcel Area</b>     |   |
|                        | Subject to the discretion of the Development Authority.                                       |
| <b>Floor Area</b>      |   |
|                        | Min: 100.0 m <sup>2</sup> (1076.59 ft <sup>2</sup> )  |
| <b>Min. Setbacks*</b>  |   |
| Rear:                  | 10.0 m (32.81 ft)   |
| Side:                  | 10.0 m (32.81 ft)   |
| Front:                 | 25.0 m (82, 02 ft) fronting any Municipal roadway<br>40. 0 m (131.23 ft) from any highway ROW |
| <b>Building Height</b> |   |
|                        | Max: 7.32 m (24.0 ft)   |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

- 9.8.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
  - a) General Development Regulations of Section 10;
  - b) Specific Use Regulations of Section 11;
  - c) Parking and Loading Standards of Section 12;
  - d) Landscaping Standards of Section 13; and
  - e) Sign Regulations of Section 14.
- 9.8.6 Applications for development within 3.3 km (2.05 miles) of a regional airport shall be referred to NAV Canada.
- 9.8.7 Any development at the Mayerthorpe Airport must comply with the Mayerthorpe Airport Management Bylaw.
- 9.8.8 A limit of one (1) caretaker residence shall be considered permitted within the AP district. Any further caretaker residences shall be considered on a discretionary basis.

**Property Access**

- 9.8.9 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within this district.

## 9.9 County Land (CL)

### Purpose

- 9.9.1 The County Land (CL) district is intended to provide suitable land for recreational uses and developments throughout the County, including sports, water, leisure related activities and related uses.



### Regulations

- 9.9.2 Permitted and discretionary principal uses within the CL district are outlined in Table 9.9.1.
- 9.9.3 Permitted and discretionary accessory uses within the CL district are outlined in Table 9.9.2.
- 9.9.4 Development regulations for CL are outlined in Table 9.9.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.9.1 – Permitted and Discretionary Principal Uses

| Principal Uses          | Permitted | Discretionary |
|-------------------------|-----------|---------------|
| Extensive Recreation    | <b>P</b>  |               |
| Municipal Facility      | <b>P</b>  |               |
| Parks                   | <b>P</b>  |               |
| Public Utility          | <b>P</b>  |               |
| Public Utility Building | <b>P</b>  |               |
| Recreational Facility   |           | <b>D</b>      |

Table 9.9.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses       | Permitted | Discretionary |
|----------------------|-----------|---------------|
| Commercial - Retail  |           | <b>D</b>      |
| Other Accessory Uses |           | <b>D</b>      |

Table .10.3 – Development Regulations

| Regulation                             | Standard  |
|--|---|
| <b>Parcel Area</b>                     |   |
|  | Min: Subject to the discretion of the Development Authority |
| <b>Floor Area (Principal Building)</b> |   |
|  | Min: 55.0 m <sup>2</sup> (592.02 ft <sup>2</sup> )          |
| <b>Min. Setbacks*</b>                  |   |
| Rear:                                  | 7.5 m (24.61 ft)  |
| Side:                                  | 7.5 m (24.61 ft)  |
| Front:                                 | 10.0 m (32.81 ft)   |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

- 9.9.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
- a) General Development Regulations of Section 10;
  - b) Specific Use Regulations of Section 11;
  - c) Parking and Loading Standards of Section 12;
  - d) Landscaping Standards of Section 13; and
  - e) Sign Regulations of Section 14.
- 9.9.6 The Development Authority may require additional site criteria for the purposes of promoting safety, reducing nuisance or preventing environmental degradation.

## 9.10 Commercial Recreation (CREC)

### Purpose

9.10.1 The Commercial Recreation (CREC) district is intended to accommodate commercial land uses and applications that are fundamentally recreational in their operation and service.



### Regulations

- 9.10.2 Permitted and discretionary principal uses within the CREC district are outlined in Table 9.10.1.
- 9.10.3 Permitted and discretionary accessory uses within the CREC district are outlined in Table 9.10.2.
- 9.10.4 Development regulations for CREC are outlined in Table 9.10.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.10.1 – Permitted and Discretionary Principal Uses

| Principal Uses               | Permitted | Discretionary |
|------------------------------|-----------|---------------|
| Airstrip                     |           | <b>D</b>      |
| Campground Minor             |           | <b>D</b>      |
| Campground Major             |           | <b>D</b>      |
| Commercial – Retail          |           | <b>D</b>      |
| Day Care Facility            |           | <b>D</b>      |
| Extensive Recreation         | <b>P</b>  |               |
| Intensive Recreation         |           | <b>D</b>      |
| Parking Structure            |           | <b>D</b>      |
| Park                         | <b>P</b>  |               |
| Public Utility               |           | <b>D</b>      |
| Recreational Facility        |           | <b>D</b>      |
| Recreational Vehicle Storage |           | <b>D</b>      |
| Tourist Information Use      | <b>P</b>  |               |

Table 9.10.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses                 | Permitted | Discretionary |
|--------------------------------|-----------|---------------|
| Bed and Breakfast              |           | <b>D</b>      |
| Cabin                          |           | <b>D</b>      |
| Caretaker Residence            |           | <b>D</b>      |
| Commercial – Shopping Market   |           | <b>D</b>      |
| Marina or Boat Rental Facility |           | <b>D</b>      |
| Mobile Home                    |           | <b>D</b>      |
| Other Accessory Uses           |           | <b>D</b>      |

Table 9.10.3 – Development Regulations

| Regulation                                    | Standard   |
|---|--|
| <b>Parcel Area</b>                            |  |
|   | Min: 1.0 acre (0.4 ha)                             |
| <b>Floor Area (Principal Building)</b>        |  |
|   | Min: 55.0 m <sup>2</sup> (592.02 ft <sup>2</sup> ) |
| <b>Min. Setbacks for Principal Buildings*</b> |  |
| Rear:   | 7.5 m (24.6 ft)                                    |
| Side:   | 7.5 m (24.6 ft)                                    |
| Front:  | 10.0 m (32.8 ft)                                   |
| <b>Min. Setbacks for Campgrounds*</b>         |  |
| Rear:   | 6.0 m (19.7 ft)                                    |
| Side:   | 4.5 m (14.8 ft)                                    |
| Front:  | 6.0 m (19.7 ft)                                    |
| From road:                                    | 35.0 m (114.8 ft)                                  |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

- 9.10.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
- a) General Development Regulations of Section 10;
  - b) Specific Use Regulations of Section 11;
  - c) Parking and Loading Standards of Section 12;
  - d) Landscaping Standards of Section 13; and
  - e) Sign Regulations of Section 14.
- 9.10.6 The Development Authority may require additional site criteria for the purposes of promoting safety, reducing nuisance, or preventing environmental degradation.
- 9.10.7 All commercial parks located within the Inter-Municipal Fringe are subject to architectural controls as outlined in any applicable Inter-Municipal Development Plan, Area Structure Plan, and Area Concept Plan.
- Property Access**
- 9.10.8 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within this district.

## 9.11 Mobile Home Subdivision (MHS)

### Purpose

9.11.1 The Mobile Home Subdivision (MHS) district is intended to provide land suitable for Mobile Homes of a residential use. The district may accommodate a Mobile Home Park or a Mobile Home Subdivision.



### Regulations

- 9.11.2 Permitted and discretionary principal uses within the MHS district are outlined in Table 9.11.1.
- 9.11.3 Permitted and discretionary accessory uses within the MHS district are outlined in Table 9.11.2.
- 9.11.4 Development regulations for MHS are outlined in Table 9.11.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Figure 9.11.1 – Permitted and Discretionary Principal Uses

| Principal Uses           | Permitted | Discretionary |
|--------------------------|-----------|---------------|
| Micro Home               |           | <b>D</b>      |
| Mobile Home              | <b>P</b>  |               |
| Mobile Home Park         | <b>P</b>  |               |
| Municipal Facility       | <b>P</b>  |               |
| Park                     |           | <b>D</b>      |
| Public Utility           |           | <b>D</b>      |
| Public Utility Building  | <b>P</b>  |               |
| Single Detached Dwelling |           | <b>D</b>      |

Table 9.11.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses                  | Permitted | Discretionary |
|---------------------------------|-----------|---------------|
| Home Based Business (Minor)     |           | <b>D</b>      |
| Home Occupation                 | <b>P</b>  |               |
| Intensive Agriculture – Class 2 |           | <b>D</b>      |
| Other Accessory Uses            |           | <b>D</b>      |



Table 9.11.3 – Development Regulations

| Regulation                             | Standard  |
|--|---|
| <b>Parcel Area</b>                     |   |
|  | Min: 0.81 ha (2.0 acres)                          |
| <b>Site Coverage</b>                   |   |
|  | Max: 45%  |
| <b>Floor Area (Principal Building)</b> |   |
|  | Principal building not to exceed 35% of Unit area |
| <b>Min. Setbacks*</b>                  |   |
| Rear:                                  | 6.0 m (19.7 ft)                                   |
| Side:                                  | To Property/Mobile Home: 4.50m (14.76 ft)         |
|  | To road: 35.0m (114.83 ft)                        |
| Front:                                 | 6.0 m (19.7 ft)                                   |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

9.11.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:

- a) General Development Regulations of Section 10;
- b) Specific Use Regulations of Section 11;
- c) Parking and Loading Standards of Section 12;
- d) Landscaping Standards of Section 13; and
- e) Sign Regulations of Section 14.

**Property Access**

9.11.6 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within this district.

## 9.12 Country Residential Ranch (CRR)

### Purpose

- 9.12.1 The purpose of the Country Residential Ranch (CRR) district is to allow, where suitable, for the subdivision of individual residential parcels that embrace a rural or agricultural sense of life.



### Regulations

- 9.12.2 Permitted and discretionary principal uses within the CRR district are outlined in Table 9.12.1.
- 9.12.3 Permitted and discretionary accessory uses within the CRR district are outlined in Table 9.12.2.
- 9.12.4 Development regulations for CRR are outlined in Table 9.12.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.12.1 – Permitted and Discretionary Principal Uses

| Principal Uses              | Permitted | Discretionary |
|-----------------------------|-----------|---------------|
| Communication Tower         |           | <b>D</b>      |
| Contractors Business        |           | <b>D</b>      |
| Farmstead                   | <b>P</b>  |               |
| Garage                      |           | <b>D</b>      |
| Kennel, Breeding & Boarding |           | <b>D</b>      |
| Micro Home                  |           | <b>D</b>      |
| Mobile Home                 | <b>P</b>  |               |
| Modular Home                | <b>P</b>  |               |
| Municipal Facility          |           | <b>D</b>      |
| Place of Worship            |           | <b>D</b>      |
| Public Utility              |           | <b>D</b>      |
| Public Utility Building     |           | <b>D</b>      |
| Single Detached Dwelling    | <b>P</b>  |               |
| Social Care Facility        |           | <b>D</b>      |
| Towing and Storage Facility |           | <b>D</b>      |
| Water Reservoir             |           | <b>D</b>      |

Table 9.12.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses                  | Permitted | Discretionary |
|---------------------------------|-----------|---------------|
| Commercial – Shopping Market    |           | <b>D</b>      |
| Bed and Breakfast               |           | <b>D</b>      |
| Garage                          | <b>P</b>  |               |
| Garden Suite                    | <b>P</b>  |               |
| Hobby Farm                      |           | <b>D</b>      |
| Home Based Business (Major)     | <b>P</b>  |               |
| Home Based Business (Minor)     | <b>P</b>  |               |
| Home Occupation                 | <b>P</b>  |               |
| Intensive Agriculture – Class 2 |           | <b>D</b>      |
| Outdoor Storage                 |           | <b>D</b>      |
| Secondary Suite                 |           | <b>D</b>      |
| Shipping Containers             |           | <b>D</b>      |
| Other Accessory Uses            |           | <b>D</b>      |

Table 9.12.3 – Development Regulations

| Regulation                             | Standard   |
|--|--|
| <b>Parcel Area</b>                     |  |
|  | Min: 4.05 ha (10.0 acres)  |
|  | Max: 12.14 ha (30.0 acres)   |
| <b>Dwelling Density</b>                |  |
|  | Max: 1 dwelling per parcel*  |
|  | *More than 1 dwelling may be permitted subject to the conditions set out in Section 11.2 |
| <b>Floor Area (Principal Building)</b> |  |
|  | Min: 55.0 m <sup>2</sup> (592.02 ft <sup>2</sup> )                                       |
| <b>Min. Setbacks**</b>                 |  |
|  | Rear: 7.5 m (24.61 ft)   |
|  | Side: 6.0 m (19.69 ft)   |
|  | Front: 10.0 m (32.81 ft) fronting any internal multi-parcel subdivision roadway          |
|  | 25.0 m (82.02 ft) from any Municipal roadway   |
|  | 40.0 m (131.23 ft) from any highway ROW  |
| Minimum Parcel Frontage                | 30m. (98.42ft)   |

\*\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

9.12.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:

- a) General Development Regulations of Section 10;
- b) Specific Use Regulations of Section 11;
- c) Parking and Loading Standards of Section 12;
- d) Landscaping Standards of Section 13; and
- e) Sign Regulations of Section 14.

9.12.6 No driveway shall be permitted within 90.0 m (295.3 ft) of the intersection of two municipal roadways.

9.12.7 No more than two (2) Shipping Containers shall be permitted on a single parcel.

9.12.8 Micro homes shall adhere to the following architectural controls:

- a) Structure must have a permanent foundation
- b) Must have a Kitchen
- c) Must have a Washroom

9.12.9 The following regulations apply with respect to the Recreational Vehicle use on parcels within this district:

- a) The permanent or temporary placement of Recreational Vehicles must comply with sections 11.2.92 to 11.2.99
- b) A maximum of three (3) Recreational Vehicles are permitted to be permanently placed on a parcel.

- c) The number of Recreational Vehicles may exceed the number outlined in Section 9.2.9(b) on a temporary basis for no more than seven (7) days in a calendar month.

**Property Access**

9.12.10 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within district.

### 9.13 Country Living Residential (CLR)

**Purpose**

9.13.1 The purpose of the Country Living Residential (CLR) district is to allow, where suitable, for the subdivision of individual residential parcels that embrace a rural sense of life.



**Regulations**

- 9.13.2 Permitted and discretionary principal uses within the CLR district are outlined in Table 9.13.1.
- 9.13.3 Permitted and discretionary accessory uses within the CLR district are outlined in Table 9.13.2.
- 9.13.4 Development regulations for CRR are outlined in Table 9.13.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.13.1 – Permitted and Discretionary Principal Uses

| Principal Uses              | Permitted | Discretionary |
|-----------------------------|-----------|---------------|
| Commercial - Retail         |           | <b>D</b>      |
| Communication Tower         |           | <b>D</b>      |
| Contractors Business        |           | <b>D</b>      |
| Day Care Facility           |           | <b>D</b>      |
| Farmstead                   | <b>P</b>  |               |
| Garage                      |           | <b>D</b>      |
| Group Home                  |           | <b>D</b>      |
| Health Services             |           | <b>D</b>      |
| Kennel, Breeding & Boarding |           | <b>D</b>      |
| Micro Home                  |           | <b>D</b>      |
| Mobile Home                 | <b>P</b>  |               |
| Modular Home                | <b>P</b>  |               |
| Municipal Facility          |           | <b>D</b>      |
| Personal Service Shop       |           | <b>D</b>      |
| Place of Worship            |           | <b>D</b>      |
| Public Utility              |           | <b>D</b>      |
| Public Utility Building     |           | <b>D</b>      |
| Shipping Container          |           | <b>D</b>      |
| Single Detached Dwelling    | <b>P</b>  |               |
| Social Care Facility        |           | <b>D</b>      |
| Towing and Storage Facility |           | <b>D</b>      |
| Water Reservoir             |           | <b>D</b>      |

Table 9.13.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses              | Permitted | Discretionary |
|-----------------------------|-----------|---------------|
| Cabin                       |           | <b>D</b>      |
| Garden Suite                | <b>P</b>  |               |
| Bed and Breakfast           |           | <b>D</b>      |
| Hobby Farms                 |           | <b>D</b>      |
| Home Based Business (Major) |           | <b>D</b>      |
| Home Based Business (Minor) | <b>P</b>  |               |
| Home Occupation             | <b>P</b>  |               |
| Outdoor Storage             |           | <b>D</b>      |
| Secondary Suite             |           | <b>D</b>      |
| Shipping Containers         |           | <b>D</b>      |
| Other Accessory Uses        |           | <b>D</b>      |

Table 9.13.3 – Development Regulations

| Regulation                             | Standard   |
|--|--|
| <b>Parcel Area</b>                     |  |
| Min:                                   | 1.21 ha (3.0 acres)  |
| Max:                                   | 4.05 ha (10.0 acres)   |
| <b>Dwelling Density</b>                |  |
| Max:                                   | 1 dwelling per parcel*   |
|  | *More than 1 dwelling may be permitted subject to the conditions set out in Section 11.2 |
| <b>Floor Area (Principal Building)</b> |  |
| Min:                                   | 55.0 m <sup>2</sup> (592.02 ft <sup>2</sup> )  |
| <b>Min. Setbacks**</b>                 |  |
| Rear:                                  | 7.5 m (24.61 ft)   |
| Side:                                  | 6.0 m (19.69 ft)   |
| Front:                                 | 10.0 m (32.81 ft) fronting any internal multi-parcel subdivision roadway                 |
|  | 25.0 m (82.02 ft) from any Municipal roadway   |
|  | 40.0 m (131.23 ft) from any highway ROW  |
| Minimum Parcel Frontage                | 30m. (98.42ft)   |

\*\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

9.13.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:

- a) General Development Regulations of Section 10;
- b) Specific Use Regulations of Section 11;
- c) Parking and Loading Standards of Section 12;
- d) Landscaping Standards of Section 13; and
- e) Sign Regulations of Section 14.

9.13.6 No driveway shall be permitted within 90.0 m (295.3 ft) of the intersection of two municipal roadways.

9.13.7 Micro homes shall adhere to the following architectural controls:

- a) Structure must have a permanent foundation
- b) Must have a Kitchen
- c) Must have a Washroom

**Recreational Vehicle**

9.13.8 The following regulations apply with respect to the Recreational Vehicle use on parcels within this district.

- a) The permanent or temporary placement of Recreational Vehicles must comply with sections 11.2.92 to 11.2.99
- b) On parcels less than 2.5 acres in size:
  - i) A maximum of two (2) Recreational Vehicles are permitted to be permanently placed on a parcel.

c) On parcels 2.5 acres or more in size:

- i) A maximum of three (3) Recreational Vehicles are permitted to be permanently placed on a parcel

9.13.10 More than two (2) Recreation Vehicles may be placed on a parcel on a temporary basis for no more than seven (7) days in a calendar month.

**Property Access**

9.13.11 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within this district.

## 9.14 Existing Country Residential (CRX)

### Purpose

9.14.1 The purpose of the Existing Country Residential (CRX) district is to facilitate land uses within many of the County's existing country residential subdivisions. This district is intended for pre-existing parcels and no re-subdivision of existing parcels shall be permitted.



### Regulations

- 9.14.2 Permitted and discretionary principal uses within the CRX district are outlined in Table 9.14.1.
- 9.14.3 Permitted and discretionary accessory uses within the CRX district are outlined in Table 9.14.2.
- 9.14.4 Development regulations for CRX are outlined in Table 9.14.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.14.1 – Permitted and Discretionary Principal Uses

| Principal Uses           | Permitted | Discretionary |
|--------------------------|-----------|---------------|
| Communication Tower      |           | <b>D</b>      |
| Contractors Business     |           | <b>D</b>      |
| Day Care Facility        |           | <b>D</b>      |
| Extensive Recreation     |           | <b>D</b>      |
| Garage                   |           | <b>D</b>      |
| Group Homes              |           | <b>D</b>      |
| Health Services          |           | <b>D</b>      |
| Micro Home               |           | <b>D</b>      |
| Mobile Home              |           | <b>D</b>      |
| Modular Home             | <b>P</b>  |               |
| Municipal Facility       |           | <b>D</b>      |
| Park                     |           | <b>D</b>      |
| Personal Service Shop    |           | <b>D</b>      |
| Place of worship         |           | <b>D</b>      |
| Public Utility           |           | <b>D</b>      |
| Public Utility Building  |           | <b>D</b>      |
| Recreational Facility    |           | <b>D</b>      |
| Rooming / Boarding Homes |           | <b>D</b>      |
| Self-Storage             |           | <b>D</b>      |
| Service Station          |           | <b>D</b>      |



Table 9.14.1 – (Continued)

| Principal Uses              | Permitted | Discretionary |
|-----------------------------|-----------|---------------|
| Single Detached Dwelling    | <b>P</b>  |               |
| Social Care Facility        |           | <b>D</b>      |
| Towing and Storage Facility |           | <b>D</b>      |
| Water Reservoir             |           | <b>D</b>      |

Table 9.14.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses                  | Permitted | Discretionary |
|---------------------------------|-----------|---------------|
| Garden Suite                    | <b>P</b>  |               |
| Home Based Business (Major)     |           | <b>D</b>      |
| Home Based Business (Minor)     |           | <b>D</b>      |
| Home Occupation                 |           | <b>D</b>      |
| Intensive Agriculture – Class 2 |           | <b>D</b>      |
| Outdoor Storage                 |           | <b>D</b>      |
| Secondary Suite                 | <b>P</b>  |               |
| Shipping Containers             |           | <b>D</b>      |
| Other Accessory Uses            |           | <b>D</b>      |

Table 9.14.3 – Development Regulations

| Regulation                             | Standard  |
|--|---|
| <b>Parcel Area</b>                     |   |
|  | Min: 0.07 ha (0.17 acres)   |
|  | Max: 11.74 ha (29.0 acres)  |
| <b>Dwelling Density</b>                |   |
|  | Max: 1 dwelling per parcel  |
|  | *More than 1 dwelling may be permitted subject to the conditions set out in Section 11.2. |
| <b>Floor Area (Principal Building)</b> |   |
|  | Min: 55.0 m <sup>2</sup> (592.03 ft <sup>2</sup> )  |
| <b>Min. Setbacks*</b>                  |   |
| Rear:                                  | 7.5 m (24.61 ft)  |
| Side:                                  | 6.0 m (19.69 ft)  |
| Front:                                 | 10.0 m (32.81 ft) from any internal multi-parcel subdivision roadway                      |
|  | 25.0 m (82.02 ft) from any Municipal roadway  |
|  | 40.0 m (131.23 ft) from any highway ROW   |
| <b>Minimum Parcel Frontage</b>         | 30m. (98.42ft)  |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

In the event that no building pocket exists. The Development Authority may provide a variance to create a valid building pocket.

#### **Additional Regulations**

9.14.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:

- a) General Development Regulations of Section 10;
- b) Specific Use Regulations of Section 11;
- c) Parking and Loading Standards of Section 12;
- d) Landscaping Standards of Section 13; and
- e) Sign Regulations of Section 14.

9.14.6 No driveway shall be permitted within 90.0 m (295.28 ft) of the intersection of two municipal roadways.

9.14.7 Micro homes shall adhere to the following architectural controls:

- a) Structure must have a permanent foundation
- b) Must have a Kitchen
- c) Must have a Washroom

#### **Recreational Vehicles**

9.14.8 The following regulations apply with respect to the Recreational Vehicle use on parcels within this district:

- a) The permanent or temporary placement of Recreational Vehicles must comply with sections 11.2.92 to 11.2.99.

b) No Recreational Vehicles may be permanently placed on a vacant parcel.

c) On parcels less than 2.5 acres in size:

- i) A maximum of one (1) Recreational Vehicle is permitted to be permanently placed on a parcel if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Section 3.13.

d) On parcels 2.5 acres or more in size:

- i) A maximum of two (2) Recreational Vehicles are permitted to be permanently placed on a parcel if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Section 3.13.

e) More than two (2) Recreational Vehicles may be placed on a parcel on a temporary basis for no more the seven (7) days in a calendar month if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Section 3.13.

#### **Property Access**

9.14.9 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within this district.

### 9.15 Country Residential Subdivision (CRS)

#### Purpose

9.15.1 The purpose of the Country Residential Subdivision (CRS) district is to allow for the development of country residential subdivisions that provide a degree of flexibility regarding uses which may be associated with rural lifestyle.



#### Regulations

- 9.15.2 Permitted and discretionary principal uses within the CRS district are outlined in Table 9.15.1.
- 9.15.3 Permitted and discretionary accessory uses within the CRS district are outlined in Table 9.15.2.
- 9.15.4 Development regulations for CRS are outlined in Table 9.15.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.15.1 – Permitted and Discretionary Principal Uses

| Principal Uses           | Permitted | Discretionary |
|--------------------------|-----------|---------------|
| Communication Tower      |           | D             |
| Day Care Facility        |           | D             |
| Extensive Recreation     |           | D             |
| Garage                   |           | D             |
| Group Homes              |           | D             |
| Micro Home               |           | D             |
| Modular Home             | P         |               |
| Municipal Facility       |           | D             |
| Park                     |           | D             |
| Personal Service Shops   |           | D             |
| Public Utility           |           | D             |
| Public Utility Building  |           | D             |
| Residential Sales Centre | P         |               |
| Rooming / Boarding Homes |           | D             |
| Self Storage             |           | D             |
| Single Detached Dwelling | P         |               |
| Social Care Facility     |           | D             |
| Water Reservoir          |           | D             |

Table 9.15.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses                  | Permitted | Discretionary |
|---------------------------------|-----------|---------------|
| Garden Suite                    | <b>P</b>  |               |
| Home Based Business (Major)     |           | <b>D</b>      |
| Home Based Business (Minor)     | <b>P</b>  |               |
| Home Occupation                 | <b>P</b>  |               |
| Intensive Agriculture – Class 2 |           | <b>D</b>      |
| Secondary Suite                 | <b>P</b>  |               |
| Other Accessory Uses            |           | <b>D</b>      |

Table 9.15.3 – Development Regulations

| Regulation                             | Standard  |
|--|---|
| <b>Parcel Area</b>                     |   |
|  | Min: 0.81 ha (2.0 acres)  |
|  | Max: 4.00 ha (9.9 acres)  |
| <b>Dwelling Density</b>                |   |
|  | Max: 1 dwelling per parcel  |
|  | * More than 1 dwelling may be permitted subject to the conditions set out in Section 11.2 |
| <b>Floor Area (Principal Building)</b> |   |
|  | Min: 55.0 m <sup>2</sup> (592.02 ft <sup>2</sup> )  |
| <b>Min. Setbacks*</b>                  |   |
| Rear:                                  | 7.5 m (24.61 ft)  |
| Side:                                  | 6.0 m (19.69 ft)  |
| Front:                                 | 10.0 m (32.81 ft) from any internal multi-parcel subdivision roadway                      |
|  | 25.0 m (82.02 ft) from any Municipal roadway  |
|  | 40.0 m (131.23 ft) from any highway ROW   |
| <b>Minimum Parcel Frontage</b>         | 30m. (98.42ft)  |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

9.15.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:

- a) General Development Regulations of Section 10;
- b) Specific Use Regulations of Section 11;
- c) Parking and Loading Standards of Section 12;
- d) Landscaping Standards of Section 13; and
- e) Sign Regulations of Section 14.

**Property Access**

9.15.6 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within this district.

**Recreational Vehicle**

9.15.7 The following regulations apply with respect to the Recreational Vehicle use on parcels within the district.

- a) The permanent or temporary placement of Recreational Vehicles must comply with sections 11.2.92 to 11.2.99
- b) No Recreational Vehicles may be permanently placed on a vacant parcel.
- c) On parcels less than 2.5 acres in size:

- 1) A maximum of one (1) Recreational Vehicle is permitted to be permanently placed on a parcel if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Section 3.13.

d) On parcels 2.5 acres or more in size:

- 1) A maximum of one (1) Recreational Vehicle is permitted to be permanently placed on a parcel if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Section 3.13.

- e) More than two (2) Recreational Vehicles may be placed on a parcel on a temporary basis for no more than seven (7) days in a calendar month if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Section 3.13.

## 9.16 Country Residential Estates (CRE)

### Purpose

9.16.1 The purpose of the Country Residential Estates (CRE) district is to allow for the development of country residential subdivisions that are of a very high quality, and require further regulation than typical country residential subdivisions.



### Regulations

- 9.16.2 Permitted and discretionary principal uses within the CRE district are outlined in Table 9.16.1.
- 9.16.3 Permitted and discretionary accessory uses within the CRE district are outlined in Table 9.16.2.
- 9.16.4 Development regulations for CRE are outlined in Table 9.16.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.16.1 – Permitted and Discretionary Principal Uses

| Principal Uses           | Permitted | Discretionary |
|--------------------------|-----------|---------------|
| Communication Tower      |           | <b>D</b>      |
| Day Care Facility        |           | <b>D</b>      |
| Extensive Recreation     |           | <b>D</b>      |
| Group Homes              |           | <b>D</b>      |
| Health Services          |           | <b>D</b>      |
| Modular Home             |           | <b>D</b>      |
| Municipal Facility       |           | <b>D</b>      |
| Park                     |           | <b>D</b>      |
| Personal Service Shops   |           | <b>D</b>      |
| Public Utility           |           | <b>D</b>      |
| Public Utility Building  |           | <b>D</b>      |
| Residential Sales Centre | <b>P</b>  |               |
| Rooming / Boarding Homes |           | <b>D</b>      |
| Self-Storage             |           | <b>D</b>      |
| Single Detached Dwelling | <b>P</b>  |               |
| Social Care Facility     |           | <b>D</b>      |
| Water Reservoir          |           | <b>D</b>      |

Table 9.16.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses              | Permitted | Discretionary |
|-----------------------------|-----------|---------------|
| Garage                      | <b>P</b>  |               |
| Garden Suite                | <b>P</b>  |               |
| Home Based Business (Major) |           | <b>D</b>      |
| Home Based Business (Minor) |           | <b>D</b>      |
| Home Occupation             | <b>P</b>  |               |
| Outdoor Storage             |           | <b>D</b>      |
| Secondary Suite             | <b>P</b>  |               |
| Other Accessory Uses        |           | <b>D</b>      |

Table 9.16.3 – Development Regulations

| Regulation              | Standard   |
|-------------------------|--|
| <b>Parcel Area</b>      |  |
|                         | Min: 0.81 ha (2.0 acres)<br>0.07 ha (0.17 acres), if fully serviced                        |
|                         | Max: 2.02 ha (5.0 acres)   |
| <b>Dwelling Density</b> |  |
|                         | Max: 1 dwelling per parcel   |
|                         | *More than 1 dwelling may be permitted subject to the conditions set out in Section 11.2.. |
| <b>Min. Floor Area</b>  |  |
| Dwelling                | 111.4 m <sup>2</sup> (1200 ft <sup>2</sup> )   |
| <b>Min. Setbacks*</b>   |  |
| Rear:                   | 7.5 m (24.61 ft)   |
| Side:                   | 6.0 m (19.69 ft)   |
| Front:                  | 10.0 m (32.82 ft) from any internal multi-parcel subdivision roadway                       |
|                         | 25.0 m (82.02 ft) from any Municipal roadway   |
|                         | 40.0 m (131.23 ft) from any highway ROW  |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

- 9.16.5 Relocated buildings shall not be permitted in the CRE district. Development permits shall only be issued for newly built homes.
- 9.16.6 Dwellings in the CRE district may be subject to specific design guidance at the discretion of the Development Authority.
- 9.16.7 All exterior walls of any residence must be dimensioned at less than or equal to 3:1 length to width.
- 9.16.8 A Garage, subject to the development regulations outlined in Table 9.15.3, must be developed in association with any new dwelling.
- 9.16.9 Modular and mobile homes shall adhere to the following architectural controls:
  - a) The main floor has a minimum area of 111.5 m<sup>2</sup> (1,200 ft<sup>2</sup>);
  - b) Must include a basement or foundation that are not piles;
  - c) Roof slopes must be 4/12 or greater;
  - d) Eaves must project a minimum of sixteen (16) inches; and
  - e) The face of the eave below the soffit must be incorporate decorative trim boards, faux end beams, and brackets.
- 9.16.10 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
  - a) General Development Regulations of Section 10;
  - b) Specific Use Regulations of Section 11;
  - c) Parking and Loading Standards of Section 12;
  - d) Landscaping Standards of Section 13; and
  - e) Sign Regulations of Section 14.
- 9.16.11 The following regulations apply with respect to the Recreational Vehicle use on parcels within the district.
  - a) The permanent or temporary placement of Recreational Vehicles must comply with sections 11.2.92 to 11.2.99
  - b) No Recreational Vehicles may be permanently placed on a vacant parcel.
  - c) On parcels less than 2.5 acres in size:
    - 1) A maximum of one (1) Recreational Vehicle is permitted to be permanently placed on a parcel if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Section 3.13.
  - d) On parcels 2.5 acres or more in size:
    - 1) A maximum of one (1) Recreational Vehicle is permitted to be permanently placed on a parcel if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Section 3.13.



- e) More than two (2) Recreational Vehicles may be placed on a parcel on a temporary basis for no more than seven (7) days in a calendar month if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Secyion 3.13.

9.16.12 In this district, RVs shall be placed only to the rear or the side of the principal building.

**Property Access**

9.16.13 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within this district.

### 9.17 Country Residential 3 (CR3)

#### Purpose

9.17.1 The purpose of the Country Residential 3 (CR3) district is to accommodate suitable forms of residential developments in areas of high enjoyment value and ensure that they are of an appropriate type, scale, and character. Re-subdivision of existing parcels shall be prohibited unless they comply with an approved Area Structure Plan related to the entire Subdivision



9.17.2 Permitted and discretionary principal uses within the CR3 district are outlined in Table 9.17.1.

9.17.3 Permitted and discretionary accessory uses within the CR3 district are outlined in Table 9.17.2

9.17.4 Development regulations for CR3 are outlined in Table 9.17.3. Regulations not outlined shall be subject to the discretion of the Development Authority

#### 9.17.1 – Permitted and Discretionary Principal Uses

| Principal Uses           | Permitted | Discretionary |
|--------------------------|-----------|---------------|
| Commerical - Retail      |           | <b>D</b>      |
| Day Care Facility        |           | <b>D</b>      |
| Garage                   |           | <b>D</b>      |
| Group Homes              |           | <b>D</b>      |
| Micro Home               |           | <b>D</b>      |
| Mobile Home              |           | <b>D</b>      |
| Modular Home             | <b>P</b>  | <b>D</b>      |
| Municipal Facility       |           | <b>D</b>      |
| Public Utility           |           | <b>D</b>      |
| Public Utility Building  |           | <b>D</b>      |
| Recreational Facility    |           | <b>D</b>      |
| Recreational Vehicle     |           | <b>D</b>      |
| Residential Sales Centre | <b>P</b>  |               |
| Rooming / Boarding Homes |           | <b>D</b>      |
| Row Housing              |           | <b>D</b>      |
| Semi-Detached Dwelling   |           | <b>D</b>      |
| Single Detached Dwelling | <b>P</b>  |               |
| Social Care Facility     |           | <b>D</b>      |
| Water Reservoir          |           | <b>D</b>      |

Table 9.17.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses              | Permitted | Discretionary |
|-----------------------------|-----------|---------------|
| Bed and Breakfast           |           | <b>D</b>      |
| Cabin                       |           | <b>D</b>      |
| Garage                      |           | <b>D</b>      |
| Garden Suite                | <b>P</b>  |               |
| Home Based Business (Minor) | <b>P</b>  |               |
| Home Occupation             | <b>P</b>  |               |
| Secondary Suite             | <b>P</b>  |               |
| Shipping Container          |           | <b>D</b>      |

Table 9.16.3 – Development Regulations

| Regulation                                  | Standard   |
|---|--|
| <b>Parcel Area</b>                          |  |
|   | Min: 0.81 ha (2.0 acres)   |
|   | Max: 4.0 ha (10.0 acres)   |
| <b>Dwelling Density</b>                     |  |
|   | Max: 1 dwelling per parcel   |
|   | *More than 1 dwelling may be permitted subject to the conditions set out in Section 11.2.. |
| <b>Min. Floor Area (Principal Building)</b> |  |
|   | Min 55.0 m <sup>2</sup> (595.02 ft <sup>2</sup> ). (Excluding Recreational Vehicles)       |
| <b>Min. Setbacks*</b>                       |  |
|   | Rear: 7.5 m (24.61 ft)   |
|   | Side: 6.0 m (19.69 ft)   |
|   | 10.0 m (32.82 ft) from any internal multi-parcel subdivision roadway                       |
|   | Front: 25.0 m (82.02 ft) from any Municipal roadway  |
|   | 40.0 m (131.23 ft) from any highway ROW  |
| (All) From Lakeshore:                       | As established by the Lac Ste. Anne County Environmental Inventory.                        |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2. In the event that no building pocket exists. The Development Authority may provide a variance to create a valid building pocket.

**Additional Regulations**

- 9.17.5 Prior to any application for the re-districting of lands to CR3, a biophysical assessment shall be submitted to the County relating to a proposed development area.
- 9.17.6 Where applicable, each parcel in a multi-parcel residential subdivision shall retain a minimum of 50% of existing vegetation, or otherwise, to the satisfaction of the Development Authority. Recommendations from a site-specific biophysical study shall be respected.
- 9.17.7 All parcels backing on Lakes shall be required to provide environmental reserve dedication in accordance with the Lac Ste. Anne County RSMM. No parcels shall abut directly to the lakeshore line.
- 9.17.8 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
  - a) General Development Regulation of Section 10;
  - b) Specific Use Regulations of Section 11;
  - c) Parking and Loading Standards of Section 12;
  - d) Landscaping Standards of Section 13; and
  - e) Sign Regulations of Section 14.
- 9.17.9 Micro homes shall adhere to the following architectural controls:
  - a) Structure must have a permanent foundation
  - b) Must have a Kitchen
  - c) Must have a Washroom

**Recreational Vehicles**

- 9.17.10 The following regulations apply with the respect to the Recreational Vehicle use on parcels within this district:
  - a) The permanent or temporary placement of Recreational Vehicles must comply with sections 11.2.92 to 11.2.99
  - b) On parcels less than 2.5 acres in size:
    - 1) A maximum of two (2) Recreational Vehicle are permitted to be permanently placed on a parcel.
  - c) On parcels 2.5 acres or more in size:
    - 1) A maximum of three (3) Recreational Vehicles may be permanently placed on a parcel permit and this Bylaw, including but limited to the requirements of Section 3.13.
  - d) More than two (2) Recreational Vehicles may be placed on a parcel on a temporary basis for no more than seven (7) days in a calendar month.

**Property Access**

- 9.17.11 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within this district.

### 9.18 Lakeside Residential (LR)

#### Purpose

- 9.18.1 The purpose of the Recreational Residential (RR) district is to accommodate suitable forms of residential developments in Lakeside areas, and ensure that they are of an appropriate type, scale, and character.
- 9.18.2 Generally, new multi-parcel residential developments located in close proximity to named lakes or recreational significant areas within the County shall be considered for this land use district, at the discretion of the Development Authority.



#### Regulations

- 9.18.3 Permitted and discretionary principal uses within the RR district are outlined in Table 9.18.1.
- 9.18.4 Permitted and discretionary accessory uses within the RR district are outlined in Table 9.18.2.
- 9.18.5 Development regulations for RR are outlined in Table 9.18.3. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 9.18.1 – Permitted and Discretionary Principal Uses

| Principal Uses           | Permitted | Discretionary |
|--------------------------|-----------|---------------|
| Apartment                |           | <b>D</b>      |
| Commercial – Retail      |           | <b>D</b>      |
| Day Care Facility        |           | <b>D</b>      |
| Garage                   |           | <b>D</b>      |
| Group Homes              |           | <b>D</b>      |
| Micro Home               |           | <b>D</b>      |
| Mobile Home              |           | <b>D</b>      |
| Modular Home             | <b>P</b>  |               |
| Municipal Facility       |           | <b>D</b>      |
| Public Utility           |           | <b>D</b>      |
| Public Utility Building  |           | <b>D</b>      |
| Recreational Facility    |           | <b>D</b>      |
| Residential Sales Centre | <b>P</b>  |               |
| Rooming/Boarding Homes   |           | <b>D</b>      |
| Row Housing              |           | <b>D</b>      |
| Semi-Detached dwelling   |           | <b>D</b>      |
| Single Detached Dwelling | <b>P</b>  |               |
| Social Care Facility     |           | <b>D</b>      |
| Water Reservoir          |           | <b>D</b>      |

Table 9.18.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses              | Permitted | Discretionary |
|-----------------------------|-----------|---------------|
| Bed & Breakfast             |           | <b>D</b>      |
| Cabin                       |           | <b>D</b>      |
| Garage                      |           | <b>D</b>      |
| Garden Suite                | <b>P</b>  |               |
| Home Based Business (Minor) | <b>P</b>  |               |
| Home Occupation             | <b>P</b>  |               |
| Secondary Suite             | <b>P</b>  |               |
| Shipping Container          |           | <b>D</b>      |

Table 9.18.3 – Development Regulations

| Regulation                                  | Standard   |
|---|--|
| <b>Parcel Area</b>                          |  |
|   | Min: 0.81 ha (2.0 acres)   |
|   | Max: 4.00 ha (9.9 acres)   |
| <b>Dwelling Density</b>                     |  |
|   | Max: 1 dwelling per parcel*  |
|   | *More than 1 dwelling may be permitted subject to the conditions set out in Section 11.2 |
| <b>Min. Floor Area (Principal building)</b> |  |
|   | Min: 55.0 m <sup>2</sup> (592.02 ft <sup>2</sup> ). (Excluding Recreational Vehicles)    |

**Min. Setbacks\*\***

|                        |  |
|------------------------|--|
|                        | Rear: 7.5 m (24.61 ft)   |
|                        | Side: 6.0 m (32.82 ft)   |
| (Single Family) Front: | 10.0 m (32.82 ft) from any internal multi-parcel subdivision roadway |
|                        | 25.0 m (82.02 ft) from any Municipal roadway                         |
|                        | 40.0 m (131.23 ft) from any highway ROW)                             |
| (All) From Lakeshore:  | As established by the Lac Ste. Anne County Environmental Inventory.  |

\*\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2. In the event that no building pocket exists. The Development Authority may provide a variance to create a valid building pocket.

**Additional Regulations**

- 9.18.6 Prior to any application for the re-districting of lands to RR, a biophysical assessment shall be submitted to the County relating to a proposed development area.
- 9.18.7 Where applicable, each parcel in a multi-parcel residential subdivision shall retain a minimum of 50% of existing vegetation, or otherwise, to the satisfaction of the Development Authority. Recommendations from a site-specific biophysical study shall be respected.
- 9.18.8 All parcels backing on Lakes shall be required to provide environmental reserve dedication in accordance with the Lac Ste. Anne County RSMM. No parcels shall abut directly to the lakeshore line.

9.18.9 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:

- a) General Development Regulations of Section 10;
- b) Specific Use Regulations of Section 11;
- c) Parking and Loading Standards of Section 12;
- d) Landscaping Standards of Section 13; and
- e) Sign Regulations of Section 14.

#### **Recreational Vehicles**

9.18.10 The following regulations apply with respect to the placement of Recreational Vehicles on parcels within this district.

- a) The permanent or temporary placement of Recreational Vehicles must comply with sections 11.2.92 to 11.2.99
- b) No Recreational Vehicles may be permanently placed on a vacant parcel.
- c) On parcels less than 2.5 acres in size:
  - 1) A maximum of one (1) Recreational Vehicle is permitted to be permanently placed on a parcel if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Section 3.13.
- d) On parcels 2.5 acres or more in size:

- 1) A maximum of one (1) Recreational Vehicle is permitted to be permanently placed on a parcel if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Section 3.13.
- e) More than two (2) Recreational Vehicles may be placed on a parcel on a temporary basis for no more than seven (7) days in a calendar month if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Secyion 3.13.

#### **Property Access**

9.18.11 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within this district.

## 9.19 Urban Residential (UR)

### Purpose

9.19.1 The purpose of the Urban Residential (UR) district is to accommodate appropriate forms of Residential developments within Hamlets and other urban areas, and to ensure that they are of an appropriate scale and character.



### Regulations

- 9.19.2 Permitted and discretionary principal uses within the UR district are outlined in Table 9.19.1.
- 9.19.3 Permitted and discretionary accessory uses within the UR district are outlined in Table 9.19.2.
- 9.19.4 Development regulations for UR are outlined in Table 9.19.3. Regulations not outlined shall be at the discretion of the Development Authority.

Table 9.19.1 – Permitted and Discretionary Principal Uses

| Principal Uses           | Permitted | Discretionary |
|--------------------------|-----------|---------------|
| Apartment                |           | D             |
| Commercial – Retail      |           | D             |
| Communication Tower      |           | D             |
| Day Care Facility        |           | D             |
| Extensive Recreation     |           | D             |
| Group Homes              |           | D             |
| Health Services          |           | D             |
| Mobile Home              |           | D             |
| Modular Home             |           | D             |
| Multi-Family Housing     |           | D             |
| Municipal Facility       |           | D             |
| Parking Structures       |           | D             |
| Park                     |           | D             |
| Personal Service Shops   |           | D             |
| Public Utility           |           | D             |
| Public Utility Building  |           | D             |
| Residential Sales Centre | P         |               |
| Rooming/Boarding Homes   |           | D             |
| Row Housing              | P         |               |
| Self-Storage             |           | D             |
| Semi Detached Dwelling   | P         |               |
| Single Detached Dwelling | P         |               |
| Social Care Facility     |           | D             |
| Water Reservoir          |           | D             |



Table 9.18.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses                  | Permitted | Discretionary |
|---------------------------------|-----------|---------------|
| Bed & Breakfast                 |           | D             |
| Contractors Business            |           | D             |
| Garage                          | P         |               |
| Garden Suite                    |           | D             |
| Home Based Business (Minor)     | P         |               |
| Home Occupation                 | P         |               |
| Intensive Agriculture – Class 2 |           | D             |
| Outdoor Storage                 |           | D             |
| Secondary Suite                 |           | D             |
| Other Accessory Uses            |           | D             |

Table 9.18.3 – Development Regulations

| Regulation              | Standard                                      |
|-------------------------|---|
| <b>Min. Parcel Area</b> |   |
| Single Family:          | 400.0m <sup>2</sup> (0.1 acres)               |
| Semi-Detached:          | 200.0 m <sup>2</sup> (0.05 acres)             |
| Row Housing (Unit):     | 1000.0 m <sup>2</sup> (0.25 acres)            |
| Row Housing (parcel):   | 100.0 m <sup>2</sup> (.081 acres)             |
| Multi-Family:           | 1000.0 m <sup>2</sup> (0.25 acres)            |
| <b>Min. Frontage</b>    |   |
| Single Family:          | 15.0m (49.21 ft)                              |
| Semi-Detached:          | 10.0m (32.82 ft)                              |
| Row Housing (parcel)    | 30.0m (98.43 ft)                              |
| Row Housing (Unit):     | 5.0m (16.4 ft)                                |
| Multi-Family:           | 30.0m (98.43 ft)                              |
| <b>Min. Floor Area</b>  |   |
|                         | 55.0 m <sup>2</sup> (592.02 ft <sup>2</sup> ) |
| <b>Min. Setbacks*</b>   |   |
| Rear:                   | 7.5m (24.61 ft)                               |
| Side:                   | Lesser of 10% of lot width or 1.5 m (4.92 ft) |
| Lane:                   | 4.5 m (14.76 ft)                              |
| **Front:                | 7.5m (24.61 ft)                               |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

\*\**Applicable only to single family parcels*

**Additional Regulations**

9.19.5 No more than one (1) Accessory Building shall be permitted per parcel.

9.19.6 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:

- a) General Development Regulations of Section 10;
- b) Specific Use Regulations of Section 11;
- c) Parking and Loading Standards of Section 12;
- d) Landscaping Standards of Section 13; and
- e) Sign Regulations of Section 14.

All sites to be designated as UR must be fully serviced by piped sewage and water supply networks or be designed in a manner to be capable of connecting at a future point.

9.19.7 The following regulations apply with respect to the Recreational Vehicle use on parcels within this district.

- a) The permanent or temporary placement of Recreational Vehicles must comply with sections 11.2.92 to 11.2.99
- b) No Recreational Vehicles may be permanently placed on a vacant parcel.
- c) On parcels less than 2.5 acres in size:

1) A maximum of one (1) Recreational Vehicle is permitted to be permanently placed on a parcel if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Section 3.13.

d) On parcels 2.5 acres or more in size:

1) A maximum of one (1) Recreational Vehicle is permitted to be permanently placed on a parcel if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to the requirements of Section 3.13.

9.19.8 In this district, RVs shall only be placed to the rear of beside the principal building.

## 9.20 Bareland Recreational Resort (Rec)

### Purpose

9.20.1 The purpose of the Bareland Recreational Resort (Rec) district is to provide fully serviced recreational resort use on a seasonal basis, with each recreational lot being a separate titled lot within a Bareland Condominium.



### Regulations

- 9.20.2 Permitted and discretionary principal uses within the Rec district are outlined in Table 9.20.1.
- 9.20.3 Permitted and discretionary accessory uses within the Rec district are outlined in Table 9.20.2.
- 9.20.4 Development regulations for RR are outlined in Table 9.20.3. Regulations not outlined shall be at the discretion of the Development Authority.

Table 9.20.1 – Permitted and Discretionary Principal Uses

| Principal Uses                   | Permitted | Discretionary |
|----------------------------------|-----------|---------------|
| Cabin                            | <b>P</b>  |               |
| Commercial – Retail              |           | <b>D</b>      |
| Communication Tower              |           | <b>D</b>      |
| Extensive Recreation             | <b>P</b>  |               |
| Intensive Recreation             | <b>P</b>  |               |
| Park                             | <b>P</b>  |               |
| Place of Worship                 |           | <b>D</b>      |
| Recreational Vehicle, Park Model | <b>P</b>  |               |
| Recreational Vehicle             | <b>P</b>  |               |

Table 9.20.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses              | Permitted | Discretionary |
|-----------------------------|-----------|---------------|
| Bed & Breakfast             |           | <b>D</b>      |
| Garage                      | <b>P</b>  |               |
| Garden Suite                |           | <b>D</b>      |
| Home Based Business (Minor) | <b>P</b>  |               |
| Home Occupation             | <b>P</b>  |               |
| Outdoor Storage             |           | <b>D</b>      |
| Secondary Suite             |           | <b>D</b>      |
| Other Accessory Uses        |           | <b>D</b>      |

Table 9.20.3 – Development Regulations

| Regulation                      | Standard  |
|---------------------------------|---|
| <b>Parcel Area</b>              | Min: 8.0 ha (19.8 acres)  |
| <b>Density</b>                  | <b>Max:</b> 1 recreational vehicle or park model per parcel   |
| <b>Floor Area</b>               | Subject to Section 11   |
| <b>Min. Setbacks* (Parcel)</b>  | <p>Front 10 m (32.81 ft) from any internal multi-parcel subdivision roadway</p> <p>25.0 m (82.02 ft) from any Municipal roadway</p> <p>40.0 m (131.23 ft) from any highway ROW</p> <p>Other: 18.0 m (59.0 ft)</p> |
| <b>Min. Setbacks (Internal)</b> | <p>Rear: 1.5 m (5.0 ft)</p> <p>Side: 1.5 m (5.0 ft)</p> <p>Front: 3.5 m (11.5 ft)</p>   |
| <b>Lot Width</b>                | Max: 8.5 m (27.9 ft)  |

**Lot Depth**

Max: 28 m (91.9 ft)

**Lot Coverage**

Max: 65%

**Lot Area**

Min: 240 m<sup>2</sup> (2583 ft<sup>2</sup>)

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

9.20.5 In addition to the regulations in this district, other regulations in this Bylaw also apply, These include:

- a) General Development Regulations of Sections 10;
- b) Specific Use Regulations of Section 11;
- c) Parking and Loading Standards of Section 12;
- d) Landscaping Standards of Section 13 and;
- e) Sign Regulations of Section 14;

9.20.6 A REC district shall be created within the context of a bareland condominium.

9.20.7 An REC district shall include a recreational feature such as lake access, golf course, equestrian centre or other resort amenity.

9.20.8 All recreational lots shall be serviced with water, sewer, roadway and pedestrian access and electrical services.

9.20.9 Water and sewage services shall be piped communal and privately owned, connected to municipal or regional services if they exist, and compliant with all municipal and provincial requirements.

9.20.10A minimum 10% of the gross area of the parcel shall be developed for open space or park purposes. Extensive recreational development may be included for this purpose.

9.20.11 The outer boundary of the parcel shall be fenced and landscaped in a manner that minimize visual and noise impacts on neighbouring parcels.

9.20.12 Permanent occupancy of any lot other than the manager's residence is prohibited.

9.20.13 All development permit applications shall have the written approval of the resort condominium association prior to submission to the County.

**Property Access**

9.20.14 An Access Easement or right-of-way shall be deemed to be not a lawful means of access to a parcel within this district.

## 9.21 Aggregate Resource Extraction & Processing (AR)

### Purpose

9.21.1 The purpose of the Aggregate Resource Extraction and Processing (AR) district is to allow, in appropriate locations, for the efficient extraction and/or processing of aggregate resources in a manner that avoids conflicts with other land uses or negatively impacts on environmentally sensitive areas.



### Regulations

9.21.2 Permitted and discretionary principal uses within the AR district are outlined in Table 9.21.1.

9.21.3 Permitted and discretionary accessory uses within the AR district are outlined in Table 9.21.2.

9.21.4 Development regulations for AR are outlined in Table 9.21.3

Table 9.21.1 – Permitted and Discretionary Principal Uses

| Principal Uses                | Permitted | Discretionary |
|-------------------------------|-----------|---------------|
| Aggregate resource extraction |           | <b>D</b>      |
| Aggregate resource processing |           | <b>D</b>      |
| Extensive Agriculture         |           | <b>D</b>      |
| Municipal Facility            |           | <b>D</b>      |
| Natural Resource Extraction   |           | <b>D</b>      |
| Natural Resource Processing   |           | <b>D</b>      |
| Private Haul Route            |           | <b>D</b>      |
| Public Utility                |           | <b>D</b>      |
| Public Utility Building       |           | <b>D</b>      |
| Regional Landfill             |           | <b>D</b>      |
| Salvage/Storage Yard          |           | <b>D</b>      |
| Single Detached Dwelling      |           | <b>D</b>      |
| Stripping of Topsoil          | <b>P</b>  |               |

Table 9.21.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses       | Permitted | Discretionary |
|----------------------|-----------|---------------|
| Communication Towers |           | <b>D</b>      |
| Farm Buildings       |           | <b>D</b>      |
| Mobile Home          |           | <b>D</b>      |
| Shipping Containers  | <b>P</b>  |               |
| Other Accessory Uses |           | <b>D</b>      |

Table 9.20.3 – Development Regulations

| Regulation                   | Standard  |
|------------------------------|---|
| <b>Parcel Area</b>           |   |
|                              | Minimum parcel areas shall be determined by the Development Authority through the re-districting process.   |
| <b>Access</b>                |   |
|                              | No site access shall be permitted within 90.0 m (295.3 ft) of the intersection of two (2) municipal roadways.   |
| <b>Yard Requirements</b>     |   |
| <b>Rear:</b>                 | Min. 40.0 m (131.2ft)   |
| <b>Side:</b>                 | Min. 40.0 m (131.2ft)   |
| <b>Front:</b>                | Min. 40.0 m (131.2ft)   |
| <b>Setback for aggregate</b> |   |
|                              | Extraction 500.0 m (1,640.42 ft):<br>Reclamation: 500.0 m (1,640.42 ft)<br>Crushing: 1,500.0 m (4,921.26 ft)<br>Wash Plant: 1,500.0 m (4,921.26 ft)<br>Asphalt Plant: 1,500.0 m (4,921.26 ft)   |
| <b>Development Setback*</b>  |   |
|                              | A 3.0 m (9.84 ft) undisturbed buffer zone must be maintained adjacent to all site property lines unless a waiver or consent has been obtained from the adjoining landowners to mine to or through the site property line; this will include County road allowances, rail lines, easements, and right-of-ways. |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

**Additional Regulations**

- 9.21.5 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
- a) General Development Regulations of Section 10;
  - b) Specific Use Regulations of Section 11;
  - c) Parking and Loading Standards of Section 12;
  - d) Landscaping Standards of Section 13; and
  - e) Sign Regulations of Section 14.
- 9.21.6 Section 11.1, Aggregate Extraction, sets out the Specific Use Regulations related to the extraction and processing of aggregate resources including setbacks applicable to non-aggregate-related activities not located within the AR district.
- 9.21.7 Where lands sought for re-districting to AR are located within the recognized inter-municipal district, the notice shall be referred to relevant neighbouring municipality for review and comments.
- 9.21.8 The aggregate extraction-site shall be developed to limit the negative visual impact of the development through screening and landscaping, to the satisfaction of the Development Authority.
- 9.21.9 Single Detached Dwellings shall only be allowed in this district on properties where reclamation is deemed complete

## 9.22 Direct Control District (DC)

### Purpose

9.22.1 The purpose of the Direct Control District (DC) is to provide for Direct Control on the part of Lac Ste. Anne County Council for development where determined necessary.

### Uses

9.22.2 Any land uses and buildings shall be subject to the approval of Council.

### Regulations

9.22.3 All development applications shall comply with the purpose and regulations of the corresponding Direct Control District as established in Appendix A.

9.22.4 All site requirements shall be at the discretion of Council, based on a review of the merits of the development proposal and the relevant land use planning consideration.

9.22.5 All development shall conform to the Lac Ste. Anne County MDP.

9.22.6 Council may refer to other Sections of this Bylaw to determine requirements for specific types of proposed land uses on property zoned under this District. However, Council is not bound by any other provisions of this Bylaw other than those contained within this District.

9.22.7 When deciding upon a development permit application, Council shall consider the following:

9.22.8 The existing and future land use of neighbouring properties;

a) The suitability of the site for the proposed use;

b) The provision of municipal or on-site services such as water and sewer;

c) The provision of access to the subject property; and

d) Any considerations which are unique to the proposed development.

9.22.9 Council may decide on other requirements as deemed necessary, having regard to the nature of the proposed development.

### Administrative Procedures

9.22.10 Decisions on development permit applications in a Direct Control District shall be made by:

a) Council; or

b) The Development Authority, where the application is for a defined Principal or Accessory use listed in the Direct Control District.

9.22.11 The purpose and regulations of each Direct Control District shall be detailed in Appendix A of this Bylaw.



Table 9.22.1 – Direct Control Districts

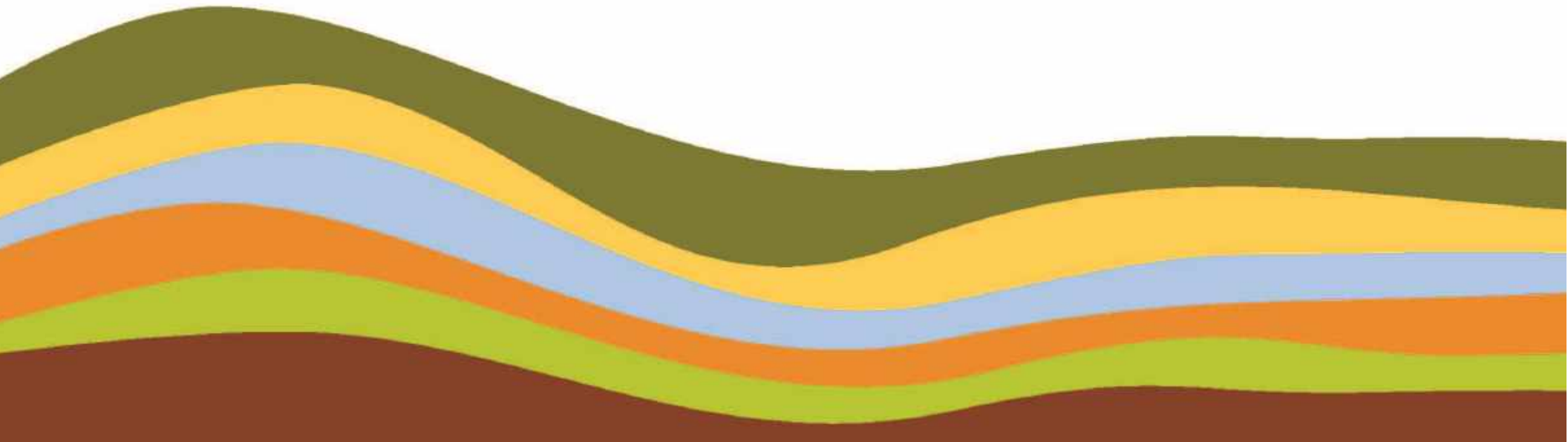
| <b>Bylaw Section</b> | <b>DC#</b>   | <b>Area Name</b>                                     | <b>Legal Location</b>                        |
|----------------------|--------------|--|--|
| 16                   | <b>04-01</b> | <b>Windmill Harbour</b>                              | <b>SL 15-54-3-W5</b>                         |
| 17                   | <b>11-01</b> | <b>Alberta Beach Estates</b>                         | <b>SE 11-54-3-W5</b><br><b>NE 11-54-3-W5</b> |
| 18                   | <b>14-01</b> | <b>Waters Edge Resort</b>                            | <b>SE 10-55-3-W5</b>                         |
| 19                   | <b>15-01</b> | <b>Camp Koinonia</b>                                 | <b>SW 27-53-6-W5</b>                         |
| 20                   | <b>15-02</b> | <b>Rochfort Colony</b>                               | <b>NW 5-56-7-W5</b><br><b>SE 8-56-7-W5</b>   |
| 21                   | <b>15-03</b> | <b>Mayerthorpe Industiral Lands</b>                  | <b>SW 21-56-7-W5</b>                         |
| 22                   | <b>18-01</b> | <b>County Halls</b>                                  | <b>See section 22</b>                        |
| 23                   | <b>19-01</b> | <b>Industrial Cannabis Production</b>                | <b>NW 34-53-02 W5</b>                        |
| 24                   | <b>19-01</b> | <b>Belle Vista</b>                                   | <b>SE 09-56-01 W5</b>                        |
| 25                   | <b>21-01</b> | <b>Lac Ste. Anne Metis Community Housing Project</b> | <b>SL 5-54-3-W5</b><br><b>SL 4-54-4-W5</b>   |

---

# Part IV

## Development Regulations

---



## 10 General Development Regulations

The policies outlined in this Section are intended to support those outlined in the respective land use district in which the development is located. The regulations outlined in this Section shall apply to all land use districts, unless otherwise stated.

### 10.1 Site Development

#### **Stripping, Filling, Excavation, and Grading**

10.1.1 The regulations contained within this Section are intended to apply primarily to those situations where site stripping, filling, excavation, grading, and/or re-contouring (including construction of artificial water bodies and dugouts) is proposed:

- a) Independent of, or prior to, other development on the same parcel or site; or
- b) As part of a resource extraction use on the same parcel or site.

10.1.2 Where, in the process of development, areas require levelling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, and replaced following the completion of the work.

10.1.3 Grading of a parcel associated with an approved development shall conform to the parcel grading and drainage plan approved by the County.

#### **Tree Clearing**

10.1.4 Tree clearing in priority wetlands, as identified in Map 13 – Priority Conservation Wetlands, is a discretionary use and requires a development permit.

10.1.5 No trees or bushes shall be cleared from any land between the top of banks of any spring, creek, river, or lake, except:

- a) To construct a road, trail or fence; or
- b) In connection with a recreational development for which a development permit has been granted.

10.1.6 The Development Authority may refuse a development permit for the removal of trees if the proposed tree clearance would have a deleterious effect on watercourses, slope stability, or wildlife habitat.

10.1.7 In reviewing a development permit application, the Development Authority shall give due consideration to maintaining priority wetland conservation areas as identified in Map 13 – Priority Conservation Wetlands.

10.1.8 In the RR district, each parcel in a multi-parcel residential subdivision shall retain a minimum of 50% of existing vegetation, or otherwise, to the satisfaction of the Development Authority. Recommendations from a site-specific biophysical study shall be respected.

#### **Removal of Topsoil**

10.1.9 A development permit is required for the removal or stockpile of topsoil for non-agricultural purposes.

10.1.10 A development permit shall only be granted where it is shown to the satisfaction of the Development Authority that the land or adjacent land will not be adversely affected by the removal of the topsoil.

10.1.11 An application for the removal of topsoil may be referred to Alberta Environment and Parks for advice.

10.1.12 Where, in the process of development, areas require leveling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, and replaced following the completion of the work.

#### **Dugouts**

10.1.13 Dugouts of at least 50.0 m<sup>3</sup> (1,765.0 ft<sup>3</sup>) in capacity shall be set back a minimum distance of 45.72 m (150.0 ft) from all property lines and residences.

10.1.14 Dugouts in agricultural districts shall not require a development permit.

10.1.15 Dugouts and Water Reservoirs in non-agricultural areas may be developed, subject to the following:

- a) The applicant is to specify where the soil from the excavation is to be stored or relocated;
- b) The dugout shall be fenced and/or bermed to the satisfaction of the Development Authority; and
- c) The dugout shall be developed in a manner that a minimum of one side no narrower than 3.0 m (9.84 ft) horizontally be developed from the bottom to the top with a slope not in excess of 5:1.

10.1.16 The Development Authority may require other design standards to ensure public safety through the development of dugouts or Water Reservoirs in non-agricultural areas.

#### **Accessory Buildings and Uses**

##### *General*

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

10.1.18 A Mobile Home shall not be regarded as an Accessory Building under any circumstances.

10.1.19 A guest house shall be considered an Accessory Building or use.

10.1.20 Accessory buildings shall not be used as a dwelling unit unless it is an approved additional dwelling, a Secondary Suite or a Garden Suite.

10.1.21 An Accessory Building shall only be constructed following the issuance of a development and building permit for the principal building on the site.

10.1.22 Accessory buildings are generally subject to the development regulations for the district unless specifically described otherwise.

10.1.23 All accessory structures intended for use as a habitable residence shall have eaves of a minimum of 15.0 centimetre (cm) (0.49 ft).

10.1.24 All enclosed Accessory Buildings shall have a vertical man-door for access.

10.1.25 No more than five (5) sheds and no more than one (1) Secondary Suite or Garden Suite shall be permitted in the CRR, CRX, CR3, CRS and CRE land use districts.

10.1.26 No accessory structure shall be issued with electrical, gas, or plumbing permits prior to the completion of the principal structure on-site.

10.1.27 Excluding on parcels in AG1, AG2, and CRR districts, all accessory buildings over 111.5 m<sup>2</sup> (1,200.0 ft<sup>2</sup>) shall be treated as discretionary use.

#### *Garages*

10.1.28 All garages shall be restricted to a maximum 6.0 m (19.70 ft) wall.

10.1.29 All garages (attached or detached) over 111.5 m<sup>2</sup> (1,200.0 ft<sup>2</sup>) are to be treated as a discretionary use, notwithstanding any other provision of this Bylaw.

10.1.30 All garages as a second or additional garage on a property shall be treated as a discretionary use, notwithstanding an other provision of this Bylaw.

#### *Height*

10.1.31 The height of an Accessory Building in residential districts shall not exceed 6.0 m (19.70 ft), or height of the principal building, whichever is smaller.

10.1.32 Subject to other provisions of this Bylaw regarding agricultural buildings such as storage silos, no building shall be constructed that is higher than 8.20 m (27.0 ft) or greater than the maximum height that can be effectively serviced through the local fire department.

10.1.33 The regulations regarding building heights for all principal and accessory buildings in all other districts shall be as per development standards outlined in the individual land use districts.

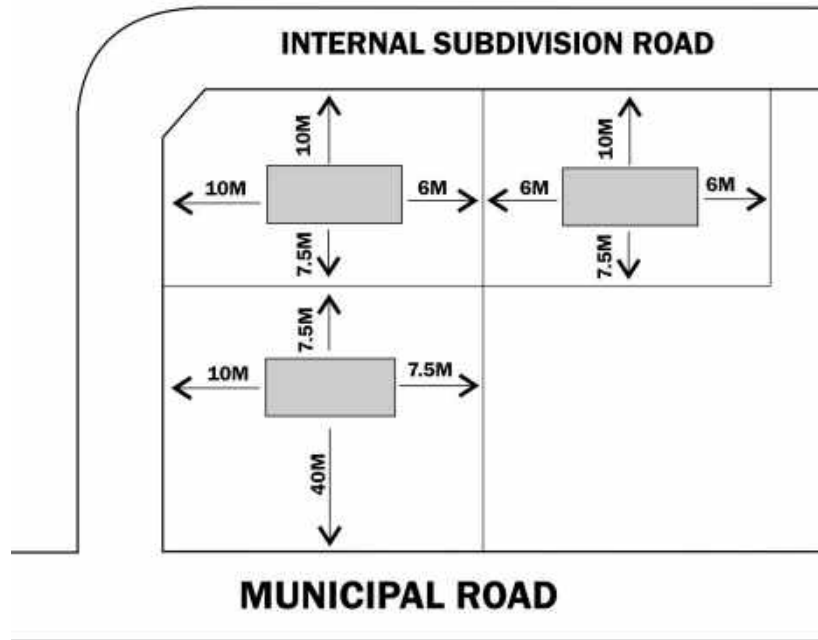
#### *Setbacks*

10.1.34 Accessory buildings attached to the principal dwelling shall comply with the setbacks applicable to the principal building for the applicable land use district.

10.1.35 Where the property line setback is greater than 6.0 m (19.69 ft) and the said property line is not abutting a public roadway, accessory structure property line setback may be reduced to a minimum of 3.0 m (9.84 ft) for movable structures with a floor area less than 18.60 m<sup>2</sup> (200.0 ft<sup>2</sup>).

10.1.36 Where a property line setback is abutting a public road, an accessory structure property line setback may be varied to a minimum of 7.5 m (24.61 ft) for movable structures with a floor area less than 18.6 m<sup>2</sup> (200.0 ft<sup>2</sup>) of the temporary residence to an Accessory Building.

Figure 10.1.1: Setbacks for Primary and Accessory Structures



*Maximum Site Coverage*

10.1.37 Site coverage for Accessory Buildings on residential districts are outlined in Table 10.1.1.

Table 10.1.1 – Site Coverage for Accessory Buildings

| Site Area                                    | Accessory Building  |
|--|---|
| Less than 0.4 ha (1.0 acre)                  | <b>10% of site area</b>                                     |
| 0.4 ha (1.0 acre) to 0.81 ha (2.0 acres)     | <b>Maximum 325.16m<sup>2</sup> (3,500.0 ft<sup>2</sup>)</b> |
| 0.82 ha (2.02 acres) to 2.01 ha (4.99 acres) | <b>Maximum 371.61m<sup>2</sup> (4,000.0 ft<sup>2</sup>)</b> |

2.02 ha (5.0 acres) to 12.14 ha (30.0 acres)

**No limit**

10.1.38 There shall be no limit on maximum site coverage for Accessory Buildings in agricultural districts.

10.1.39 The maximum site coverage for Accessory Buildings in all other districts shall be in accordance with the development standards of each district.

*Siting in Relation to the Principal building*

10.1.40 An Accessory Building shall not be located closer than 2.0 m (6.6 ft) to a principal building.

10.1.41 The siting of an Accessory Building on an irregularly shaped parcel shall be as approved by the Development Authority.

10.1.42 An Accessory Building on a corner parcel shall be located in such a manner that its side yard, which abuts the street, shall not be less than the side yard of the principal building.

*Typical Accessory Buildings and Structures*

10.1.43 The following buildings and structures shall be considered accessory uses, buildings, or structures if they are clearly subordinate and exclusively devoted to the principal building, use or structure that is either permitted or discretionary within the respective land use district.

- a) Farm-related buildings such as animal sheds, barns, farm-related storage facilities, seed storage facilities, farm related machinery, silos, or any other related buildings to the satisfaction of Development Officer;
- b) Detached garage;
- c) Parking shed;

- d) Garden Suite;
- e) Secondary Suite;
- f) Mobile Home;
- g) Home Occupation;
- h) Home Based Business – Minor;
- i) Home Based Business – Major;
- j) Day Care Facility;
- k) Bed and Breakfast;
- l) Temporary shed;
- m) Shipping Containers;
- n) Convenience Commercial;
- o) Eating and Drinking Establishment;
- p) Storage sheds;
- q) Airstrip; and
- r) Any other use, building, or structure to the satisfaction of Development Officer.

**Number of Temporary Dwelling Units on a Parcel**

10.1.44 The Development Authority may allow one (1) or more additional dwellings on a parcel. When determining whether or not to allow an additional dwelling on a parcel, the Development Authority shall consider:

- a) The suitability of the site for the proposed dwelling;

- b) The length of time that the applicant requires the proposed dwelling;
- c) Access to and from the site;
- d) The provision of proper water and sewer services;
- e) Existing and future surrounding land uses;
- f) Whether or not the proposed development meets the spirit and intent of the subject land use district; and
- g) Whether an additional unit is required for temporary agricultural workers involved in related agricultural operation.

10.1.45 A maximum of two (2) temporary dwellings may be allowed in agricultural land use and CRR districts. Temporary dwellings shall not be considered in RR, UR, CLR and CRE districts.

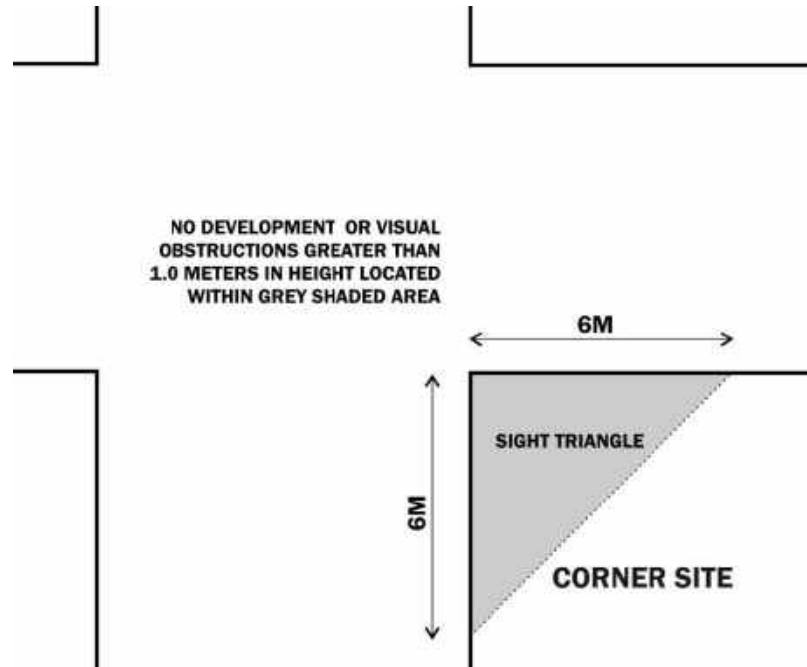
10.1.46 The Development Authority may attach, as a condition of approval, a time period after which the additional temporary dwellings must be removed from the subject property.

10.1.47 The number of permanent dwelling units on any parcel shall not exceed one, except in situations where a development permit for secondary or Garden Suite is issued.

**Sight Lines on Corner Sites**

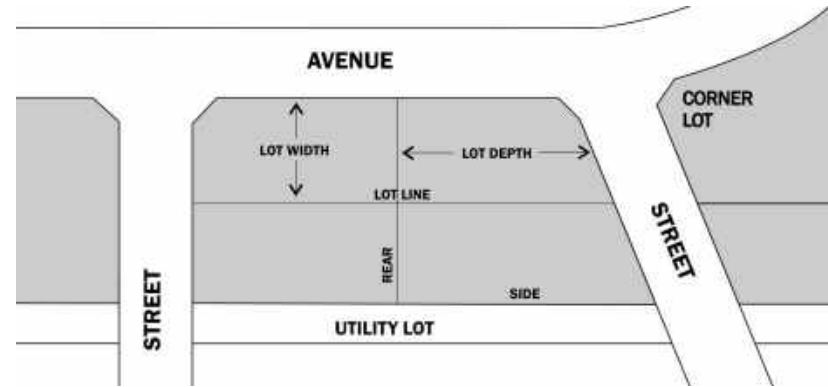
10.1.48 A sight triangle is a triangle formed by a straight line drawn between two (2) points on the exterior property lines of the said site 6.0 m (19.69 ft) from the point where they intersect. On any corner site, no person shall erect, place, or maintain within the sight triangle a wall, fence, shrub, tree, hedge, or any object that may adversely impact the line of sight required for the safe flow of vehicular traffic over 1.0 m (3.3 ft) in height above the lowest street grade adjacent to the intersection.

Figure 10.1.2: Sight Triangle



10.1.49 On any corner site, no finished grade shall exceed the general elevation of the local road by more than 0.60 m (2.0 ft) within the area defined as a sight triangle.

Figure 10.1.3: yard Definitions



**Yards**

- 10.1.50 When a parcel has more than one (1) front yard (corner parcel), the front yard requirement shall apply to all front yards, but, at the discretion of the Development Authority, one front yard may be considered a side yard.
- 10.1.51 In the case of a corner parcel, the front yard shall be the narrower of the two Frontages. If they are equal, it shall be at the discretion of a Development Officer.
- 10.1.52 Where a corner site comprises more than one parcel, the front yard of the site shall be taken on the same road as the front yard of the corner parcel.
- 10.1.53A Development Officer may require a corner site to provide additional front yard than is required by the district having regard for the orientation and access of the development and adjacent properties.



**Objects Restricted in Yards**

10.1.54 No residential parcel shall contain:

- a) Any object or chattel that in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district; and
- b) Any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken; 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.

10.1.55 The matters of pollution and adverse effects on other properties by holdings created shall be such that no use be allowed that may be, in the opinion of the Development Authority, determined offensive to a neighbouring owner or municipality as viewed from a municipal road. The word “offensive” here implies sight, odour, and/or anything that may adversely affect a neighbouring owner or municipality.

**On-Site Vehicle Storage**

10.1.56 Within the CRX, CRS, CRE, CLR, CR3, and UR districts, no more than two (2) unregistered motor vehicles shall be permitted to be kept or stored on any residential parcel upon which a single detached dwelling or Mobile Home is located. No unregistered motor vehicle shall be allowed to be kept or stored on a residential parcel which does not have a dwelling located on it.

10.1.57 The keeping and storage of more than two (2) unregistered motor vehicles on a residential parcel outside of a multi-parcel residential subdivision may only be permitted by the Development Authority if it can be demonstrated to its satisfaction that the excessive number of unregistered motor vehicles constitutes a reasonable, inoffensive, accessory use to a principal residential use and will not be stored outside the property.

**Projection in Yards**

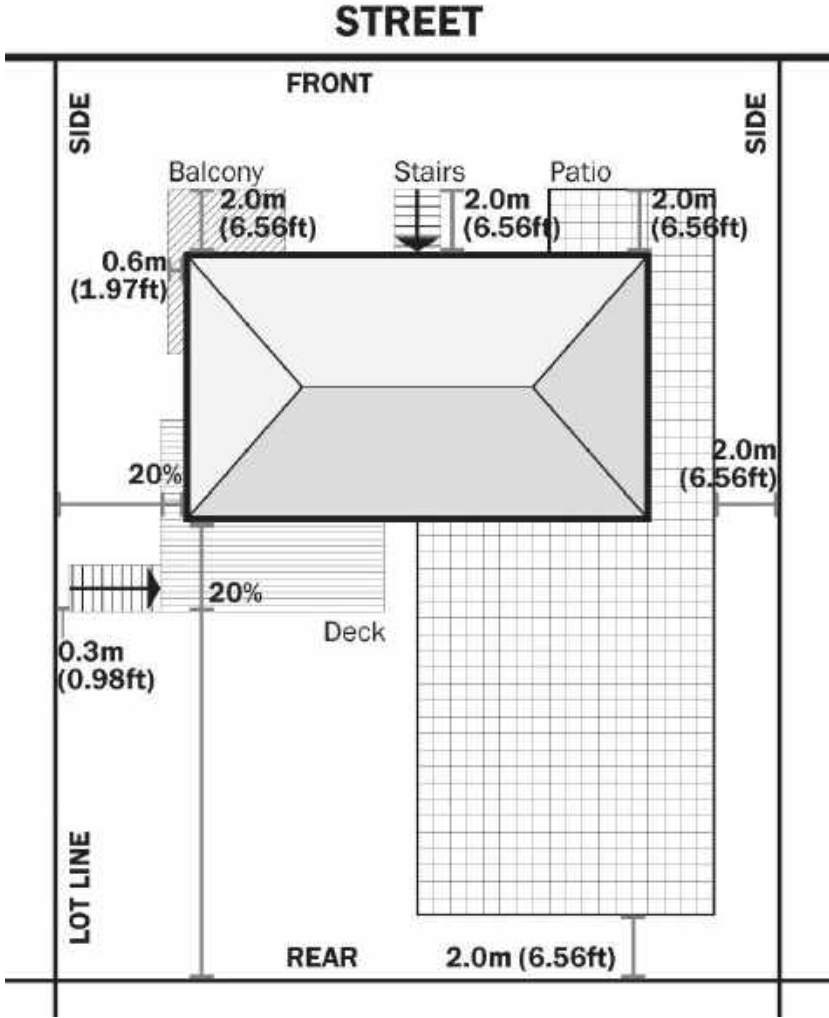
10.1.58 Projections to buildings such as eaves, chimneys, cornices, etc. shall be regarded as part of the principal building for the purpose of setbacks from property lines.

10.1.59 For architectural features, a maximum projection up to 20% of the minimum required setback may be allowed in the yards at the discretion of the Development Authority.

10.1.60 The following may project into a required yard setback as outlined below, provided that there is no encroachment onto an easement:

- a) Patios, a maximum of 2.0 m (6.56 ft) into a required front yard and up to the parcel line of a side and rear yard;
- b) Decks, a maximum of 20% into the required yard;
- c) Unenclosed steps, landings, and stairs (attached to a Principal Building and providing direct access to the principal building from ground level), a maximum of 2.0 m (6.56 ft) into a front and rear yard and not less than 0.3 m (0.98 ft) from the parcel line of a side yard; and
- d) Balconies, a maximum of 2.0 m (6.56 ft) into a required front and rear yard, and 0.6 m (1.97 ft) into a required side yard.

Figure 10.1.4: Projections into Yards



10.1.61 Utilities, underground parking, and similar structures constructed entirely beneath the surface of the ground may encroach into required yards provided such underground encroachments do not result in a grade inconsistent with abutting properties and the encroachments are covered by sufficient soil depth or surface treatment to foster landscaping.

**Hot Tubs**

10.1.62 All hot tubs shall have a secured locking mechanism to prevent unauthorized entry.

**Swimming Pools**

10.1.63 All swimming pools shall be enclosed with a wall or fence no less than 1.8 m (5.9 ft) above grade with a secure locking mechanism to prevent unauthorized entry.

10.1.64 Above-ground, pre-manufactured swimming pools with a water volume less than 6.11 m<sup>3</sup> (215.77 ft<sup>3</sup>) do not require a permit. All above-ground, pre-manufactured swimming pools with a water volume more than 6.12 m<sup>3</sup> (216.12 ft<sup>3</sup>) require a permit.

**Fencing**

10.1.65 Fences shall be consistent with the character and quality of the design and materials of the principal building.

10.1.66 A Development Officer may require a fence to be installed where commercial or industrial development is proposed to abut residential development. Where noise is a potential nuisance, a Development Officer may specify that the fence be designed to attenuate noise.

## 10.2 Site Setbacks

### Waste Management Setbacks

10.2.1 No residential development shall be permitted within the following distance, unless a variance has been granted by the appropriate Provincial Authority:

- a) 800.0 m (0.5 mile) of any permitted Landfill within Lac Ste. Anne County;
- b) 300.0 m (984.25 ft) of a Waste Transfer Station;
- c) 300.0 m (984.25 ft) of a waste water stabilization pond;
- d) 350.0 m (1,148.29 ft) of an abandoned or reclaimed Landfill or waste water stabilization pond unless a relaxation to the setback distance is granted by the Development Authority;
- e) The setback requirement in 9.2.1(a) may be varied to no less than 450.0 m (1,476.38 ft) to accommodate residential development within an existing multi-parcel country residential subdivision; and
- f) For the purpose of calculating setbacks from active waste water stabilization ponds, Landfills or Waste Transfer Stations, the property line shall be considered the “working area.”

### Development Setbacks from Sour Gas Facilities

10.2.2 No subdivision or development proposal for a residence or public facility within 1.5 km (4,921.26 ft) of a sour gas facility shall be permitted without the consent of the Alberta Energy Regulator.

10.2.3 No proposed subdivision or development within 100.0 m (328.1 ft) of a gas or oil pipeline shall be approved without the consent of the Alberta Energy Regulator.

### Setbacks from Gas and Oil Wells

10.2.4 The purpose of establishing setbacks around well sites is to allow for the maintenance of the well site to occur, to protect the well site, and to avoid damage to any construction or excavation equipment that may be used in construction of buildings or utilities on the site. Incorporating the setbacks and access area associated with a well site into a subdivision and development proposal may help in determining an effective subdivision design, the location of building sites, siting of underground utilities, and grading of land.

10.2.5 In accordance with the Alberta Energy Regulator recommendations, a setback consisting of a minimum of 10.0 m (32.81 ft) by 15.0 m (49.21 ft) work area surrounding a reclaimed well shall be maintained at all times.

10.2.6 The setback property lines shall be established so that the well is no less than 5.0 m (16.40 ft) from the setback property line. A minimum 8.0 m (26.25 ft) width access to this setback area shall be maintained.

### Setbacks from Abandoned Well sites

10.2.7 Development setbacks from abandoned well sites shall be in accordance with Alberta Energy Regulator and other relevant provincial regulations as amended.

### Setbacks from Pipelines and Other Utilities

10.2.8 Setbacks from pipelines or other utility corridors shall be as required by the Development Officer, or MPC, and the appropriate provincial regulations or Acts.

10.2.9 Both the subdivision application and development permit application may require the registration of a restrictive covenant against the title of the property that contains a reclaimed well, identifying the setback requirements.

**Building Setbacks**

10.2.10 Building setbacks from Landfills, Waste Transfer Stations, Water Stabilization Ponds, Abandoned or Reclaimed Landfill, Gas or Oil Wells, Abandoned Wells as well as from pipelines and other utilities shall be in accordance with Alberta Energy Regulator (AER) and other relevant provincial regulations as amended.

**Development on or Adjacent to Flood Plains**

10.2.11 Development on land that may be subject to flooding as identified in the Potential flood hazard areas Map prepared by Lac Ste. Anne County, is prohibited unless a site specific assessment (to identify 1:100 Year Flood plain level) is conducted to determine the exact flood risk and flood mitigation measures are determined.

10.2.12 Development on lands which have been designated as a two-zone (floodway-flood fringe) flood area shall be restricted to the following land uses:

- a) In floodway areas, new development shall not be allowed except for the following:
  - i) Non-obstructing agricultural uses;
  - ii) Recreational uses;
  - iii) Flood control measures; and
  - iv) Public works facilities.

10.2.13 In reviewing a development proposal in a flood hazard area, the Development Authority may refer the application to AESRD for review and comments.

10.2.14 Development within the floodway should be prohibited. Exceptions may be made for uses that do not significantly modify the landscape, such as certain agricultural uses, recreational uses or other passive uses of land that require limited or temporary structures.

10.2.15 Development within the flood fringe may be permitted, depending on confirmation from a water resource engineer, or other appropriate civil engineer, that the lands are suitable for the proposed use.

**Development on or adjacent to Locally Relevant Environmentally sensitive Areas Identified in the MDP, Landfills and Flood Plains**

10.2.16 All uses, with the exception of extensive agricultural operations, shall be considered discretionary uses under part three (3) of this Bylaw.

10.2.17 Basements shall be prohibited on lands where the near-surface water table is less than 1.0 m (3.28 ft).

10.2.18 When reviewing an application for development, the Development Authority shall consider the following:

- a) The impact of the proposed development on the subject and surrounding area;
- b) The soil and slope conditions of the area surrounding the subject property;
- c) Any information with regard to the past history of the subject property and surrounding area from a geotechnical perspective; and

- d) Comments and recommendations from Alberta Environment and Parks.

10.2.19 Development shall not be allowed to detrimentally affect natural features such as non-artificial ponds, streams, wetlands and forested areas, but shall preserve and incorporate such features into the site design so that their key functions can be maintained. In addition:

- a) Development of, or in proximity to, wetland areas shall only be undertaken where:
  - i) It minimizes alterations in the natural flow of water, including surface and groundwater sources, which nourishes the wetlands; and
  - ii) It protects wetlands from adverse dredging or in-filling practices, situation, or the addition of pesticides, salts, or toxic materials.
  - iii) The location of natural features and the site's topography shall be considered in designing and siting of all physical improvements.

10.2.20 Developments must adhere to the following land management practices:

- a) Stripping of vegetation or grading shall be done in a manner that will minimize soil erosion by ensuring that the extent of the disturbed area and the duration of its exposure is minimized, and that all grading work should be designed to blend with the natural contours of the land;
- b) Natural vegetation shall be retained and protected whenever possible;
- c) Natural drainage patterns should not be disturbed and changes to watercourses shall be avoided except where

controlled improvements are warranted subject to approval from AESRD; and

- d) Developments shall not adversely affect groundwater resources or increase storm water runoff velocity in a way that water levels on other lands are substantially raised or the danger from flooding increased.

#### **Development Setbacks from Water Bodies**

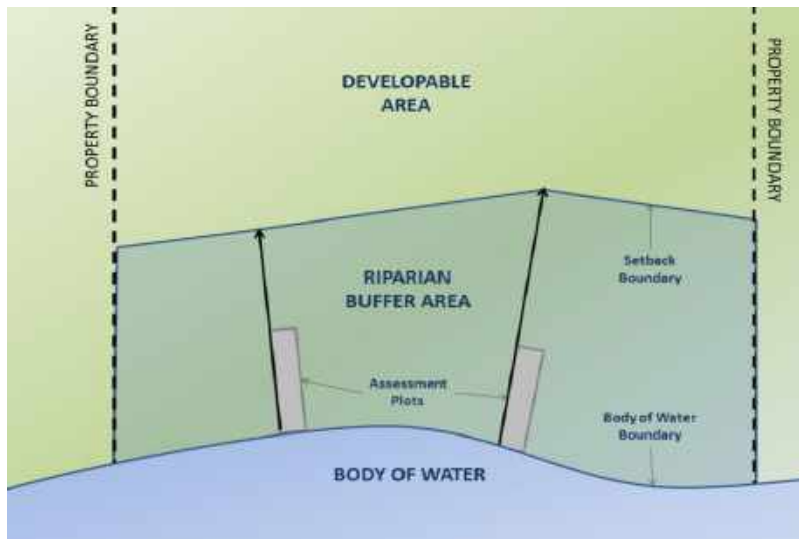
10.2.21 Development that, in the opinion of the Development Authority, will have an unreasonable adverse impact on lake water quality or lake area aesthetics shall be prohibited. Development Setbacks from water bodies shall be determined for each site by applying the Riparian Setback Matrix Model (RSMM) outlined in the following Sections.

10.2.22 The Development Authority may use its discretion to evaluate and reduce the setback if no viable building pocket exists for a property.

10.2.23 For small scale subdivisions (four (4) parcels or less) the RSMM may be used to establish development setbacks. For large scale subdivisions, site-specific studies shall be undertaken to establish development setbacks by completing RSMM Field Sheet (Refer Appendix A).

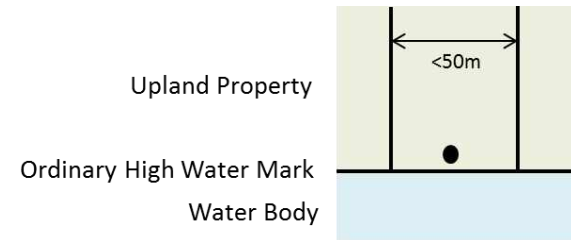
10.2.24 The RSMM shall not apply to any agricultural activities. Replacement of existing farm buildings within the RSMM shall be permitted provided that the new farm structure is positioned no closer to the adjacent water body than the previous farm building.

10.2.25 As environmental conditions can vary significantly within property lines, determination of conditions on the ground at several points within a property is required to establish appropriate setbacks. The total length of the property bordering the body of water will affect the number of sampling points and how riparian setbacks are determined. Once setback determination locations are established, measurements of environmental conditions at each point shall be undertaken. Setbacks for each point shall be determined, and then these setback endpoints are joined with straight lines to produce the final riparian setback distance for the property, as shown below.

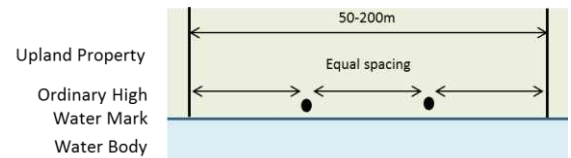


10.2.26 Selection of Sampling Locations:

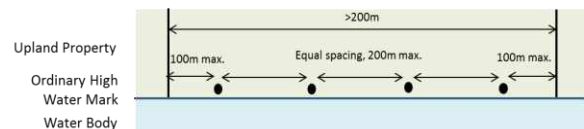
- a) Establish the number of setback points
  - i) Where the length of land bordering the water body, stream, or wetland is less than 50.0 m (164.04 ft), one (1) setback point will be required at the midpoint of the property line along the body of water.



- ii) Where the length of land bordering the water body, stream or wetland is 200.0 m (656.20 ft) to 50.0 m (164.04 ft) two (2) setback points will be required equal distance apart and equal distance from each end of the property, along the property line between the property and the water body.



- iii) Where the length of land bordering the water body, stream, or wetland is greater than 200.0 m (656.2 ft), the outside setback points will be no more than 100.0 m (328.1 ft) from each end of the property, along the property line between the property and the water body. If the distance between these setback points is more than 200.0 m (656.2 ft), additional setback points will be required. These must be equally spaced from each other and the two outside setback points, and no more than 200.0 m (656.2 ft) apart along the property line between the property and water body.



b) Establish the location of setback points:

- i) The location of the point will be at the property line of the bed and shore between the private and Crown-owned property (ordinary high water mark), as delineated by a legal land surveyor; or
- ii) If the property has not been delineated by a legal land surveyor, the point where evidence of surface water influence on the soil ends and where vegetation (living or dead) characteristic of an aquatic environment (including but not limited to sedges, cattails, and bulushes) changes to that of upland vegetation; or
- iii) If no vegetation exists, the point at the current edge of water.

- It is a mapped and classified watercourse under the Provincial Code of Practice for Watercourse Crossings;
- It is a lake or other body of water directly connected to such a watercourse;
- It is directly connected to and within 2.0 km (1.24 miles) of the mouth of a watercourse or body of water identified above; or
- There are records of fish within the body of water or within 2.0 km (1.24 miles) along the watercourse, based on records from the Provincial Fish and Wildlife Management Information System.

10.2.27 Determining setbacks based on environmental conditions at each sampling location:

Lakeside development areas:

- i) If the property in question is located along the shore of the associated major lake, then an additional 10.0 m (32.8 ft) will be applied to the setback calculated based on the other parameters in the model.

Fish-bearing status:

The fish-bearing status is determined based on following criteria:

- i) The body of water at the property location is determined to be fish-bearing or have significant potential for being fish-bearing if:

- ii) The body of water on the property location is determined to have moderate potential to be fish-bearing if it is a watercourse with a direct (though not necessarily permanent) connection to any body of water identified in Provincial Code of Practice for Watercourse Crossings, further than 2.0 km (1.24 miles) from the mouth.
- iii) If the body of water is fish-bearing or has significant potential of being fish-bearing, a setback of 30.0 m (98.40 ft) is applied;
- iv) If the body of water has moderate potential of being fish-bearing, a setback of 18.0 m (59.10 ft) is applied; and
- v) Otherwise, a setback of 10.0 m (32.80 ft) for is applied.

Vegetation cover:

Vegetation Cover is determined for each measurement location in a 1.0 m (3.3 ft) x 10.0 m (32.80 ft) plot extending directly upslope from the margin of the body of water towards the upland area.

- i) From each setback point, determine the vegetation type perpendicular to the water body, stream or wetland, by creating a 1.0 m (3.3 ft) x 10.0 m (32.8 ft) plot.
- ii) Determine the percent of the plot that is herbaceous/graminoid, shrub, forested, impermeable, and bare ground. Total cover must add up to 100%; if vegetation forms a multi-story canopy, then the tallest statured vegetation (tree > shrub > herbaceous) is used for the overlapping area.
- iii) Multiply the percentage of each vegetation cover class by the respective distance adjustment for each type.
- iv) Put the required adjusted distance beside the respective vegetation cover.
- v) Add up the setback requirements from all vegetation cover types to obtain the total vegetation cover setback.

Slope:

Slope must be determined by a geotechnical engineer or legal land surveyor at each of the setback points. From each setback point, determine the slope of the land directly upslope of the

water body, stream, or wetland. The base setback distance for slope is calculated as follows:

- i) The minimum setback distance based on slope is 10.0 m (32.8 ft);
- ii) For slopes in the range of 0% to 15%, the setback distance will be 10.0 m (32.8 ft) + 1.5 m (4.9 ft) for every 1% slope;
- iii) If the slope is greater than 15%, then a geotechnical study is required for the site to determine the stability of the bank. The total setback required for this site will be determined by a registered professional, and be subject to the approval of the subdivision authority. The determined setback must:
  - Take into account the slope, height of bank, groundwater influence, soil type, and vegetative cover;
  - Be no less than the setback calculated based on the other parameters in the RSMM;
  - Exclude lands with slopes greater than 15% from the riparian buffer.
- iv) Record the measured slope in Step 4 of the RSMM Field Sheet; and
- v) If the slope is less than or equal to 15%, enter the calculated setback distance in the TOTAL box in Step 4 of the RSMM Field Sheet.



Groundwater risk:

Groundwater Risk is determined from groundwater risk mapping data from Lac Ste. Anne County:

- i) Find the subject property within the Groundwater Risk mapping layers available from Lac Ste. Anne County. If the property spans two risk categories, the higher risk category is used; and
- ii) Record the groundwater risk class in Step 5 of the RSMM Field Sheet and enter the corresponding setback distance in the TOTAL box in Step 5 of the RSMM Field Sheet.

Soil Texture:

Soil Texture is determined by a qualified professional within each assessment plot:

- i) Determine soil texture within the assessment plot; and
- ii) Place a check next to the associated class in Step 6 of the RSMM Field Sheet, and enter the corresponding multiplier.

Adjacent land use:

Adjacent land Use is determined on a line extending from the assessment plot directly upslope to the outer property line.

- i) Determine the land use with the highest multiplier coefficient present along the line; and
- ii) Place a check next to the associated class in Step 7 of the RSMM Field Sheet, and enter the corresponding multiplier.

Overall Setback:

The Overall Setback is determined by calculating the baseline setback, and multiplying by the soil texture and adjacent land use multipliers:

- i) Identify the largest setback value between steps 2 to 5. Enter this value in 8(a);
- ii) Enter the soil texture setback and adjacent land use setback in the appropriate spaces in 8(b) and 8(c); and
- iii) Multiply the baseline setback by the soil texture setback and the adjacent land use setback. Then add the setback identified in step 1 (if applicable). This is the buffer width requirement for that setback determination location.

10.2.28 Riparian buffer property lines are determined by joining adjacent setback points/distances. Setback points located closest to the property lines are extended parallel with the high water mark to the property line with the adjacent property.

**Development Near Confined Feeding Operations**

10.2.29 Notwithstanding any other provision of this Bylaw that requires a minimum setback, the Minimum Distance Separation between a proposed dwelling unit and a confined feeding operation (CFO), as determined by the NRCB, shall be the required distance of separation between a proposed CFO from an existing dwelling unit.

10.2.30 Where more than one (1) minimum setback distance is applicable under this Bylaw, the greater distance shall prevail.

10.2.31 In all land use districts, where multi-parcel residential development is allowed, it shall be a discretionary use if it is within the Minimum Distance Separation for a CFO, as determined by the NRCB.

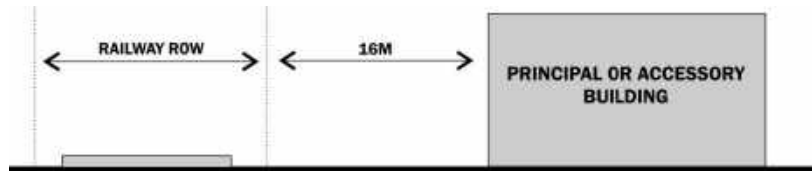
**Setbacks from Railway Lines**

10.2.32 The minimum setback from a railway right-of-way and station grounds from buildings shall be as follows:

- a) 16.0 m (52.49 ft) for all residential, commercial, public use, and recreational developments that are not determined compatible with railway operations; and
- b) At the discretion of the Development Authority for manufacturing and other land uses that are determined compatible with railway operations.

10.2.33 If a development or subdivision proposal may be affected by railway operations, the Development Authority may refer a development to Canadian National Railways.

Figure 10.2.1: Railway Setbacks



10.2.34 Any present or former railway right-of-way in place at the time of the passing of this Bylaw shall be used for railway purposes only, unless the right-of-way is consolidated with adjacent land, whereupon the land shall be used for the same purposes as the land with which it is consolidated.

**Development near Highways and Provincial Highways**

10.2.35 No development permit shall be issued for development within 800.0 m (2,624.67 ft) of the property line of the right-of-way of a highway until a permit has been issued by Alberta Transportation and/or Alberta Infrastructure unless exempted through an agreement between the municipality and the department.

10.2.36 On a parcel of land located at the intersection of a provincial highway with a rural road, no development shall be permitted within the areas illustrated in Figure 10.2.2.

10.2.37 On a parcel of land located at the intersection of two provincial highways, no development shall be permitted within the area illustrated in Figure 10.2.3.

10.2.38 On a parcel of land located in the inside of a road curve, no development shall be permitted within the areas illustrated in Figure 10.2.4.

Figure 10.2.2: Intersection of Provincial Highway and road

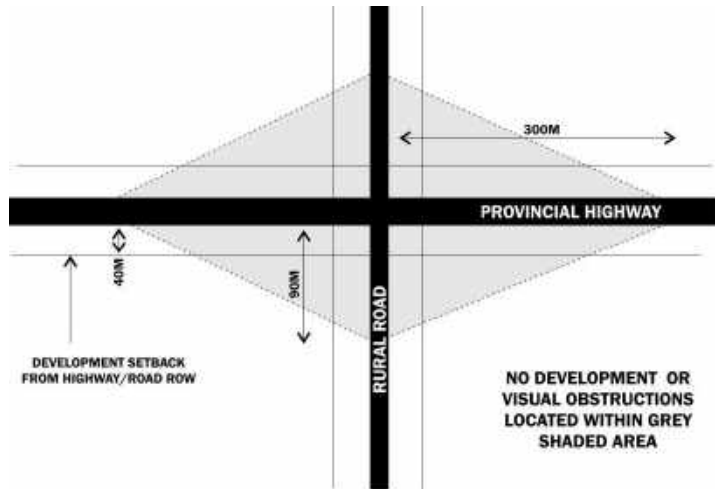


Figure 10.2.3: Intersection of Provincial Highways

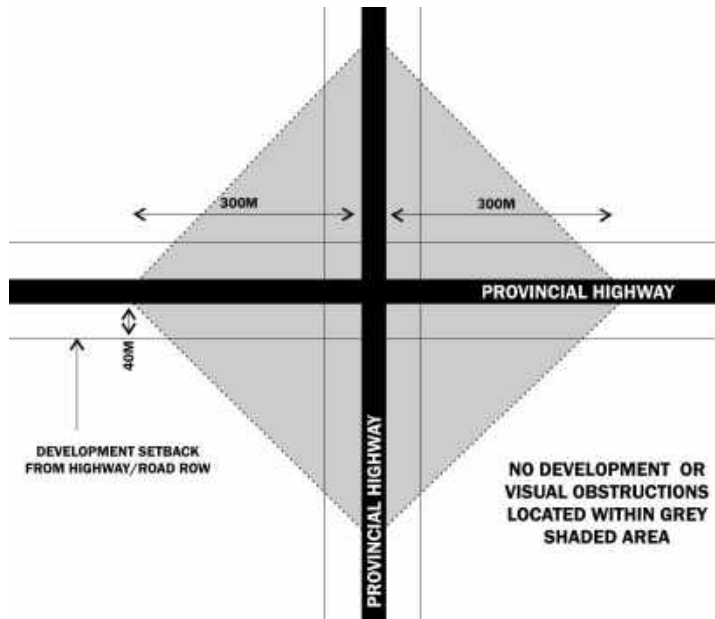
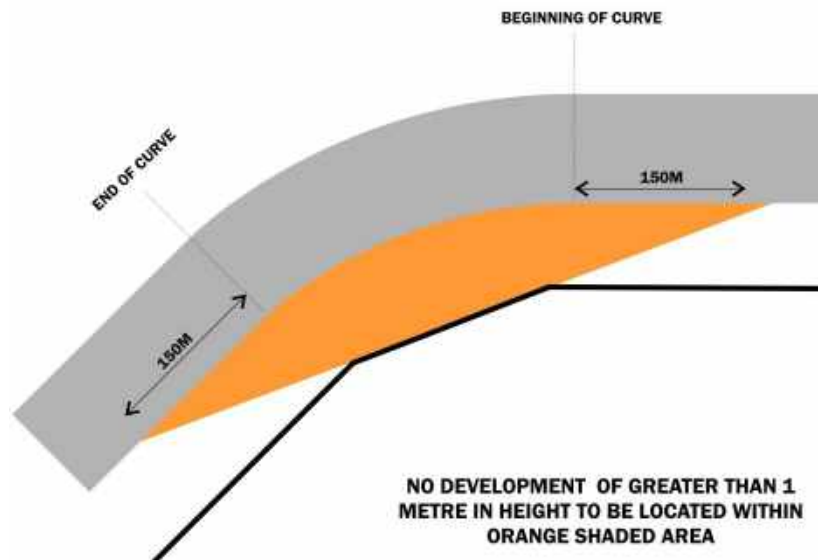


Figure 10.2.4: Development Adjacent to a Road Curve



10.2.39 No development shall be located so that access or egress to a provincial highway is within 150.0 m (492.10 ft) of the beginning or end of a road curve of greater than two degrees curvature or within 300.0 m (984.30 ft) of the intersection of two roads.

10.2.40 Access or egress to a provincial highway shall not be permitted where it would be:

- a) Less than 150.0 m (492.10 ft) from an existing access or egress on the same side of the road.
- b) Less than 150.0 m (492.10 ft) from a bridge.
- c) Less than 150.0 m (492.10 ft) from an at-grade railway crossing.
- d) At a point where the gradient of the road is in excess of 3.0% when the existing surveyed road has been constructed to

provincial highway standards. In the case of an existing surveyed road not constructed to provincial highway standards, access or egress will be permitted only if construction to provincial highway standards is expected within two (2) years and the grade will then be less than 3.0%.

10.2.41 The planting of trees or any shrubbery greater than 1.0 m (3.28 ft) in height shall not be permitted in any of shaded areas of figures 10.2.1, 10.2.2 or 10.2.3.

10.2.42 Where a provincial highway intersects a highway, the *Highway Development Control Regulations* (Alberta Regulation 163/70) shall apply to development adjacent to the provincial highway where it intersects.

#### **Airport Protection Vicinity Area**

10.2.43 Development near the Mayerthorpe Municipal Airport shall be required to conform to the Mayerthorpe Airport Management Bylaw Regulation..

10.2.44 Commercial airport-related development shall be located on an approved site at the Mayerthorpe Municipal Airport.

10.2.45 Private Airstrips and heliports shall be located in such a manner that the Airstrip will cause minimal interference on surrounding residences above ground power lines, and the local road network.

#### **Historical and Archeological sites**

10.2.46 Historical sites or archaeological sites identified pursuant to the *Historical Resources Act* shall be protected in accordance with guidelines established by Alberta Community development.

## 10.3 Special Utilities

### Location of Pressure Vessel Storage Facilities

- 10.3.1 Pressure vessel storage facilities (AAG and LPG) for materials such as anhydrous ammonia, propane, oxygen, etc., with a water capacity exceeding 4,546.0 L (1,000.0 imperial gallons), shall not be allowed within 0.8 km (0.5 miles) of an assembly building, institution, mercantile, or residence.
- 10.3.2 Upon receipt of a development permit application for a development that includes a pressure vessel container with a water capacity exceeding 4,546.0 L (1,000.0 imperial gallons), the Development Authority may require the applicant to provide:
- a) A site plan detailing the location and orientation of each pressure vessel;
  - b) An approved emergency response plan, detailing procedures in the event of a pressure vessel rupture, discharge, or explosion; and
  - c) Where applicable, a contact person and the location of the nearest emergency response team provided by the product vendor.
- 10.3.3 For commercial pressure vessel storage facilities (AAG and LPG) for the above storage materials with a water capacity less than 4,546.0 L (1,000.0 imperial gallons) the Development Authority shall consider:
- a) The material to be stored in the pressure vessel;
  - b) The orientation of the pressure vessel to buildings in the surrounding neighborhood, especially those that are used for residential use or public assembly;
  - c) The ability of the local fire department to respond to an accident involving the proposed development; and
  - d) The truck route through the community that will be used to service the proposed development.
- 10.3.4 Upon receipt of a development permit application that includes a pressure vessel with a water capacity in excess of 4,546.0 L (1,000.0 imperial gallons), the Development Authority shall refer the development proposal to the County Fire Chief for his/her comments and recommendations.
- 10.3.5 Notwithstanding any other provision of this Bylaw, no residential development shall be allowed within 0.8 km (0.5 miles) of an existing anhydrous ammonia storage vessel with a water capacity exceeding 4,546.0 L (1,000.0 imperial gallons).
- 10.3.6 All pressure vessel containers shall be constructed, located, and inspected in accordance with the provisions of the *Alberta Safety Codes Act*, and its regulations.

### Power Poles

- 10.3.7 A permit shall not be required for the erection of the power poles. Lines shall always be placed in the public road right-of-way unless granted by the Development Authority.
- 10.3.8 New power poles providing direct service to private properties and located on private parcels shall have a minimum setback of 5.18 m (17.0 ft) from the front property line abutting a public road.

## 10.4 Recreation Resort

### Subdivision

10.4.1 The subdivision regulations applicable to Recreation Resort development are outlined in Table 10.4.1.

Table 10.4.1: Subdivision Regulations for Recreation Resort

| Regulation  | Standard   |
|---|--|
| <b>Parcel (Site of Overall Development) Area Requirements</b> |  |
|   | Min: 235.0 m <sup>2</sup> (2,529.0 ft <sup>2</sup> ) |
| <b>Parcel Density Requirement</b>                             |  |
| Min. & Max:   | To be determined by the Development Authority        |

10.4.2 For all other permitted and discretionary uses, the minimum and maximum parcel area and density requirements shall be determined by the Development Authority.

### Development

10.4.3 The development regulations applicable to Recreation Resort development are outlined in Table 10.4.2.

10.4.4 For all other permitted and discretionary uses the minimum building setback requirement shall be determined by the Development Authority.

Table 10.4.2: Development Regulations for Recreation Resort

| Regulation  | Standard                                      |
|---|---|
| <b>Setbacks for External parcels</b>                                |   |
| Municipal road ROW  | Min. 20.12 m (66.0 ft)                        |
| Arterial road ROW   | Min. 45.72 m (150.0 ft)                       |
| Highway ROW   | As determined by Alberta Transportation       |
| Front Yard:   | Min. 3.50 m (11.5 ft)                         |
| Side Yard:  | Min 1.50 m (5.0 ft)                           |
| Rear Yard:  | Min 1.50 m (5.0 ft)                           |
| <b>Setbacks for Internal Parcels</b>                                |   |
| Front Yard:   | Min. 3.50 m (11.5 ft)                         |
| Side Yard:  | Min. 1.50 m (5.0 ft)                          |
| Rear Yard:  | Min. 1.50 m (5.0 ft)                          |
| <b>Parcel Coverage</b>  |   |
| Recreational Vehicles, Recreational Units, Park Models & Buildings. | no more than 65.0% of Recreation Resort Unit. |

## 11 Specific Use Regulations

The policies outlined in this Section are intended to support those outlined in the respective land use districts in which the development is located, and the general development regulations outlined in Section 10. The regulations outlined in this Section shall apply to all land use districts, unless otherwise stated.

### 11.1 Agriculture, Resources and Related Uses

#### Apiary and Aquaculture

11.1.1 The Development Authority may approve a development permit for an apiary if it is satisfied that the apiary will be compatible with the existing character of the neighbourhood and its associated quality of life.

11.1.2 Aquaculture shall be prohibited within a minimum separation distance of 305.0 m (1,000.7 ft) of a school or other public meeting place and a multi-parcel residential, commercial, or industrial subdivision.

#### Confined Feeding Operation

11.1.3 Confined feeding operations (CFOs) are regulated by the NRCB in accordance with provincial regulations and are exempt from municipal control under this Bylaw.

11.1.4 Notwithstanding the aforementioned, development of a CFO shall be consistent with the land use provisions of the MDP.

#### Kennels

11.1.5 A kennel shall be neither permitted nor discretionary if proposed within or adjacent to a multi-parcel residential subdivision or closer than 305.0 m (1,000.7 ft) from the property line of a multi-parcel residential subdivision or a row house development. Exceptions may be made when a highway, arterial road, or secondary road bisects the 305.0 m (1,000.7 ft) separation distance.

11.1.6 The application for a development permit shall address the following:

- a) Pens, rooms, exercise runs and holding stalls may be required to be soundproofed to the satisfaction of the Development Authority;
- b) All facilities shall meet public health regulations and be kept in a manner satisfactory to the health regulatory authority;
- c) No facility or exterior exercise area used to accommodate the animals shall be located within 25.0 m (82.02 ft.) of any property line of the parcel on which the facility is to be sited;
- d) All exterior exercise areas (runs) shall be enclosed with a fence acceptable to the Development Authority with a minimum height of 1.83 m (6.0 ft);
- e) All facilities, including buildings and exterior exercise areas, shall be required to be sited behind the principal building; and
- f) All facilities shall be visually screened from existing dwellings on adjoining parcels to the satisfaction of the Development Authority.

11.1.7 An applicant shall be required to enter into a development agreement with the municipality to ensure the animal kennel complies with all relevant requirements of this Bylaw including any additional conditions of approval.

11.1.8 The Development Authority may regulate the hours that the animals are allowed outdoors.

**Aggregate Resource Extraction and Aggregate Resource Processing**

11.1.9 All sites must be re-districted as AR – Aggregate Resources Extraction and Processing prior to any application for Aggregate resource extraction and/or processing and will be subject to the regulations as set out in that land use district.

11.1.10 Aggregate resource extraction operations are classified as follows:

- a) Class I: Operations equal to or greater than 5.0 ha (12.35 acres) of disturbed area on a site. Operations under this classification shall require municipal development approval. Reclamation plans shall be under the direction of AESRD and the Development Authority.
- b) Class II: Operations less than 5.0 ha (12.35 acres) of disturbed area on a site. Operations under this classification shall require municipal development approval. Reclamation plans for existing pits shall be under the direction of County administration. New Class II pits shall be prohibited in Lac Ste. Anne County.

*Minimum Separation Distance and Restrictive Covenants*

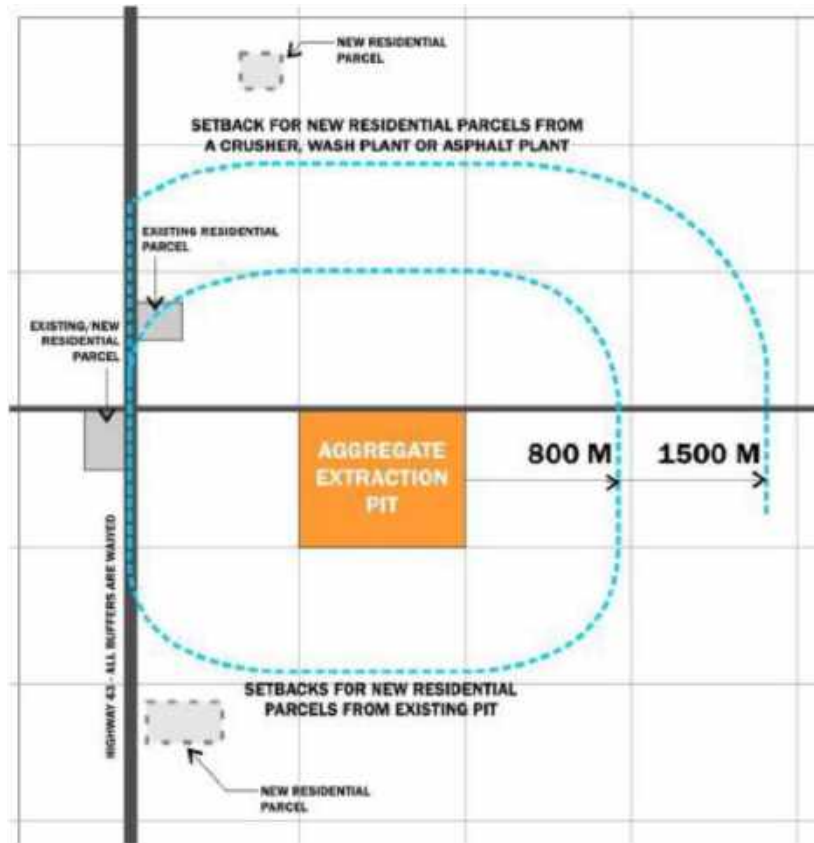
11.1.11 For lands districted as country residential, all uses within the district shall comply with the following minimum separation distances from all aggregate resource extraction or aggregate resource processing uses based on the nature of the resource development. The minimum separation distance shall be measured from the property line of the lands districted as country residential. The minimum separation distances are outlined in Table 11.1.1 and Figure 11.1.1. A development permit may be approved for a use on lands districted country residential lying within the minimum separation distances subject to the condition that the owner of parcel upon which the use is proposed registers a caveat or other instrument on the certificate of title to the parcel to give notice to any future purchaser of the parcel of the fact that the parcel or a portion of the parcel falls within the minimum separation distances set out in Table 11.1.1 of this Land Use Bylaw. If the owner is, for any reason unable to achieve registration of the caveat or other instrument on the certificate of title to the parcel, the Development Authority may revoke the development permit that was approved subject to the condition respecting the registration of the caveat or instrument;

Table 11.1.1 – Minimum Separation Distances from Aggregate Operations

| Operation             | Separation Distance     |
|-----------------------|-------------------------|
| <b>Extraction:</b>    | 500.0 m                 |
| <b>Reclamation:</b>   | 500.0 m                 |
| <b>Crushing:</b>      | 1,500.0 m (4,921.26 ft) |
| <b>Wash Plant:</b>    | 1,500.0 m (4,921.26 ft) |
| <b>Asphalt Plant:</b> | 1,500.0 m (4,921.26 ft) |



Figure 11.1.1 – Setbacks from Aggregate Resource Extraction



(Upon receipt of scaled drawings of existing sites, the minimum separation distance can be determined. Measurement is related to the distance that a new dwelling can be from an aggregate area.)

11.1.12 The separation distance is the distance that a new residential use on lands districted as country residential can be established to an existing aggregate resource extraction or aggregate resource processing use. The separation distance is reciprocal, as it applies to a new aggregate resource extraction or aggregate resource processing use within the minimum separation distance to an existing residential use on lands districted country residential. An aggregate resource extraction or aggregate resource processing use may be approved even when the proposed development is located within the minimum separation distances from the proposed use to an existing residential use if the Development Authority concerns have been mitigated on lands districted as County Residential.

11.1.13 Notwithstanding the above, the minimum separation distance does not apply to country residential sites separated from the proposed aggregate resource extraction or aggregate resource processing use by provincial Highway 43.

11.1.14 Notwithstanding, Figure 11.1.1., where the submitted and approved activities plan and reclamation plan for the aggregate resource extraction or aggregate resource processing use will cease within five (5) calendar years from the date when an application for development permit for a residential use on a new building site is submitted, the requirement for a restrictive covenant may be waived.

*Private Haul Routes*

11.1.15 A haul route related to aggregate resource extraction or processing that is located on privately owned land requires a development permit and shall be:

- a) Constructed to County standards;
- b) Connected to an active aggregate resource extraction or processing operation;

- c) Set back at least 30 m from any property line.

11.1.16 Private haul routes shall not be permitted in proximity to communities or environmentally significant areas unless an assessment is done and mitigation measures taken to the satisfaction of the Development Authority.

## 11.2 Residential and Related Uses

### Bed and Breakfast Home

- 11.2.1 A Bed and Breakfast home shall be located in a single detached residential dwelling unit. The operation of the Bed and Breakfast home shall be subordinate and incidental to the principal use of a single, detached residential dwelling unit as a resident-occupied agricultural or country residence.
- 11.2.2 A Bed and Breakfast shall be operated only by the permanent resident(s) of the principal dwelling and one (1) non-resident employee on-site.
- 11.2.3 No more than five (5) guest rooms shall be allowed in a Bed and Breakfast home.
- 11.2.4 On-site signage shall be erected in accordance with the signage requirements provided in the zoning district in which the use is established.
- 11.2.5 No food preparation or cooking for guests shall be conducted within any bedroom made available for rent.
- 11.2.6 An applicant may be required to enter into a development agreement with the municipality to ensure the Bed and Breakfast home complies with all relevant requirements of this Bylaw.
- 11.2.7 The privacy and enjoyment of adjacent residences shall be preserved and the amenities of the neighborhood maintained at all times.
- 11.2.8 Council shall place any additional conditions for approval deemed necessary based on a specific application to secure the objectives of this Bylaw.

### Secondary dwellings

- 11.2.9 For the purpose of this Bylaw the following dwellings shall be considered as secondary dwellings:
- a) An agricultural dwelling to be occupied by a person who is engaged on a full-time basis for at least six (6) months of each year in an agricultural operation; and
  - b) A dwelling for caretaker responsible for providing care to the principal resident of the parcel.
- 11.2.10 A maximum of one (1) secondary dwelling may be allowed in agricultural districts. Such secondary dwellings may be in addition to a Secondary Suite or Garden Suite.
- 11.2.11 Notwithstanding any other provision of this Land Use Bylaw
- a) on parcels less than 4.0 ha (10.0 acres) the only type of secondary dwellings that may developed are a Secondary Suite or a Garden Suite; and
  - b) on parcels within a multi-parcel subdivision between 4.0 ha (10.0 acres) and 12.14 ha (30 acres) the only type of secondary dwellings that may be developed are a Secondary Suite or Garden Suite.;
- 11.2.12 While approving a development permit for new secondary dwelling, the Development Authority shall ensure that the secondary dwelling:
- a) Would not materially interfere with or affect the use and enjoyment of adjacent properties;
  - b) Would not adversely affect significant environmental areas;
  - c) Would not result in excessive demand on municipal services, utilities, and public roadway access;

- d) Would not cause a building to become a duplex, a semi-detached dwelling, town housing, or an apartment; and
- e) Would comply with all regulations of this Bylaw, including all regulations in the applicable district, unless provided otherwise under this Section.

11.2.13 One (1) access per parcel shall be permitted. No additional access will be granted, unless otherwise approved by the Development Authority having regard for existing and future traffic patterns and public safety.

#### **Secondary Suites**

11.2.14 No person shall construct or cause to be constructed, a Secondary Suite within a principal residential dwelling unit unless otherwise permitted within this Bylaw.

11.2.15 On any parcel, only one (1) of either a Secondary Suite or Garden Suite may be developed.

11.2.16 A Secondary Suite shall not be permitted within the second dwelling located on the same parcel.

11.2.17 A Secondary Suite shall constitute a set of living quarters within a principal building whether occupied or not, containing independent and physically separate sleeping, sanitary, and kitchen facilities. Kitchen facilities include but are not limited to cabinets, refrigerators, sinks, stoves, ovens, microwave ovens, or any other cooking appliances and kitchen tables and chairs.

11.2.18 A Secondary Suite shall:

- a) Contain at least two (2) rooms in which a bedroom, cooking facilities, and a bathroom are provided;
- b) Have full utility services through service connections from the principal dwelling;

- c) The minimum floor area for a Secondary Suite shall be 30.0 m<sup>2</sup> (322.92 ft<sup>2</sup>); and
- d) Comply with the *Alberta Building Code* and all other municipal and provincial regulations.

11.2.19 The maximum floor area of a Secondary Suite shall be as follows:

- a) For a Secondary Suite located completely below the first storey of a single detached dwelling (other than stairways or a common landing), the gross floor area (excluding the area covered by stairways) shall not exceed the floor area of the first storey of the associated principal dwelling; and
- b) For a Secondary Suite developed at grade, or completely/partially above grade, the floor area (excluding the area covered by stairways) shall not exceed 50% of the total gross floor area of the first storey of the associated principal dwelling.

11.2.20 The separate entrance to the Secondary Suite shall be accessed either from a common indoor landing or directly from the side or rear of the building.

11.2.21 A Secondary Suite shall be developed in such a manner that the exterior of the principal building containing the Secondary Suite shall appear as a single dwelling.

11.2.22 A Secondary Suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.

#### **Garden Suites**

11.2.23 A Garden Suite shall:

- a) Contain at least two (2) rooms in which a bedroom, cooking facilities, and a bathroom are provided;

- b) Have full utility services through service connections from the principal dwelling; and
- c) Comply with the *Alberta Building Code* and all other municipal and provincial regulations;

11.2.24 The Development Authority shall, in its opinion, be satisfied that there exists on the hosting parcel, a suitable development site upon which to site the Garden Suite. The Development Authority shall be satisfied that the Garden Suite can and will, where possible, be properly connected to services (e.g., gas, power, water, sewage disposal) associated with the existing host residence without jeopardizing existing services associated with either the hosting parcel or adjacent and neighbouring parcels.

11.2.25 A Garden Suite shall be designed, sited, constructed, finished and sided in a manner that is visually compatible, in the opinion of the Development Authority, with the residential character of adjacent and neighbouring lands and/or the neighbourhood in general. The following guidelines may be considered by the Development Authority:

- a) The suite should not be placed in front of the primary residence or placed in a manner that could obstruct the view from a house on an adjacent property;
- b) The suite shall not be placed on any easements and shall not be placed on a gas line;
- c) The suite shall be sited in accordance with setback regulations for a principal building; and
- d) The site shall be graded to avoid ponding under or around the suite.

11.2.26 A Garden Suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.

11.2.27 The maximum floor area of the Garden Suite shall not be more than 50% of the floor area of the principal building.

#### **Boarding Home**

11.2.28 There shall be no food preparation or cooking for guests within any area except the common kitchen. All facilities shall meet public health regulations and be kept in a manner satisfactory to the health regulatory authority.

11.2.29 Minimal exterior modification of the structure or grounds may be made only if such changes are compatible with the character of the area or neighbourhood.

11.2.30 No more than four (4) guest rooms shall be allowed in the home.

#### **Home Occupation**

11.2.31 The operation of the Home Occupation shall be subordinate and incidental to the principal use of the site as a resident-occupied agricultural or country residence.

11.2.32 The use shall be conducted entirely within the residential dwelling unit and shall not have any exterior evidence of a secondary use on the site.

11.2.33 There shall be no outside storage or exterior display of goods, materials, or equipment associated with the applied use.

11.2.34 There shall be no external advertising.

11.2.35 The use shall not create or become a public nuisance.

11.2.36 The character of the district in which the Home Occupation is located shall not be disturbed by dust, noise, smoke, or smell generated by the use.

11.2.37 Only the residents of the residential dwelling unit shall be employed in the Home Occupation.

11.2.38 The Development Authority may void any permit for a home-based business for noncompliance with this Bylaw. If the permit is revoked or is not renewed, it becomes null and void, and said use shall be terminated.

11.2.39 Home-based business permits shall remain in effect for a period of one year from the date of issuance. The said permit will be automatically renewed subject to conformance with this Bylaw.

11.2.40 The use shall be valid only for the period of time the property is occupied by the applicant for such use.

11.2.41 Permits for home-based businesses shall not be regarded as permits that “run with the title.” If the operator of the home-based business ends the home-based business for a period of more than six (6) months or if ownership of the subject property where the home based business is located is transferred to another person, the existing permit shall be void.

**Home Based Business (Minor and Major)**

11.2.42 The operation of the Home Based Business shall be subordinate and incidental to the principal use of the site as a resident occupied agricultural or country residence.

11.2.43 External advertising shall be in accordance with signage requirements provided in the General Regulations.

11.2.44 The use shall not create or become a public nuisance.

11.2.45 No use shall cause an increase in the demand placed on one or more utilities (water, sewer, electricity, telephone, garbage, etc.) such that the combined total consumption for a residential dwelling unit and its Home Based Business substantially exceeds the average for residential dwelling units in the area.

11.2.46 The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.

11.2.47 Off-site parking shall not be allowed.

11.2.48 The character of the district in which the Home Based Business is located shall not be disturbed by dust, noise, smoke, or smell generated by the use.

11.2.49 Outdoor storage as an Accessory Use is prohibited in multi-parcel country residential districts. The Development Officer, when considering a development permit application for a Home Based Business that involves the Outdoor Storage or display of raw or finished or unfinished goods or equipment directly associated with the use, may impose conditions requiring the use and maintenance of landscaping, berming, fencing, vegetation, or other screening of a location, length, thickness, type, height, and extent that is considered necessary to buffer the proposed development from adjacent or neighbouring land uses.

11.2.50 An applicant shall be required to enter into a development agreement with the municipality to ensure the Home Based Business complies with all relevant requirements of this Bylaw.

11.2.51 No use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the district in which the Home Based Business is located.

11.2.52 The use shall be valid only for the period of time the property is occupied by the applicant for such use. Council may place a limit on the time period for the approval of the discretionary use.

11.2.53 All permits issued for a Home Based Business shall be subject to the condition that the development permit may be revoked at any time subject to the provisions of Section 242 of the MGA if, in the opinion of Council, the operation has not met the regulations and standards applicable to Home Based Businesses contained in this Bylaw, or the special standards applied by Council at the time of approval.

11.2.54 Council shall place any additional conditions for approval deemed necessary based on a specific application to secure the objectives of this Bylaw.

*Minor Home Based Business*

11.2.55 In addition to the general requirements, a minor Home Based Business shall comply with the following:

- a) A minor Home Based Business shall not occupy more than 40% of the gross cumulative floor area of the principal dwelling and Accessory Buildings;
- b) Any storage of materials or goods related to the operation of the Home Based Business must be located within the principal dwelling and/or Accessory Building(s). No exterior storage is permitted;
- c) Up to eight (8) on-site client visits per 24 hour period in an agricultural district or up to four (4) on-site client visits per 24 hour period in all other districts shall be permitted;
- d) A minor Home Based Business shall be operated by the permanent resident(s) of the principal dwelling, and no more than two (2) non-resident on-site employees; and

- e) Up to one (1) commercial vehicle used in association with a minor Home Based Business may be parked and/or stored on-site.

*Major Home Based Business*

11.2.56 In addition to the general requirements, a major Home Based Business shall comply with the following:

- a) A major Home Based Business shall not occupy more than 40% of the gross cumulative floor area of the principal dwelling and Accessory Buildings;
- b) Outside storage of goods, materials, commodities, or finished products, where permitted by the Development Officer, shall satisfy the minimum setback requirements for buildings in the district and shall not exceed 10% of the parcel size;
- c) Up to ten (10) on-site client visits per 24 hour period in an agricultural district or up to six (6) on-site client visits per 24 hour period in all other districts shall be permitted;
- d) A major Home Based Business shall be operated by the permanent resident(s) of the principal dwelling, and no more than four (4) non-resident on-site employees;
- e) Up to three (3) commercial vehicles used in association with the major Home Based Business may be parked, stored and/or maintained on-site; and
- f) The major Home Based Business use shall not generate noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, or refuse matter, and shall not store hazard or combustible materials considered offensive or excessive by the Council.

**Residential Sales Centre**

11.2.57 A Residential Sales Centre may include one or more show homes.

11.2.58 The person wishing to construct or use an unoccupied dwelling unit for the purpose of a show home for the sale of other dwellings within the approved subdivision shall make application to the Development Officer for a development permit allowing the use of the building as a show home.

11.2.59 Development permits may be issued prior to the registration of a phase of a subdivision providing that the phase has received approval by the Subdivision Approving Authority, there is a development agreement in place, and there is a gravel surfaced road constructed from the municipal road to the show the parcel in accordance with the development agreement.

11.2.60 The conditions of the development permit for the show home may include the following:

- a) Advertising signs and features providing details of these features including location, type, and number that were submitted as part of the application. All advertising signs and features shall be removed immediately upon the cessation of use of the building as a show home.
- b) The show home shall not be open to the public for viewing unless and until the road to the show home is graveled to municipal standards and, in subdivisions that are to be fully serviced, the show home is connected to municipal sewer and water.
- c) There shall be signs posted at adjacent occupied residences by the show home builder indicating that these homes are private and not for viewing.

- d) The show home shall not be operated as a show home or sales office for a period in excess of twelve (12) months unless the development permit is renewed at the discretion of the Development Authority.
- e) A show home is regulated by the regulations of the land use district in which it is located.
- f) The appearance of the show home shall, in the opinion of the Development Officer, be compatible with the character of other buildings in the vicinity and include hard surface access for pedestrians.
- g) A show home shall be located in close proximity to the entrance to the subdivision, not within a cul-de-sac or the terminal end to the internal subdivision road.

11.2.61 A show home sign is a temporary sign and shall comply with the following:

- a) Only be placed on a site with an approved Residential Sales Centre.
- b) Have a maximum total sign area for all show home signs on a site of:
  - i) 3.0 m<sup>2</sup> (32.29 ft<sup>2</sup>) on a site less than 0.25 ha (0.62 acres);
  - ii) 12.0 m<sup>2</sup> (129.17 ft<sup>2</sup>) on a site greater than 0.25 ha (0.62 acres) but less than 1.0 ha (2.47 acres); and
  - iii) 24.0 m<sup>2</sup> (258.33 ft<sup>2</sup>) on a site greater than 1.0 ha (2.47 acres).
  - iv) Be located from a property line a minimum of:



- i) 1.5 m (4.92 ft) on a site less than 0.25 ha (0.62 acres); and
- ii) 3.0 m (9.84 ft) on a site greater than 0.25 ha (0.62 acres).
- iii) Have a maximum height of:
  - i) 3.0 m (9.84 ft) on a site less than 0.25 ha (0.62 acres); and
  - ii) 6.0 m (19.69 ft) on a site greater than 0.25 ha (0.62 acres).
- iii) Be removed:
  - i) Upon completion of the subdivision for which it is advertising;
  - ii) Upon removal of a temporary sales office for which it is advertising;
  - iii) Upon residential occupancy of the show home for which it is advertising;
  - iv) Within three (3) years from the date of approval of the development permit for a Residential Sales Centre; or
  - v) Or whichever comes first.

11.2.62 There shall be a maximum of:

- a) Two (2) Show Home signs on a site less than 0.25 ha (0.62 acres); and
- b) Four (4) Show Home signs on a site greater than 0.25 ha (0.62 acres).

11.2.63 Flag signs used for Show Home purposes are not included in the maximum number of Show Home signs on a site, but are subject to all other regulations of this Bylaw.

#### **Shipping Containers in Residential Districts**

11.2.64 The maximum number of shipping containers that shall be allowed on a parcel is as follows:

- a) .07 to 4.05 ha (0.17 to 10.0 acres) – one (1) container;
- b) 4.05 to 12.14 ha (10.0 to 30.0 acres) – three (3) containers; and
- c) 12.14 ha (30.0 acres) or more – four (4) containers.

11.2.65 Shipping containers shall be strictly prohibited in any front yard of the property. A shipping container shall be allowed to the side or rear of buildings on the same parcel and shall not be placed within required setbacks.

11.2.66 Shipping containers shall be visually screened from public roads and neighbouring properties to the satisfaction of the Development Officer.

11.2.67 A shipping container where permitted shall be used for storage purposes only, excluding any dangerous or hazardous materials.

11.2.68 Notwithstanding Subsection 11.2.67, the use of a shipping container as a dwelling is prohibited in all land use districts, except where they have been modified to the satisfaction of the Development Officer. Where a shipping container is proposed to be used as a dwelling, it must comply with all other regulations in this Bylaw applicable to standard dwelling houses.

11.2.69 Shipping containers shall not be allowed in CRE, CRS, land use districts.

11.2.70 No more than one (1) shipping container shall be permitted per UR parcel and shall be painted or sided with similar colour or material as the primary residence.

**Mobile Homes**

11.2.71 The following standards shall apply to all Mobile Home:

- a) A Mobile Home shall have the following features:
  - i) Minimum roof pitch of 5.0 cm (2.0 inches) of vertical rise for every 30.5 cm (12.0 inches);
  - ii) Minimum eaves overhang of 15.24 cm (6.0 inches);
  - iii) Minimum length to width ratio of 3:1; and

11.2.72 A Mobile Home does not include an industrial unit or a single detached dwelling.

11.2.73 Mobile Home older than twenty (20) years old at the time of application shall be prohibited on parcels in the CRE and CR3 districts.

**Work Camps**

11.2.74 Notwithstanding Subsection 3.2 of this Bylaw, a development permit may be required for the construction of a temporary industrial or residential camp as an accessory Use to an industrial use on the same or nearby parcel.

11.2.75 In considering an application for a temporary Industrial Camp, the Development Authority shall consider the following:

- a) The location, type, and purpose of the camp;
- b) Access to the camp;

- c) The provision of services to the camp;
- d) Adjacent land uses; and
- e) The duration of the development.

11.2.76 The development of a temporary Industrial Camp shall conform to the *Alberta Safety Codes Act* and *Environmental Protection Standards*.

11.2.77 Federal, provincial or municipal Work Camps do not require a development permit.

11.2.78 A development permit for a temporary Work Camp may be issued for up to one (1) year. A continuation of that use for a further year will be conditional upon no complaints being received by the Development Authority regarding the development.

11.2.79 An application for a development permit for a Work Camp must provide the following information:

- a) The location, type and purpose of the camp;
- b) Adjacent land uses;
- c) The method of supplying water and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the *Alberta Private Sewage Treatment and Disposal Regulations* and be to the satisfaction of the Alberta Health Services;
- d) The number of persons proposed to live in the camp;
- e) The (miscellaneous lease) number issued by AESRD;
- f) The start date for development, date of occupancy by residents, and removal date for the camp;

- g) reclamation measures once the camp is no longer needed; and
- h) Letters of support from the adjacent land owners or residents, or relevant agencies (RCMP) when required by the Development Authority.

**Mobile Home Subdivisions and Parks**

- 11.2.80 All roads in a Mobile Home Park shall be constructed to municipal standards and specifications according to established policy. Minimum right-of-way width shall be as per policy.
- 11.2.81 A Mobile Home Park shall provide a pedestrian walkway system of at least 1.0 m (3.28 ft) in width for movement between individual Mobile Homes, the Park street and all community facilities provided for Park residents.
- 11.2.82 Visitor parking space shall be provided at a ratio of at least one (1) space for every two (2) Mobile Home units and shall be located at convenient locations throughout the Mobile Home Park, and shall not be used for the storage of boats, trailers, etc.
- 11.2.83 The design of a Mobile Home Park shall be to the satisfaction of the Development Authority.
- 11.2.84 All municipal utilities in a Mobile Home Park shall be installed underground.
- 11.2.85 In a Mobile Home Park, 5% of the gross site area shall be devoted to recreational use or open space. This recreation space shall be placed in locations convenient to all Park residents, designed to minimize traffic hazards, but shall not be included in areas designated as buffer strips.

11.2.86 All areas of a Mobile Home Park not occupied by Mobile Homes, internal roads, pedestrian walkway system, driveways, permanent buildings and any other developed facilities, shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where determined necessary by the Development Authority around storage and laundry yards, refuse collection points, and playgrounds.

11.2.87 No part of the Mobile Home Park shall be used for non-residential purposes except for such uses that provide amenities to the residents and for the management and maintenance of the Park.

11.2.88 Each Mobile Home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.

11.2.89 Street lighting in a Mobile Home Park shall be to the same standard as that in a conventional residential neighborhood:

- a) Only one main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a Mobile Home Park unless the Development Authority is of the opinion that a further and similar sign shall be allowed under exceptional circumstances involving the layout, location and size of the Park in relation to the surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority; and
- b) Directional signs within the Mobile Home Park must be integrated in design and appearance, and kept in scale with the immediate surroundings and constructed of durable material.

11.2.90 A Mobile Home Park shall comply with the standards of the Canada Mortgage and Housing Corporation (CMHC).

11.2.91 The following properties have been designated as Manufactured/Mobile Home Communities/Parks for the purposes of Part 9 of the MGA:

- a) SW 20-55-03-W5M (Fern Valley);
- b) Lot 1, Block 14, Plan 842 2125 and Lot 3, Block 14, Plan 902 1577 (Riverside Trailer Park – Sangudo);
- c) Lot 3, Block 14, Plan 902 1577 (Riverside Trailer Park – Sangudo);
- d) Lot 1, Block 11 A, Plan 852 2174;
- e) Lots 3-6, Block 11A, Plan 892 1950;
- f) Lots 1-10, Block 1, Plan 972 2075;
- g) Lots 1-3 and 10-12, Block 16, Plan 782 1378; and
- h) Lots 1-3 and 22-24, Block 17, Plan 782 1378.

#### Recreational Vehicle Regulations

11.2.92 Regardless of District, a Recreational Vehicle Use for any Period of time shall comply with the following conditions:

- a) Recreational Vehicles shall be solely for private personal use. No fee, payment or other consideration shall be charged or collected for placement of the Recreational Vehicle(s) on the parcel and the Recreational Vehicles shall not be used for a commercial purpose;
- b) The placement of Recreational Vehicle(s) shall comply with the applicable site setback requirements and other regulations of the applicable district.

c) The placement of the Recreational Vehicle(s) shall not, in the opinion of the Development Authority, result in any one or more of:

- 1) Offensive or Objectionable conditions;
- 2) Adverse impacts on the use, enjoyment or value of neighbouring parcels, or;
- 3) Adverse impacts on the capacity, operation or condition of any Public Utility or municipal infrastructure including highways or roads.

#### Recreational Vehicles in Agricultural Districts

11.2.93 Subject to 11.2.98, no person shall cause or permit the placement of more than six (6) Recreational Vehicles on any parcel located in the Agricultural 1 (AG1) and Agricultural 2 (AG2) districts, and no more than three (3) Recreational Vehicles on any parcel located in the Agricultural Fringe (AGF) districts.

#### Recreational Vehicles on Vacant Parcels In Residential Districts

11.2.94 In the Existing Country Residential (CRX), Country Residential Subdivision (CRS), Country Residential Estates (CRE), Lakeside Residential (LR) or Urban Residential (UR) Districts:

- a) Where there is no principal Residence on the parcel, no Recreational Vehicle shall be placed on the parcel, subject to 11.2.98;
- b) Where there is a principal residence on the parcel or where 11.2.98 applies, the number of Recreational Vehicles allowed to be placed must not exceed the maximum number specified in the regulations of the applicable district.

11.2.95 No person shall cause or permit the placement of more than two (2) Recreational Vehicles on any vacant parcel under 2.5 acres or more than three (3) Recreational Vehicles on any

vacant Parcel 2.5 acres or larger located in the Country Living Residential (CLR) district.

11.2.96 No person shall cause or permit a Recreational Vehicle to be placed on a vacant parcel in the Country Residential 3 (CR3) District unless a valid and subsisting development permit has been issued for that purpose, except in compliance with section 11.2.97.

11.2.97 Subject to 11.2.98, in the Country Residential 3 (CR3) District, no person shall cause or permit the placement of more than:

- a) Two (2) recreational vehicles on any parcel of land less than 2.5 acres.
- b) Three (3) Recreational Vehicles on any parcel 2.5 acres or larger.

#### **Recreational Vehicles on Developed Parcels In Residential Districts**

11.2.98 The placement of Recreational Vehicle(s) without a development permit on a parcel located in the Existing County Residential Estates (CRX), Country Residential Subdivision (CRS), Country Residential Estates (CRE), Country Residential 3 (CR3) or Urban Residential (UR) District while construction of a residence on the parcel is ongoing may be permitted only if:

- a) a valid and subsisting development permit has been issued for the construction of a residence on the parcel;
- b) construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and Land Use Bylaw, including but not limited to Section 3.13, and;
- c) the requirements of Section 11.2.92 are complied with.

#### **Temporary Placement of Recreational Vehicles in Excess of Maximum**

11.2.99 In the Country Residential Ranch (CRR), Country Living Residential (CLR), Existing Country Residential (CRX), Country Residential Subdivision (CRS), Country Residential Estate (CRE), Country Residential 3 (CR3), Lakeside Residential (LR), and Urban Residential (UR) districts, the placement of more Recreational Vehicles than the maximum allowed in the respective land use district may be allowed on a temporary basis for not more than 7 total days within a calendar month. Placement of more than the maximum number of Recreational Vehicles is subject to section 11.2.92 and the discretion of the Development Authority.

## 11.3 Commercial Uses

### Service Station

11.3.1 Service stations shall be located in such a manner that:

- a) No access to the service station for motor vehicles is within 60.0 m (196.85 ft) of an access to a fire hall, public or private school, playground, library, church, hospital, children’s or senior citizen’s facility, or other similar public or quasi-public institutions;
- b) No part of a Service Station building or of any pump or other accessory structure shall be within 6.0 m (19.69 ft) of a side or rear property line;
- c) A front yard setback is not less than 12.0 m (39.37 ft) and no gasoline pump or gasoline storage tank shall be located closer than 6.0 m (19.69 ft) to the front property line;
- d) All petroleum storage tanks shall be located and installed in accordance with the *Environmental Protection and Enhancement Act*, the *Alberta Safety Codes Act*, and the *Petroleum Tank Management Association of Alberta* and shall be subject to the setback requirements outlined in Table 11.3.1;
- e) A canopy over a pump island shall not extend more than 3.0 m (9.84 ft) from the property line of the site; and
- f) The canopy area for a Service Station shall not constitute part of the site coverage.

Table 11.3.1 – Fuel Storage Setback Requirements

| Fuel Storage          | Setback Requirement |
|-----------------------|---------------------|
| Less than 7,500 L     | 3.0 m (9.84 ft)     |
| 7,501 L to 19,000 L   | 5.0 m (16.40 ft)    |
| 19,001 L to 38,000 L  | 7.5 m (24.61 ft)    |
| Greater than 38,000 L | 10.5 m (34.45 ft)   |

11.3.2 For service stations with car washing facilities, a minimum of five (5) queuing spaces shall be provided per service lane or washing bay, plus a minimum of two (2) queuing spaces located downstream of each service lane or washing bay; and

#### Site Area and Coverage

11.3.3 The minimum site area shall be 740.0 m<sup>2</sup> (7,965.29 ft<sup>2</sup>) and the maximum building coverage shall be 25% of the site area. For service stations including car washing facilities, the minimum site area shall be 1,110.0 m<sup>2</sup> (11,947.94 ft<sup>2</sup>).

11.3.4 Where a service station forms part of a commercial shopping market or automotive sales and rental use, the minimum site area and maximum building coverage may be varied at the discretion of the Development Authority.

#### Site and Building Requirements

11.3.5 All parts of the site to which vehicles may have access shall be surfaced and drained to the satisfaction of the Development Authority.

11.3.6 No activity may be carried out which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke, or vibration.

11.3.7 The development shall be maintained in a clean and orderly condition and free from all rubbish and debris.

*Liquor Sales / Distribution Services*

11.3.8 A Liquor Store should not be located in close proximity to any site being used for community recreation, parks, public or private education, or religious assembly. In exercising discretion, a Development Officer will have regard for the orientation and access of the liquor store.

*Cannabis Sales/Distribution Services*

11.3.9 A Cannabis Retail Sales facility shall comply with all provincial and federal laws and regulations

**Motels**

*Interpretation*

11.3.10 For the purpose of this Subsection, a rental unit means a separate unit on a motel site used or intended to be used for temporary accommodation of one or more persons.

*Space between Buildings*

11.3.11 Except in cases of rental units and any other buildings that are connected by a continuous roof to form a shelter for motor vehicles, not less than 3.6 m (11.8 ft) of clear and unoccupied surface space shall be provided between each rental unit and any other building on the site.

*Driveways*

11.3.12 Each rental unit shall face onto or abut an internal roadway not less than 6.0 m (19.69 ft) in width and each rental unit shall have unobstructed access to the internal roadway.

*Entrances and Exits*

11.3.13 A motel shall not have more than one (1) motor vehicle entrance and one (1) motor vehicle exit to access a street. Each access shall be a minimum width of 7.5 m (24.61 ft) measured at its minimum dimensions. Where one (1) combined motor vehicle entrance and exit is provided, it shall be a minimum width of 9.0 m (29.53 ft).

*Maintenance of Site and Buildings and Business*

11.3.14 The owner, tenant, operator, or person in charge of a motel shall maintain:

- a) The site and the buildings, structures, and improvements thereon in a clean, tidy, and attractive condition, free from all rubbish and debris;
- b) Waste facilities to the satisfaction of the Development Authority;
- c) Landscaping to the satisfaction of the Development Authority.

## 11.4 Institutional, Cultural and Related Uses

### Place of Worship

11.4.1 All religious assembly uses shall comply with the following general regulations:

- a) A site for a Place of Worship use shall:
  - i) Be located on a corner parcel or parcels or in such a way that it would minimize the impact on adjacent development. In no instance shall a site for a religious assembly use be approved in the interior of the block unless at least one of the adjacent developments is other than residential;
  - ii) Be of such a size that would provide adequate parking and landscaping in accordance with the regulations of this Bylaw;
  - iii) Have a minimum frontage of 30.0 m (98.14 ft); and
  - iv) Have a combined site area of not less than 1,400.0 m<sup>2</sup> (15069.47 ft<sup>2</sup>) where a building is used for a residence related to a church on the same site.
- b) Where a Place of Worship use is proposed to be developed adjacent to a residential district, the following regulations shall apply:
  - i) The maximum total site coverage shall not exceed 40%;
  - ii) The maximum height shall not exceed 10.0 m (32.82 ft) or the maximum allowable height of the applicable district, whichever is greater;

- iii) The building setback shall be a minimum of 6.0 m (19.69 ft) along the side yards flanking and/or abutting residential development; and

- iv) The building setback shall be a minimum of 7.5 m (24.61 ft) along the front and rear yards;

- c) A minimum of 6.0 m (19.61 ft) of the required yard setbacks shall be landscaped in accordance with Section 13 and to the satisfaction of the Development Officer.

11.4.2 Notwithstanding the regulations of Subsection 11.4.1, a Place of Worship shall:

- a) Be located on a site not less than 1.6 ha (3.95 acres) in size;
- b) Not exceed 20.0 m (65.62 ft) in height or the maximum allowable height of the applicable district, whichever is greater;
- c) Have a minimum side and rear yard of 10.0 m (32.81 ft); and
- d) Have a minimum front yard of 7.5 m (24.61 ft).

11.4.3 To minimize impact on adjacent uses, a Development Officer may require that the development be designed to reduce the building massing through techniques including, but not limited to, increased setbacks and landscaping; facade of elevations and rooflines; finishing materials and colours.



## 11.5 Industrial, Manufacturing and Related Uses

### Rural Industries

11.5.1 The Development Authority may request advisory comments by the following authorities whose interest or jurisdiction may be affected when reviewing industrial use development applications in rural areas:

- a) Alberta Agriculture and Rural development (ARD);
- b) Alberta Community development (ACD) and/or Alberta Culture and Tourism (ACT);
- c) Alberta Energy Regulator (AER);
- d) AESRD;
- e) Alberta Transportation (AT) and/or Alberta Infrastructure (AI);
- f) Alberta Health Services (AHS); and
- g) Local Fire Authority.

The Development Authority shall request that such comments be made in writing.

11.5.2 Each application for industrial development shall be accompanied by the following information:

- a) Location;
- b) Type of industry;
- c) Size of buildings;
- d) Number of employees;

- e) Estimated water demand and anticipated source;
- f) Type of effluent and method of treatment;
- g) Transportation routes to be used (rail and road);
- h) Reason for specific location;
- i) Any accessory works required (pipeline, railway spurs, etc.);
- j) Anticipated residence location of employees; and
- k) Any other information as may be reasonable, as required by the Development Authority.

11.5.3 All site regulations and requirements shall be based on the type of industrial development proposed, and shall be at the discretion of the Development Authority.

### Shipping Containers in Industrial Land Use Districts

11.5.4 There is no limit to the number of shipping containers used for storage or warehousing in a commercial or industrial district where storage and warehousing is an approved principal or accessory Use.

11.5.5 Shipping containers shall be strictly prohibited in any front yard of the property. A shipping container shall be allowed to the side or rear of buildings on the same parcel and shall not be placed within required setbacks.

11.5.6 Shipping containers shall be visually screened from public roads and neighbouring properties to the satisfaction of the Development Officer.

11.5.7 A shipping container where permitted shall be used for storage purposes only, excluding any dangerous or hazardous materials.

### **Recreational Vehicle Storage**

11.5.8 The keeping of more than (4) recreational vehicles shall comply with the following regulations:

- a) Any storage of recreational camper vehicles shall be located in the side or rear yard and shall be screened to the satisfaction of the Development Officer.
- b) A minimum of 6.0 m (19.69 ft) of the required yard setback shall be landscaped or screened.
- c) A detailed landscape plan shall be provided to the satisfaction of the Development Officer and shall include berms, fencing, vegetation, or other screening provisions. Where possible, existing vegetation on-site shall be preserved and used for landscaping and screening.
- d) Vehicle access to the site, as well as vehicle routes, shall be designed in a manner that provides a safe and clearly defined circulation pattern.
- e) All on-site roadways, parking, loading, and storage areas shall be developed in a manner that does not alter the natural drainage pattern or interfere with the grading or drainage onto any public roadway or other neighbouring property. An access to a public roadway shall be designed and maintained to prevent mud tracking onto public roadways.
- f) Where on-site parking or storage is illuminated, all lighting shall be positioned to minimize the light falling onto abutting properties.
- g) Any undeveloped portion of the site must be graded, contoured, and seeded and shall provide for grading and

site drainage that no surface water shall drain onto any public roadway or other neighbouring property.

11.5.9 Recreational vehicle storage shall not be permitted in any residential land use district aside from CRR – Country Residential Ranch.

### **Industrial Commercial Complex**

11.5.10 Notwithstanding other provisions in this Bylaw, large scale industrial or commercial complexes will be subject to the following specific development standards.

11.5.11 When the site coverage of the proposed Industrial/commercial complex exceeds the site coverage of typical single use development, the applicant will be required to submit an engineering assessment evaluating the storm water management capacity of the site and potential solutions for mitigating the impacts on the capacity of the overall storm water basin.

### **Cannabis Production**

11.5.12 Any site for proposed Cannabis Production shall meet the minimum separation distance of 300.0 m (984.25 ft) from a residential parcel, school site, or provincial health care facility.

## 11.6 Parks, Recreational, and Related Uses

### Day Use Picnic Areas

#### *Design Standards*

- 11.6.1 A sufficient number of picnic tables, fire pits, and garbage cans shall be provided to accommodate the design capacity of the site. Exact numbers shall be at the discretion of the Development Authority.
- 11.6.2 The facility shall be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage.
- 11.6.3 Where the day use area directly adjoins a Recreational Residential development, adequate screening or fencing, to the satisfaction of the Development Authority, may be provided between the uses.
- 11.6.4 Parking areas and boat launch access roads should be physically separated from the rest of the day use or picnic areas.
- 11.6.5 All day use areas including boat launches and swimming areas shall be provided with a potable water supply. If water cannot be provided on-site, alternate locations/sources shall be provided for and indicated on a map or sign.

#### *Waste Management Standards*

- 11.6.6 Waste disposal systems shall be provided in accordance with the *Alberta Safety Codes Act, Provincial Board of Health Regulations, and the AESRD Environmental Protection and Enhancement Act.*
- 11.6.7 Provision should be made for regular maintenance of the site. Regular garbage collection and sewage removal services must be provided.

### Basic Camping Areas

- 11.6.8 Basic camping areas provide sites for overnight camping without the provision of electrical or water hookups.

#### *Design Standards*

- 11.6.9 Development of roads, facilities, and campsites should occupy no more than one-half of the proposed site, leaving a minimum of one-half in its natural state (or landscaping one-half to the satisfaction of the Development Authority).
- 11.6.10 Campgrounds shall be designed and landscaped to minimize disturbance to the natural environment and to protect heavy use areas from damage.
- 11.6.11 A sufficient number of picnic tables, fire pits, and garbage cans shall be provided to accommodate the designed capacity of the campground. Exact numbers shall be at the discretion of the Development Authority.
- 11.6.12 An adequate potable water supply shall be provided to accommodate the drinking and washing needs of the users.
- 11.6.13 If boat launching and swimming facilities are not provided then alternate locations should be indicated by a map or sign.
- 11.6.14 Where the camping area directly adjoins a Recreational Residential or development, adequate screening or fencing, to the satisfaction of the Development Authority, shall be provided between the uses.

*Waste Management Standards*

- 11.6.15 Waste disposal systems shall be provided in accordance with the *Alberta Safety Codes Act, Provincial Board of Health Regulations,* and the *AESRD Environmental Protection and Enhancement Act.* Sealed pump out tanks are the desired method of waste management.
- 11.6.16 Provision should be made for regular maintenance of the site. Regular garbage collection and sewage removal services must be provided.
- 11.6.17 Provisions shall be made for the disposal of wastewater from washing and bathing facilities.
- 11.6.18 A dumping station for grey and black water wastes from self-contained facilities in recreational vehicles shall be provided.

**Semi-Serviced Campground Development**

- 11.6.19 Semi-serviced campgrounds provide a higher level of services than basic camping areas. Examples of these services include electrical and water hookups as well as individual sealed pump-out tanks on the campsites.

*Design Standards*

- 11.6.20 Development of roads, facilities, and campsites should occupy no more than two-thirds of the proposed site, leaving a minimum of one-third in its natural state (or landscaping one-third to the satisfaction of the Development Authority).
- 11.6.21 Campgrounds should be designed and landscaped to minimize disturbance to the natural environment and to protect heavy use areas from damage.

- 11.6.22 Where the campground directly adjoins a Recreational Residential development, adequate screening or fencing, to the satisfaction of the Development Authority shall be provided.

- 11.6.23 A sufficient number of picnic tables, fire pits, and garbage cans should be provided to accommodate the designed capacity of the campground. Exact numbers shall be at the discretion of the Development Authority.

- 11.6.24 An adequate potable water supply shall be provided to accommodate the drinking and washing needs of the users.

- 11.6.25 A portion of the campsites should be serviced by electrical, water, and/or sewage disposal hookups.

- 11.6.26 If boat launching and swimming facilities are not provided, alternate locations should be indicated on a map or sign.

*Waste Management Standards*

- 11.6.27 Waste disposal systems shall be provided in accordance with the *Alberta Safety Codes Act, Provincial Board of Health Regulations,* and the *AESRD Environmental Protection and Enhancement Act.*

- 11.6.28 Provision should be made for regular maintenance of the site. Regular garbage collection and sewage removal services must be provided.

- 11.6.29 Provision shall be made for the disposal of waste water from washing and bathing facilities.

- 11.6.30 A dumping station for grey and black water wastes from self-contained facilities in recreational vehicles shall be provided.

**Full-Service Campground development**

11.6.31A Full-Service Campground provides a level of service that supersedes that of a basic or semi-serviced campground. Examples of such services include paved internal streets and parking areas, and general servicing of a standard fit for domestic dwellings.

*Design Criteria*

11.6.32 The following criteria and standards may be used by the Development Authority in determining an appropriate site design for a proposed campground development:

- a) The site plan for a proposed campground shall detail internal circulation requirements, street widths, pedestrian circulation, site access and egress, emergency access, parking areas, storage areas, toilet and laundry areas, recreational areas, and campsite areas.
- b) The number of access points to the campground shall be limited to control the entry and departure of vehicles and to minimize interference with neighbouring uses and traffic flow.
- c) The location of access points shall not route traffic through residential areas.
- d) Access points shall be designed to accommodate two-way traffic and shall provide a clear unobstructed view for traffic and turning vehicles. The provision of acceleration and deceleration lanes may be required.
- e) All campgrounds and sites shall have clear access and identification for firefighting, ambulance and police.
- f) For Campgrounds proposed to be open year-round, provision shall be made in the design of internal roads for snow removal and snow storage;
- g) For Destination Campgrounds, particularly long lease arrangements, parking space is required for visitors. The location of visitor parking shall not interfere with pedestrian safety;
- h) Each campsite shall have a minimum area of at least 186.0 m<sup>2</sup> (2,002.09 ft<sup>2</sup>) with an open and graded parking space sufficient to permit a clearance of 4.5 m (14.76 ft) between sides and 3.0 m (9.84 ft) between ends of adjacent recreation vehicles;
- i) Campsites shall be accessible by means of a driveway at least 3.0 m (9.84 ft) wide where the driveway is for one-way traffic, or at least 6.0 m (19.68 ft) wide where the driveway is for two-way traffic, and so constructed that automobiles and trailers will not become mired;
- j) One (1) table and one (1) garbage can (or an equivalent central garbage disposal area) shall be provided for each campsite;
- k) Recreational facilities shall not be located where they would intrude on the privacy of adjacent campers;
- l) Noise control measures may also be required and may include the use of berms, natural barriers, and screens and locating noise-insensitive aspects of the campground closest to the noise source;
- m) Within the campground development, a circular one-way system with gently curving roads, sensitive to topography and site characteristics is preferred, and shall be “signed” to avoid confusion; and

n) All facilities shall meet public health regulations and be kept in a manner satisfactory to the health regulatory authority.

11.6.33 A site plan with clearly identified streets, site numbers, and parking areas may be required to be provided for camper convenience and in cases of emergency.

#### **Amenity Area in Campsites**

11.6.34 Development of roads, facilities, and campsites should occupy no more than one-half of the proposed site, leaving a minimum of one-half in its natural state (or landscaping one-half to the satisfaction of the Development Authority).

11.6.35 Campgrounds shall be designed and landscaped to minimize disturbance to the natural environment and to protect heavy use areas from damage.

11.6.36 A sufficient number of picnic tables, fire pits, and garbage cans shall be provided to accommodate the designed capacity of the campground. Exact numbers shall be at the discretion of the Development Authority.

11.6.37 An adequate potable water supply approved by the Alberta Health Services Authority should be provided to accommodate the drinking and washing needs of the users.

11.6.38 If boat launching and swimming facilities are not provided then alternate locations should be indicated by a map or sign.

11.6.39 Where the camping area directly adjoins a Recreational Residential development, adequate screening or fencing, to the satisfaction of the Development Authority, shall be provided between the uses.

11.6.40 Waste disposal systems shall be provided in accordance with appropriate regulatory authority standards to the satisfaction of the Development Authority. Sealed pump out tanks are the desired method of waste management.

11.6.41 Provision should be made for regular maintenance of the site. Regular garbage collection and sewage removal services should be provided.

11.6.42 Provision shall be made for the disposal of waste water from washing and bathing facilities.

#### **Outdoor Recreational Motorized Facility**

11.6.43 Only those lands specifically designated shall be used as an outdoor recreational motorized vehicle facility and shall be subject to the following regulations:

- a) The use of a site or any portion of a site for the purpose of racing or holding an organized event utilizing motorized recreation vehicles shall:
  - i) Be limited to specific times, dates, and events as approved by the Development Officer; and
  - ii) Not be permitted where it would reasonably be injurious to the neighbourhood residents or which would interfere with the reasonable use and enjoyment of their property by reason of the emission of dust, smoke, odour, glare, noise, vibration, garbage, debris, water spray, traffic to the site or by any other reason or condition which would amount to a public nuisance.
  - iii) Activities on-site are limited to May to October inclusive, 9:30 a.m. – 7:00 p.m.
  - iv) A minimum of 6.0 m (19.69 ft) of the required yard setback shall include landscaping or screening using

- natural vegetation on-site, berms, or fencing to the satisfaction of the Development Officer.
- v) A minimum of 30.0 m (98.43 ft) setback from any property line shall be provided to any portion of the track or trail area used by any outdoor recreation motorized vehicle.
- vi) Vehicle entrances, exits, and on-site vehicle roadways shall be designed in a manner that provides a safe and clearly defined circulation pattern.
- vii) All on-site roadways and parking areas shall be drained, developed, and maintained to the satisfaction of the Development Officer and the county engineer.
- viii) There shall be no storage of vehicles or unauthorized equipment or materials on-site.

#### **Golfing Facilities**

11.6.44 Golfing facilities may include a golf course or golf driving range and is considered an Intensive Recreational use.

11.6.45 An applicant for golfing facilities shall submit plans and associated information requirements in accordance with the following:

- a) A golf driving range may be allowed:
  - i) On lands considered to be of marginal quality for agricultural purposes due to such conditions as poor soil type, lack of water availability or where there may be an abundance of surrounding incompatible non-agricultural uses;
  - ii) Where the use is intended, designed, and sized to primarily serve the surrounding and rural area;

- iii) As a buffer between an agricultural operation and an existing or planned residential area or other use found to be incompatible with agricultural uses; and
- iv) Where it is compatible with, and will not limit any agricultural operation.
- b) Setbacks, landscaping buffers, fencing, and other measures shall be provided to minimize the impacts on existing and potential uses in the area.
- c) Development associated with golfing facilities shall be limited to those that serve golfers (i.e., pro shop with incidental sales of golf equipment, snack bar, and maintenance operations). Eating and Drinking Establishments or other food or beverage services, other retail sales, lodging, or similar uses shall require a separate development permit; and
- d) This use shall not substantially alter the natural environment or be detrimental to a residential neighbourhood.

#### **Bareland Recreational Resorts**

11.6.46 For the purposes of this Section, bareland recreational resorts or resort cottages are considered structures that are to be used for the private or exclusive use of the applicant or owner with the state of ownership setup in a condominium. The Development Authority may require the applicant to retain a qualified professional to prepare a risk assessment to determine the impact of development on surrounding land uses including traffic and noise impacts.

11.6.47 The following design standards shall apply to bareland recreational resort developments:

- a) The development of roads, facilities and resort cottages should occupy no more than two-thirds of the proposed site, leaving a minimum of one-third in its natural state (or landscaping to the satisfaction of the Development Authority);
- b) The site should be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage;
- c) The development site shall be well drained and located in areas free of standing water;
- d) Developments shall comply with the *Alberta Safety Codes Act*;
- e) Minimum facilities shall include individual electrical outlets and water supplies, toilets, showers, refuse containers, and cooking facilities;
- f) Other facilities should include individual water and/or sewer connections, laundry, picnic tables, on-site parking, grocery, and recreation building;
- g) Adequate lighting shall be provided at entrances and public areas;
- h) Mechanical equipment (including rooftop mechanical equipment) shall be screened from view. Screening shall be compatible with the theme and character of the site;
- i) An activity or play area should be provided;
- j) If boat launching and swimming facilities are not provided, alternate locations should be indicated on a map or sign, installed at the site;

- k) Where the bareland recreational resort directly adjoins a Recreational Residential development, adequate screening or fencing, to the satisfaction of the Development Authority, shall be provided between the uses; and
- l) The Development Authority, in considering an application, may impose conditions requiring the retention of trees or additional plantings of such a type and to the extent that are considered necessary.

11.6.48 The following waste management standards shall apply to bareland recreational resort developments:

- a) Waste disposal systems shall be provided in accordance with the *Alberta Safety Codes Act*, *Provincial Board of Health Regulations*, and the *Environmental Protection and Enhancement Act* to the satisfaction of the Development Authority.
- b) Provision should be made for regular maintenance of the site. Regular garbage collection and sewage removal services must be provided.
- c) Provision shall be made for the disposal of waste water from washing and bathing facilities.
- d) A dumping station for grey and black water wastes from self-contained facilities in recreational vehicles shall be provided.

11.6.49 All waste collection areas shall be screened from view of a road. Screening shall take the form of berming, landscaping, or solid fencing or any combination of the foregoing.



## 11.7 Waste Management

### Waste Management Facility

11.7.1 A waste management facility shall be for the purpose of providing for the containment and disposal of solid wastes, and be subject to the following regulations:

- a) Placement of proper Landfill liner and leachate collection system;
- b) Execution of a surface water and groundwater monitoring program;
- c) Implementation of a surface water management plan;
- d) Installation of a methane venting system;
- e) Location and placement of a gatehouse/scale at the entrance of the solid waste management site to control access and unauthorized dumping;
- f) Maintenance of a daily log to record incoming material by origin, tonnage and contents;
- g) If waste water treatment sludge is being accepted, an appropriate procedure to mark sludge areas and the placing of sludge in contained areas to prevent uncontrolled release;
- h) Establishing an operation plan that provides for regular operating hours, emergency operation plans, proper covering, and effective compaction;
- i) A management plan to require provision for daily cover, control of site drainage, and control of windblown litter, rodents, dust, and odour;

- j) A reclamation plan for the solid waste management site;
- k) Encourage a recycling plan; and
- l) All parking and manoeuvring areas must be dust-proofed by pavement, crushed rock, landscaping or another means approved at the discretion of the approving authority.

### Recycling Depot

11.7.2 The following criteria shall apply to all new recycling depots:

- a) If outdoor storage is an Accessory Use of the operation, all Outdoor Storage areas shall be screened from adjacent properties and roadways;
- b) All outdoor storage or stockpiles of materials shall not be higher than the approved screening;
- c) The owner/applicant may be required to provide debris and dust control mitigation measures to the satisfaction of the Development Authority;
- d) If household waste and/or organics are received as an accessory Use of the operation, there shall be no Outdoor Storage. Household waste and organics must be regularly removed from the site; and
- e) The owner/applicant may be required to undertake mitigating measures to minimize any odour escaping the facility, at the discretion of the Development Authority.

## 11.8 Utilities and Related Uses

### Public Utility

- 11.8.1 Where municipal utilities such as sewer, water, stormwater services, natural gas, or power for individual parcels or Bareland condominium parcels are required by the County Engineer, a Development Officer may refuse a use or development or impose a condition requiring the applicant to enter into a development agreement with the County to construct or pay for the construction or upgrading of services necessary to serve the development.
- 11.8.2 Servicing for private or public sewer, water, and stormwater, shall comply with the County Bylaws and be to the satisfaction of the county engineer having regard for the need for services to serve the development and the protection of the quality of surface and groundwater.
- 11.8.3 Where servicing is required for individual parcels or Bareland condominium parcels, a Development Officer may impose a condition requiring the applicant to provide a guaranteed security to ensure that all on-site utilities, including surface drainage, are constructed to the satisfaction of the county engineer. The security may take the following forms:
- a) Cash to a value equal to 100% of the estimated costs; or
  - b) An irrevocable letter of credit having the value equivalent to 100% of the established costs.
  - c) A value in one the forms outlined above and approved in writing by the Manager of Planning and the General Manager of Infrastructure and Planning.
- 11.8.4 Where security has been submitted for on-site services, security of Section 11.8.3 is not required.
- 11.8.5 If cash is offered as security, interest may be payable and it shall be held by the County until the on-site servicing has been installed and the county engineer is satisfied through site inspection, or issuance of a parcel Grading Certificate and/or Final Acceptance Certificate, that this has occurred.
- 11.8.6 If a letter of credit is offered as security, it shall be in a form satisfactory to the County. The initial term of the letter of credit shall be one year. The letter of credit shall be automatically renewable, until such time as the conditions of approval of the development permit, or the terms of a development agreement have been fulfilled to the satisfaction of the county engineer.
- 11.8.7 The owner shall notify the County thirty (30) days prior to the completion of on-site servicing, in order to provide sufficient time for the county engineer to inspect the on-site servicing to ensure it was constructed in accordance with the construction drawings. If conditions are satisfactory to the county engineer, the letter of credit may be released by a Development Officer after the parcel Grading Certificate and/or Final Acceptance Certificate has been issued. If inspection cannot be made within this thirty (30) day period due to weather conditions or other extenuating circumstances, a Development Officer will not release the security until a satisfactory inspection can be conducted or parcel Grading Certificate and/or Final Acceptance Certificated can be issued.
- 11.8.8 Any letter of credit shall allow for partial draws. If the on-site servicing is not completed in accordance with the approved construction drawings the County may draw on a cash security or a letter of credit and the amount thereof shall be paid to the County for its use absolutely. All expenses incurred by the County to renew or draw upon a letter of credit shall be reimbursed by the owner to the County by payment of invoice or from the proceeds of the letter of credit.

11.8.9 In the event the owner does not complete the required on-site servicing to the satisfaction of the county engineer and the cash or the proceeds from the letter of credit are insufficient for the County to complete the required work, should it elect to do so, then the owner shall pay such deficiency to the County immediately upon being invoiced. The County shall provide an accounting to the owner indicating how the proceeds of the letter of credit were applied within sixty (60) days of completing on-site servicing.

## **11.9 Communication, Energy and Related Uses**

### **Telecommunication Towers**

- 11.9.1 Lac Ste. Anne County recognizes that Industry Canada has the ultimate authority over the placement of radio Communication Towers, but that it has been the practice of Industry Canada to work cooperatively with municipal governments to ensure compliance with local land use concerns and guidelines.
- 11.9.2 Prior to submission of a development permit application for a Telecommunication Tower, antenna, building or equipment as regulated through this Bylaw, the applicant shall submit to the municipality a statement regarding the position or opinion of persons living within 0.8 km (0.5 miles) of the proposed development site. The effort undertaken by the applicant in preparing that statement should depend on such things as the history of previous applications in the area, the size of the proposed development, and the likelihood of it affecting nearby landowners due to factors such as population density or viewing areas.
- 11.9.3 Where possible, applicants of Telecommunication Towers, antennas, buildings, or equipment shall attempt to utilize existing infrastructure. To this end, companies shall co-locate where possible and shall attempt to mount antennas on existing structures rather than build new freestanding towers.
- 11.9.4 All freestanding Telecommunication Towers shall be designed to prevent climbing or sliding down, and their base and stabilizing lines shall be separately fenced.
- 11.9.5 The use of any portion of a tower or antenna for signs, other than to provide a warning or equipment information, is prohibited.

11.9.6 When Telecommunication Towers, buildings, or antenna equipment become obsolete, it is required that they shall be removed and the development site reclaimed.

**Antenna, Satellite Telecommunication Towers**

11.9.7 All satellite dish and amateur radio antennas applied for ham radios or citizen band radio, and a telecommunication device that only receives signals, shall be located on the same site as the intended signal user.

- a) Satellite dishes that conform to all other provisions of this Bylaw do not require a development permit;
- b) No satellite dish antenna that is accessory to the principal use of a site shall be located in, or encroach onto, a front or side yard in any residential district; and
- c) Location restrictions for satellite dish antennas may be waived where the applicant can demonstrate, to the satisfaction of the Development Authority that compliance would interfere with signal reception.

11.9.8 Amateur radio antennas with a height of 15.0 m (49.21 ft) or more in multi-parcel residential districts other than country residential Districts shall be considered a discretionary use.

11.9.9 Antennas shall not be illuminated unless required by Transport Canada regulations, and except for a manufacturer's logo, shall not exhibit or display any advertising.

11.9.10 An antenna and supporting structure for the following uses are discretionary in all districts:

- a) Radio and television transmission;
- b) Two-way radio;

- c) Common carriers;
- d) land mobile systems; and
- e) Fixed point microwave.

## 11.10 Intermunicipal Fringe Overlay

11.10.1 This purpose of the Intermunicipal Fringe Area Overlay is to permit not only existing legal agricultural and residential uses and buildings to continue as legal non-conforming uses, but also to allow certain agricultural and residential development within the area of the Intermunicipal Fringe Area Overlay despite redistricting to Agricultural Fringe, Highway Commercial or Industrial Land Use Districts in order to ensure consistency with the three Intermunicipal Development Plans between Lac Ste Anne County and:

- a) Mayerthorpe
- b) Town of Onoway
- c) Town of Alberta Beach, Summer Village of Sunset Point and the Summer Village of Val Quentin

### Area of Overlay

11.10.2 Lands subject to the Intermunicipal Fringe Area Overlay are identified in the Intermunicipal Fringe Area Overlay Map 14-16. If there is a conflict between the Intermunicipal Fringe Area Overlay and the Land Use District, the Intermunicipal Fringe Area Overlay takes precedence.

### Permitted and Discretionary Uses

11.10.3 In addition to those uses listed as permitted and discretionary in the underlying Land Use District, the following permitted and discretionary uses may be considered discretionary in Agricultural Fringe, Highway Development and Industrial Districts within the Intermunicipal Fringe Overlay Area:

- a) Single Detached Secondary Dwelling;
- b) Farm Building;
- c) Extensive Agriculture;

- d) Hobby Farm;
- e) Kennel Breeding, Boarding;
- f) Mobile Home;
- g) Modular Home; and
- h) Rural Industry.

### Requirements of Development Permits issued in the Intermunicipal Fringe Overlay

11.10.4 Where a use is being approved in accordance to Section 11.10.3 of the Land Use Bylaw the Development Permit shall be issued a time limit of no more than 50 years at which time said permit expires. After that expiry a new development permit may be reissued subject to a decision by the Development Authority if it is deemed the application still meets the intent of the Intermunicipal Development Plan and adjacent land uses will not conflict with the use.

## 12 Parking and Loading Standards

### 12.1 General Regulations

#### Off-Street Parking

- 12.1.1 Off-street parking space shall be provided in accordance with the requirements in their respective land use districts, and the parking schedule outlined in Subsection 12.2.
- 12.1.2 Unless otherwise approved by the Development Authority, a loading space shall be located on the same parcel as the principal building or use.

#### On-Street parking

- 12.1.3 On-street parking or loading is not permitted on municipal roadways unless specifically permitted by the Development Officer.
- 12.1.4 Where poor field conditions prohibit the on-site parking and loading of agricultural equipment, such equipment may be permitted to be parked or loaded on municipal roadways where, in the opinion of the Development Officer, it does not significantly interfere with the continued safe usage of the roadway.

#### Design and Location of Parking and Loading

- 12.1.5 The applicant shall be required to construct or pay for the construction of parking and loading facilities and include an adequate, safe, and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, and unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site.

- 12.1.6 Where a proposed development will, from time to time, require pick-up or delivery of commodities, the applicant shall be required to construct and pay for the construction of adequate space for loading and unloading, which shall be maintained on-site to the satisfaction of Council.
- 12.1.7 A loading space shall be designed and located so that all vehicles using that space can be parked and maneuvered entirely within the bounds of the site without backing in to or from adjacent streets.
- 12.1.8 In all districts, vehicular entrances and exits onto streets shall only be permitted at locations approved by the Development Authority.
- 12.1.9 Parking stalls and loading spaces shall be so constructed that:
- a) Every access to an off-street parking space or loading area shall be hard-surfaced if the access is from a street or public lane that is hard-surfaced;
  - b) Adequate access to, and exit from, each stall is provided at all times by means of manoeuvring aisles designed to the satisfaction of Council; and
  - c) Curb cuts will be provided and located as necessary to the satisfaction of Council.
- 12.1.10 Parking parcel design shall ensure that all grades and drainage shall dispose of surface water in accordance with the approved stormwater management plan. In no case shall grades be established that would permit surface drainage to cross any sidewalk or site property line without the approval of Council.

## 12.2 Parking Schedule

12.2.1 The parking schedule is outlined in Table 12.2.1.

Table 12.2.1: Parking Space Requirements

| Type of development   | parking Space Requirements   |
|---|--|
| <b>Bed and Breakfast</b>  | One (1) parking space per guest room plus one (1) parking space for the residential dwelling unit.   |
| <b>Churches, chapels, community centres, and other places of assembly</b> | Whichever is the greater of: one (1) parking space for every 9.0 m <sup>2</sup> (97 ft <sup>2</sup> ) of gross floor area devoted to public use, or one (1) parking space for each six (6) seats provided for patrons.   |
| <b>Commercial use</b>   | One (1) parking space for every 18.0 m <sup>2</sup> (194 ft <sup>2</sup> ) of gross floor area; minimum five (5) spaces.   |
| <b>Minor Home Based Business</b>  | One (1) parking space per two (2) employees plus one (1) parking space for the residential dwelling unit.  |
| <b>Major Home Based Business</b>  | One (1) parking space per two (2) employees plus one (1) parking space for the residential dwelling unit.  |
| <b>Industrial use</b>   | One and one-half (1.5) parking spaces for every 90.0 m <sup>2</sup> (969 ft <sup>2</sup> ) of gross floor area, but there shall not be less than one (1) parking space for every three (3) employees.  |
| <b>Motel or Hotel</b>   | One (1) parking space for each motel or hotel unit.  |
| <b>Recreational use</b>   | One (1) parking space for every 18.0 m <sup>2</sup> (194 ft <sup>2</sup> ) of gross floor area; minimum five (5) spaces. Where the use does not include measurable floor space within an acceptable principal building, parking requirements shall be determined by Council on a case-by-case basis considering projected peak use and typical use parking requirements. |
| <b>Residential day cares</b>  | One (1) parking space per two (2) employees plus one (1) parking space for the residential dwelling unit.  |
| <b>Residential dwelling units</b>   | One (1) parking space for each residential dwelling unit where parking is individually provided within or abutting the unit.   |

## 12.3 Parking Area Provisions

12.3.1 The parking facility shall be located on the same site as the use for which it is intended. It shall be developed such that:

- a) It is reasonably accessible to the use and vehicles it is intended to serve;
- b) It is appropriately landscaped to the satisfaction of the Development Authority;
- c) It shall be maintained by the owner of the property to the satisfaction of the municipality;
- d) Each parking space within a parking facility shall be a minimum of 2.50 m (8.20 ft) wide and 6.0 m (19.69 ft) long except that parallel parking spaces shall be a minimum of 6.50 m (21.33 ft) long;
- e) Where two (2) or more uses are approved on any one site, the off-street parking requirements for each use shall be calculated as if each is a separate use and the total number of off-street parking spaces so calculated shall be provided, excepting the provisions specifically referred to in the previous Subsection; and
- f) One (1) barrier-free disabled parking space shall be provided for any required parking facility accommodating between four (4) and one hundred (100) parking spaces. Each barrier free parking space within a parking facility shall be a minimum of 3.70 m (12.14 ft) wide and 7.0 m (22.97 ft) long.

12.3.2 Any parking facility shall be developed to the satisfaction of the Development Authority within one (1) year of the completion of the development for which the development permit was issued.

12.3.3 When a building is enlarged or altered in such a manner as to cause an intensification or change of use, provisions shall be made for additional parking spaces as required by Subsection 12.3.1.



## 13 Landscaping Standards

### 13.1 General Landscaping Requirements

13.1.1 Landscaping requirements for residential, commercial, industrial, institutional and recreational developments shall be in accordance with the General Municipal Design and Servicing Standards for Lac Ste. Anne County.

### 13.2 Landscaping Design and Maintenance

13.2.1 As a condition of the development permit for all development, the Development Authority shall require all landscaping to be completed within one (1) year of the issuance of the Construction Completion Certificate. This includes paving required for a commercial business operation and if necessary, landscaping as per a landscape plan submitted as part of the development permit to the satisfaction of the Development Authority. The owner, applicant and/or successor or assignees, shall be solely responsible for the necessary landscaping and proper maintenance of the development parcel.

13.2.2 The provision of site landscaping is a permanent obligation of a development permit and shall be installed and maintained in accordance with accepted horticultural practices and consistent with the approved landscape plan.

### 13.3 Landscaping Security

13.3.1 The owner or the owner's representative, based on the information provided in the landscape plan, shall calculate the landscaping costs. If a Development Officer does not accept the costs identified by the owner or the owner's representative, a Development Officer may determine a different landscaping cost figure for the purpose of determining the value of the landscaping security.

13.3.2 A Development Officer may require, as a condition of a development permit, that the owner provide a guaranteed security to ensure that landscaping is provided and maintained for two growing seasons. The security may take the following forms:

- a) Cash to a value equal to 110% of the established landscaping costs; or
- b) An irrevocable letter of credit having the value equivalent to 110% of the established landscaping costs.

13.3.3 Where a site is to be developed in phases, landscaping need only be provided on that portion of the site to be approved in each phase. Landscaping shall be required in subsequent phases on the remainder of the site at the time these are approved and developed.

13.3.4 If cash is offered as the landscaping security, interest may be payable, and it shall be held by the County, until the landscaping has been installed, successfully maintained for two growing seasons and a Development Officer is satisfied through site inspection that this has occurred.

- 13.3.5 If a letter of credit is offered as the landscaping security, it shall be in a form satisfactory to the County. The initial term of the letter of credit shall be one (1) year. The letter of credit shall be renewed for a further one (1) year term by the owner thirty (30) days prior to expiry. This process shall be repeated as many times as is necessary so that the letter of credit is maintained until the installation of landscaping has occurred and maintenance of the landscaping has been carried out for two (2) growing seasons, as determined by and to the satisfaction of a Development Officer.
- 13.3.6 The owner shall notify the County thirty (30) days prior to the expiry date of the letter of credit, in order to provide sufficient time for a Development Officer to inspect the site and to determine if the landscaping is well maintained and developed in accordance with the regulations of this Bylaw. If landscaping conditions are satisfactory to a Development Officer, the letter of credit may be released. If inspection cannot be made within this thirty (30) day period due to weather conditions or other extenuating circumstances, a Development Officer may require renewal of the letter of credit until a satisfactory inspection can be made.
- 13.3.7 Upon application by the owner's representative, a letter of credit may be amended to a reduced amount, for attachment to the original letter of credit, at the discretion of a Development Officer, when any of the following events occur and are to the satisfaction of a Development Officer:
- a) The required landscaping has been properly installed;
  - b) Notwithstanding Subsection 13.2, the required landscaping has been well maintained and is in a healthy condition after one (1) growing season; and
  - c) The required landscaping has been well maintained and is in a healthy condition after two (2) growing seasons. In this last case, the letter of credit shall be fully released.

## 14 Sign Regulations

### 14.1 General Sign Regulations

14.1.1 Signs are a discretionary use in all land use districts.

14.1.2 No signs or advertising structures of a commercial, directional, or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved and a development permit has been issued.

14.1.3 Approval of a development permit for new residential, commercial, industrial, or recreational development will include approval for sign(s) if design standards are submitted and approved with the development permit application.

14.1.4 No signs, billboards, advertising structures, or signboards shall be erected on or affixed to public property without the prior consent of the Development Authority or appropriate public body through agreements or licence of occupation.

14.1.5 Notwithstanding Subsection 14.1.1, the following signs may be erected on land or affixed to the exterior surface of a building or structure without a development permit, where the sign is not illuminated and where any necessary permits have been obtained in accordance with the highway development Control Regulations. An application for development approval for signs under this Section shall be submitted to the Development Authority who shall decide whether or not the proposed sign meets the criteria of a sign not requiring a development permit.

- a) Signs for the purpose of identification, direction and warning or relating to a person, partnership, or company carrying on a profession, business or trade, or relating to an institution of a religious, educational, cultural, recreational, or similar

character, or to a residential Hotel, Apartment block, club or similar institution, not exceeding 1.10 m<sup>2</sup> (11.84 ft<sup>2</sup>) and limited to one (1) sign per parcel;

- b) Temporary advertisement relating to the sale or letting of land, the sale of goods or livestock, the carrying out of building or similar work, announcement of any local event of a religious, educational, cultural, political, or similar character not exceeding 1.90 m<sup>2</sup> (20.45 ft<sup>2</sup>), provided that all such temporary advertisements shall be removed by the advertiser within fifteen (15) days of the completion of the event or works to which such advertisements relate; and
- c) Advertisements or signs in relation to the function of local authorities, utility boards or other public or quasi-public bodies.

14.1.6 No sign or advertisement shall resemble or conflict with a traffic sign (including intermittent, flashing, directions, rotating lights, or other feature that may be distracting to the motoring public), nor shall it be a traffic hazard.

14.1.7 No signs or advertising structures other than those specified under Subsection 14.1.5 above shall be permitted in any residential, country residential, agricultural, industrial, or recreational district.

14.1.8 No signs or advertising structures of any kind shall be permitted in the highway development District unless the prior approval of Alberta Transportation has been obtained.

14.1.9 Free-standing sign signposts shall be of a breakaway type such as wooden 4" x 4" posts.

14.1.10 Signs outside of residential neighbourhoods shall have a minimum lettering height of 15.24 cm (6.0 inches).

14.1.11 No person shall park or store on any part of a site, any unlicensed truck, bus, rail or shipping container, or coach body for the purpose of advertising, sale, or commercial warehousing within any zoning district.

## 14.2 Development Permit and Application Requirements for Signs

14.2.1 The applicant shall include the following information for any development permit application for signage:

- a) The name and address of:
  - i) The sign company responsible for the sign;
  - ii) The owner of the sign; and
  - iii) The registered owner of the land or premises upon which the sign is to be erected.
- b) A site plan designating the following location details:
  - i) Location of the proposed signage;
  - ii) The distance to public roadways; and
  - iii) The distance to aerial power lines from freestanding signs.
- c) A plan showing the following construction details:
  - i) The overall dimensions of the sign and the total sign area;
  - ii) The height of the top and the bottom of the sign above the average ground level at the face of the building or sign;

- iii) The method of illumination; and
- iv) Such other considerations as the Development Authority may deem to be relevant.
- v) Non-refundable application fees in accordance with a schedule as set from time to time by resolution of Council, as required.

## 14.3 Development Permit Approval for Signs

14.3.1 No person shall place, replace, erect, or use any sign without first obtaining a development permit, except as per Subsection 14.1.5 or where stated otherwise in this Bylaw.

14.3.2 The Development Authority may require the applicant submit a structural drawing bearing the seal of a professional engineer.

14.3.3 The Development Authority shall attach as conditions of development permit approval, those conditions necessary to resolve any development concerns or issues.

## 14.4 Sign Owners' Responsibility

14.4.1 Neither the granting of a sign permit, nor the approval of the plans nor any inspections made by the Development Authority shall in any way relieve the owner from full compliance with this Bylaw or other applicable legislation.

14.4.2 All signs shall be kept in a safe, clean, and tidy condition, and may be required to be renovated or removed if not properly maintained.

14.4.3 The owner of a sign shall permit Development Authority representatives to enter the owner's premises at any reasonable time, subject to notice in accordance with Section 542 of the MGA, for the purpose of inspecting the sign or administering or enforcing this Bylaw.

14.4.4 Unless otherwise allowed in this Bylaw, no person shall attach anything to an existing permitted sign unless a new permit is issued for such addition.

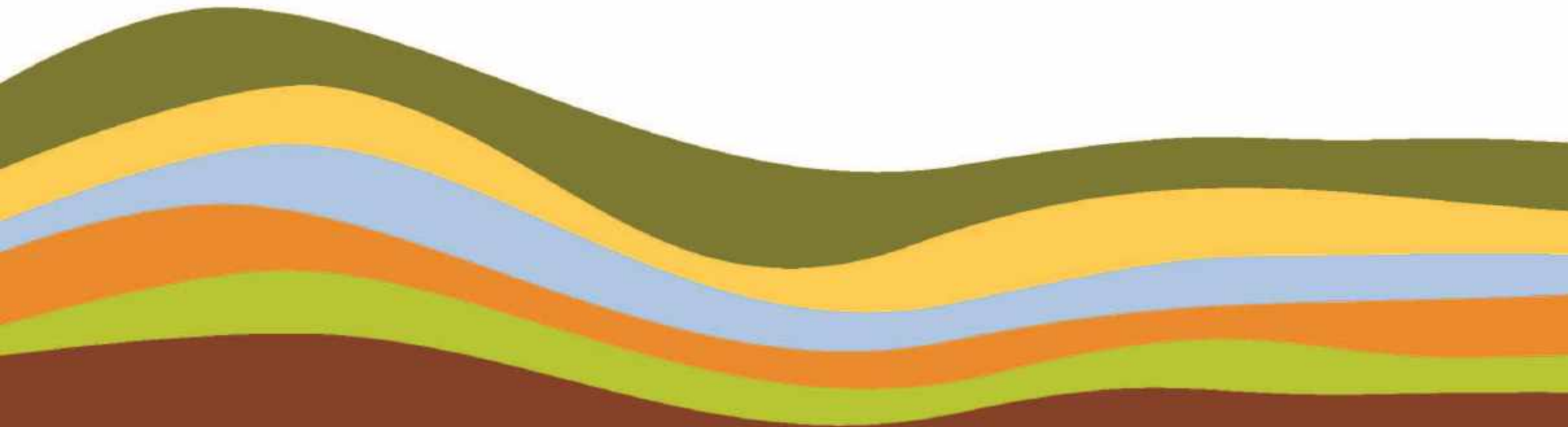
14.4.5 The County reserves the right to impound any sign that does not comply with this Bylaw.

---

# Part V

## Definitions

---



## 15 Definitions

- 15.1.1 **“1:100-Year Flood”** means a flood whose magnitude has a one percent chance of being equalled or exceeded in any year.
- 15.1.2 **“Abandoned Farmstead”** means a farmyard that was once established and contains one or more of the following: an abandoned residence, a developed potable water source, an established sewage collection system, outbuildings, an existing shelterbelt or any other feature which would indicate a previously developed Farmstead.
- 15.1.3 **“Abattoir”** means premises where livestock, poultry, and wildlife is slaughtered and the meat is cut, cured, smoked, aged, wrapped, or frozen. An abattoir may include on-site commercial sales of product produced at the facility.
- 15.1.4 **“Accessory Building”** means a building separate and subordinate to the principal building, the use of which is incidental to that of the principal building and is located on the same parcel of land, but does not include a building or structure permanently used for human habitation, excluding a Garden Suite.
- 15.1.5 **“Accessory Use”** means the use of a building or land that is incidental to and subordinate to the principal use of the site on which it is located.
- 15.1.6 **“Act”** means *the Municipal Government Act, R.S.A. 2000, c. M-26* and amendments thereto, and the Regulations passed pursuant thereto.
- 15.1.7 **“Additional dwelling”** means a dwelling that is second or additional to the first residence established on a parcel.
- 15.1.8 **“Adjacent” or “Abutting”** means contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land; and any other land identified in this Bylaw as adjacent land for the purpose of notifications.
- 15.1.9 **“AER”** mean the ‘Alberta Energy Regulator’.
- 15.1.10 **“AEP”** means ‘Alberta Environment and Parks’.
- 15.1.11 **“Aggregate resource extraction”** means the extraction of raw materials, including sand, gravel, or clay found on or under the aggregate extraction-site and includes reclamation of the site. Typical uses include, but are not limited to quarries, borrow pits, and gravel pit. Aggregate resource extraction may include stripping of topsoil, stripping of sub-soil, overburden, and loading and hauling of product on or off-site but does not include aggregate resource processing, Natural Resource Extraction or Natural Resource Processing.
- 15.1.12 **“Aggregate resource processing”** means the processing of raw materials, including sand, gravel or clay. Aggregate resource processing may include crushing, washing and asphalt plant but does not include aggregate resource extraction, Natural Resource Extraction, or Natural Resource Processing.
- 15.1.13 **“Agricultural Colony”** means a small-scale communal residential development to support a self-sustaining agrarian community. Typical examples of an Agricultural Colony may include a Hutterite Colony, or similar such ethno-religious groups in which a communal agricultural lifestyle is a key part of their culture.
- 15.1.14 **“Airport buildings”** means any building, installation or equipment in connection therewith, which has been permitted by the Minister of Transport.
- 15.1.15 **“Airstrip”** means a privately owned strip of land used for the arrival and departure of aircraft.

15.1.16 **“Apartment”** means a building, or part thereof, other than stacked multi-attached dwellings, containing three (3) or more dwelling units arranged in any horizontal or vertical configuration and which have a shared entrance facility through a common vestibule.

15.1.17 **“Applicant”** means the registered land owner, or an agent, person, firm, or company acting on the Landowner’s behalf to obtain a development permit.

15.1.18 **“Area Structure Plan”** means a current plan adopted by Council as an Area Structure Plan pursuant to the MGA.

15.1.19 **“Asphalt Plant”** means a structure that is used to make asphalt from aggregate materials.

15.1.20 **“Auction”** means a parcel and/or a building used for the Temporary Storage of goods, excluding animals, which are to be sold on the premises by public Auction from time to time.

15.1.21 **“Automotive Repair and Service”** means land, buildings and structures used for the mechanical repair and servicing of vehicles, motorcycles, and recreation vehicles or craft and may include the accessory sale, installation or servicing of related parts and accessories.

15.1.22 **“Automotive Sales and Rental”** means a development used for the retail sale or rental of new or used automobiles and motorcycles, together with incidental maintenance services and sale of parts.

15.1.23 **“Bed and Breakfast”** means the use of part of a Single Detached Dwelling for overnight accommodation where meals are usually served as part of the accommodating service.

15.1.24 **“Bible Camp”** means a camp for use by a religious organization that includes a recreational component not limited to outdoor sports, camping, water sports, etc.

15.1.25 **“Buffer”** means an open green-space or undisturbed natural area; row of trees, shrubs, earth berm, or fencing to provide visual or physical separation and/or noise attenuation between parcels or a public roadway.

15.1.26 **“Building Height”** means the vertical distance between the grade and the highest point of a building that is not a roof, stairway entrance, ventilating fan, a skylight, steeple, chimney, smoke stack, firewall, parapet wall, flagpole, or other similar device that is not structurally essential to the building.

15.1.27 **“Building site”** means land that is sufficient in area to accommodate approved and/or proposed land uses and buildings, internal roads and driveways, access to the local public road network and the services required to support approved land uses and buildings including: potable water, wastewater, natural gas, phone, and electricity.

15.1.28 **“Building”** includes 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 or public roadway.

15.1.29 **“Bulk Chemical Storage”** means the storage of chemicals in large quantities for the purpose of sale and/or distribution or for industrial applications.

15.1.30 **“Bus Storage Yard”** means any lands or facilities utilized for the storage of buses.



15.1.31 **“Business Support Services”** means development providing support services to businesses. This term refers to uses such as duplicating, photocopying, and blueprinting services; building security, cleaning or maintenance services; engineering, architectural, drafting, and project design and project management services; sign making, farm consultant services; and the preparation and delivery of food by mobile catering service.

15.1.32 **“Cabin”** means a dwelling used as recreationally or seasonally which is not in a designated RV stall and may be rented out by the landowner to paying guests with a Maximum ground level footprint of 8.611 m<sup>2</sup> (800 ft<sup>2</sup>).

15.1.33 **“Campground–Major”** means an area that has been planned and improved to be used and maintained for a seasonal short-term period (where the maximum occupancy shall be from May 1 up to October 31 of any calendar year), for camper lodgings. A Major Campground facility has more than twenty-five (25) campsites and each site shall contain a maximum of one (1) accommodation unit such as a cabin, tent, tent trailer, holiday trailer, camper, motor home, or similar recreation vehicle. This does not include mobile homes. Related facilities that are accessory to and support the campground such as an administrative office, laundromat, picnic grounds, playgrounds and boating facilities may be included on-site.

15.1.34 **“Campground–Minor”** means an area that has been planned and improved to be used and maintained for a seasonal short-term period (where the maximum occupancy shall be from May 1 up to October 31 of any calendar year), for camper lodgings. A Minor Campground facility has up to twenty-five (25) campsites and each site shall contain a maximum of one (1) accommodation unit such as a cabin, tent, tent trailer, holiday trailer, camper, motor home, or similar recreation vehicle. This does not include mobile homes. Related facilities that are accessory to and support the campground such as an administrative office, laundromat, picnic grounds, playgrounds, and boating facilities may be included on-site.

15.1.35 **“Cannabis Production”** means the use of land, buildings, or structures for cultivating, processing, testing, destruction, packaging, and shipping of cannabis.

15.1.36 **“Cannabis Retail Sales”** means a retail store, licensed by the Province of Alberta, where Cannabis and Cannabis accessories are sold to individuals who attend at the premises.

15.1.37 **“Caretaker Residence”** means a residence which houses an employee of the principal use on a parcel.

15.1.38 **“Commercial – Retail”** means a development used for the retail sale of those goods required by area residents or employees on a day-to-day basis, from business premises that do not exceed 275.0 m<sup>2</sup> (2,960.0 ft<sup>2</sup>) in gross floor area. Typical uses include small food stores, gas bars, drug stores, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware, or printed matter. Wholesale or retail liquor sales/distribution outlets or facilities are not included in this use class.

15.1.39 **“Commercial – Shopping Mall”** means a building designed, developed and managed as a unit by a single owner or tenant, or a group of owners or tenants containing a group of commercial uses and distinguished from a business area comprising unrelated individual owned uses and characterized by sharing of common hallways, parking areas and driveways.

15.1.40 **“Commercial – Shopping Market”** means the use of land, buildings, or structures, or part thereof, for the purpose of selling fruits, vegetables, or other goods to the general public.

15.1.41 **“Commercial – Strip”** means a group of retail developments arranged in a row, with a sidewalk and parking provided to the front.

15.1.42 **“Communication Tower”** means an accessory structure, either freestanding or attached to a building, the purpose of which is to support a telecommunications antenna for transmitting or receiving of television, radio, and internet or telephone communications. For the purposes of this Bylaw, a Communication Tower does not include a structure or use that requires approval from Industry Canada.

15.1.43 **“Contractors Business”** means the use of land or buildings for a contractors operation such as a building contractor, oilfield servicing contractor, or another type of contracting operation. This use class does not include Oil and Gas Servicing.

15.1.44 **“Council”** means the Council of Lac Ste. Anne County.

15.1.45 **“Country Residential Subdivision”** means:

- a) The rural subdivision of an undeveloped parcel from a quarter-section or river parcel for residential purposes; or
- b) The second or additional rural subdivision of a parcel from a quarter-section or river parcel for residential purposes.

15.1.46 **“Country Residential”** means the use of land for residential purposes in a rural area.

15.1.47 **“County Engineer”** means an engineer, licenced to practice professional engineering in the Province of Alberta, who may either be directly employed by the County, or who have had their services retained by the County.

15.1.48 **“Crushing”** means the operation of an industrial crusher designed to process raw aggregate into finer materials.

15.1.49 **“Day Care Facility”** means a development licenced by the Province of Alberta to provide daytime personal care and education to children or the elderly, but does not include overnight accommodation. Typical facilities would include daycare or “elder care” centres, day nurseries, family day home child care for seven (7) or more children, kindergartens, and nursery Schools and play Schools.

15.1.50 **“Development Agreement”** means an agreement between the applicant and the Development Authority and as well, means any Letter of Intent and Undertaking which the municipality may require, and which sets out the specifics and any requirements of the Development Authority with respect to any development to be undertaken within the municipality.

15.1.51 **“Development Officer”** means a person employed or contracted by the municipality who performs the functions and duties of a Development Officer as set out in this Land Use Bylaw.

15.1.52 **“Development Permit”** means a document issued pursuant to this Bylaw by the Development Authority or by Council in the case of a decision under a Direct Control District, authorizing a development.

15.1.53 **“Development”** means:

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

15.1.54 **“Discretionary Use”** means the use of land or a building that may or may not be allowed by a Development Authority, with or without conditions, based on the merits of the development permit application.

15.1.55 **“Disturbed Area”** includes all areas within the property lines of a site which have been altered from their original condition or where reclamation is underway.

15.1.56 **“Dugout”** means the excavation of land that results in man-made features that entrap water and includes excavation for a water supply and borrow pits. It does include any facilities utilized for the storage, transmission, treatment or supplying of water together with any land required for or in connection with any of those facilities. (See “Water Reservoir”)

15.1.57 **“Dwelling” or “Dwelling Unit”** means a complete building or self-contained portion of a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking, and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate or self-contained set or suite or rooms.

15.1.58 **“Easement”** means a right to use land, generally for access to other property, a right-of-way for a utility, and in the case of environmental reserve as defined under the MGA, the dedication of land for environmental reserve purposes.

15.1.59 **“Eating and Drinking Establishment”** means a development accommodating sixty (60) or more seats or 139.4 m<sup>2</sup> (1,500.0 ft<sup>2</sup>) or more of floor area, where prepared foods and beverages are offered for sale to the public, for consumption within the confines of the building or off the site. This use includes neighbourhood pubs, licensed Eating and Drinking Establishments, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and take-out Eating and Drinking Establishments. This use does not include drive-through service Eating and Drinking Establishments or Eating and Drinking Establishments (limited).

15.1.60 **“Encroachment Conditions”** means a scenario where the flood fringe is fully developed and flood flows are conveyed entirely within the floodway.

15.1.61 **“Environmental Audit”** means a comprehensive site analysis to determine any or all of the following:

- a) If there are any hazardous substances above, on, or below the surface of the subject property that may pose a threat to the environment and/or health of humans, wildlife, and/or vegetation;

- b) If there are any breaches of federal, provincial, or municipal environmental standards;
- c) The level of risk that a contaminated site poses to the environmental and/or health of humans, wildlife, and/or vegetation; and
- d) What remedial actions may be required to reduce to an acceptable level the level of risk posed by a contaminated site.

15.1.62 **“Environmental Impact Assessment”** means a comprehensive site analysis to determine:

- a) The potential impact of the proposed development on the site;
- b) The potential environmental impact of the proposed development upon adjacent properties or land uses; and
- c) The potential environmental impact of the proposed development upon the future land use potential of the property.

15.1.63 **“Environmentally Sensitive Areas”** means landscape element or areas that have important and/or unique environmental characteristics that are essential to the long-term maintenance of biological diversity, soil, water or other natural processes both within the environmentally sensitive area and in a regional context. Locally relevant environmentally sensitive areas have been identified in the Lac Ste. Anne Environmental Inventory Study.

15.1.64 **“Extensive Agriculture”** means the use of land or buildings for raising or producing crops, livestock, or poultry; but not restricting the generality of the foregoing, does not include feedlots, intensive hog operations, intensive poultry or fowl operations, sod farm, plant nurseries, livestock yards, or residences.

15.1.65 **“Extensive Recreation”** means a recreational development where the use requires large tracts of land for non-facility recreational activities such as hunting, trail riding, all-terrain vehicle trails, beach areas, picnic grounds and hiking.

15.1.66 **“Farm Building”** means improvements used in conjunction with raising or producing crops, livestock, or poultry and situated on land used in conjunction with such farming operations. A residence is not a Farm Building.

15.1.67 **“Farmstead”** means the Single Detached Dwelling and other buildings as part of the farming operation used in connection with the raising or production of crops, livestock or poultry situated on land used for such farming operations.

15.1.68 **“Fence”** means a vertical physical barrier constructed to prevent visual intrusion, and/or sound abatement, and/or unauthorized access, which may include trees or shrubs.

15.1.69 **“Flood Fringe”** means the portion of the flood hazard area outside of the floodway where water during a flooding event is generally shallower and flows more slowly than in the floodway.

15.1.70 **“Flood Hazard Area”** means the area affected by a 100-year flood under encroachment conditions. The flood hazard area is typically divided into floodway and flood fringe zones, and may also include area of overland flow.

15.1.71 **"Floodway"** means the portion of the flood hazard area that conveys water during a flood event. In this area during flooding, water flows are the deepest, fastest, and most destructive. This area typically includes the main channel of the body of water and a portion of the adjacent overbank area.

15.1.72 **"Foundation"** means the lower portion of a building, usually concrete or masonry and includes the fittings, which transfer the weight of and loads on a building to the ground.

15.1.73 **"Fragmented Parcel"** means a parcel of land that is separated from the balance of the quarter-section or river parcel by a watercourse, railway, or public roadway that makes the parcel impractical, in the opinion of the Subdivision Authority, to farm.

15.1.74 **"Front Yard"** means that portion of the parcel extending across the full width of the parcel from the front property line of the parcel to the front wall. In the case of lake front parcels, the front yard shall also include the area between the lakeshore property line (or, if the front property line is not a fixed point, the standard mean high water mark as defined by AESRD) and the wall of a building facing the lake.

15.1.75 **"Frontage"** means the length of a street property line measured along the front parcel line. On double fronting parcels all sides of a parcel adjacent to streets may be considered frontage.

15.1.76 **"Garage"** means an Accessory Building or part of the principal building designed and used primarily for storage of non-commercial motor vehicles and includes a carport.

15.1.77 **"Garden Suite"** means a detached one (1) unit dwelling or Modular Home.

15.1.78 **"Gas Processing Plant"** means a plant for the extraction from gas of hydrogen sulfide, helium, natural gas liquids or other substances, but does not include a wellhead separator, treater, or dehydrator.

15.1.79 **"Grade"** means the ground elevation established for the purpose of regulating the number of stories and the height of a building. The building grade shall be the level adjacent to the walls of the building if the finished grade is levelled. If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building.

15.1.80 **"Gross Floor Area"** means the total area of all floors of all buildings including Accessory Buildings located on any parcel, excluding the area of basement floors, except that basement suites in Apartment buildings shall be included in the calculation of gross floor area.

15.1.81 **"Group Home"** means the use of a building as a facility which is authorized, licensed or certified by a public authority as a social care facility intended to provide room and board for four or more residents, exclusive of staff, for foster children or 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. The residential character of the development shall be primary, with the occupants living together as a single housekeeping group and using cooking facilities shared in common. This does not include a development for young or adult offenders, or for persons awaiting disposition of court charges against them, nor for persons undergoing treatment for substance abuse.

15.1.82 **"Habitable"** means a building or area of a building which includes provisions for living, sleeping, eating, cooking and sanitation and which is capable of being occupied for residential use.

- 15.1.83 **“Haul Route”** means the county road network from the site to a provincial highway.
- 15.1.84 **“Hauling”** means the transport of aggregate materials or natural resources on or off-site through the local or provincial road network and is normally associated with extraction for the purpose of calculating operational time limits.
- 15.1.85 **“Health Services”** means a building or structure where a professional health practitioner(s), including but not limited to doctors, dentists, optometrists, acupuncturists, naturopaths, chiropractors, physiotherapists and counsellors, excluding veterinarians, provide diagnosis and treatment to the general public without overnight accommodations. Medical and health Offices include such uses as x-ray and other diagnostic services as well as minor operating rooms and uses accessory to the provision of medical and Health Services.
- 15.1.86 **“Highway or Road”** means:
- a) land used or surveyed for use as a public highway or road; and
  - b) Includes a bridge forming part of a public highway or any structure incidental to the public highway, road or bridge.
- 15.1.87 **“Hobby Farm”** means a parcel of land which includes the principal Single Detached Dwelling and Farm Buildings which are used in connection with small farming operations no greater than 12.14 ha (30.0 acres). A Hobby Farm does not include the raising of livestock.
- 15.1.88 **“Home Based Business (Major)”** means the use of a building and/or site that is incidental to the principal residential use of the building and/or site. The business may include functions which take place outside of the primary dwelling and any Accessory Buildings, a limited amount of vehicular traffic may be generated in connection with the business, and up to four (4) non-resident employees may be employed on-site as part of the business.
- 15.1.89 **“Home Based Business (Minor)”** means the use of a residential or Accessory Building to conduct business or commercial enterprise. The business portion shall be incidental or subordinate to the primary residential function and take place entirely within the building excluding customer parking requirements and approved signage.
- 15.1.90 **“Home Occupation”** means any business, occupation, trade, profession, or craft carried on by an occupant of dwelling as an accessory Use to the residential use of the building, and which does not change its character.
- 15.1.91 **“Hotel”** means a development use for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities, and may include accessory Eating and Drinking Establishments, meeting rooms, personal services and retail stores.
- 15.1.92 **“Industrial Plant”** means a building or multiple buildings where industrial or manufacturing processes are carried out.
- 15.1.93 **“Institutional Use”** means a development of a public character including governmental, religious, health, educational, social, and cultural facilities having a close affinity with public services to a municipality, area, or region. This use class includes hospitals and cemeteries.

- 15.1.94 **“Intensive Agriculture – Class 1”** means the commercial use of parcels of land for confined feeding operations, game farms, fur farms and apiary and aquaculture as well as similar uses.
- 15.1.95 **“Intensive Agriculture - Class 2”** means the commercial use of parcels of land for uses such as greenhouses, market gardens, sod farms, nurseries, tree farms, etc.
- 15.1.96 **“Intensive Recreation”** means high-density recreational activities such as fishing lodges, boat rental facilities, riding stables, sports fields, curling rinks, arenas, cabins, skating rinks, outdoor swimming pools, golf courses, recreational resorts, and bowling alleys.
- 15.1.97 **“Kennel and Boarding”** means development used for breeding, boarding, or training of three (3) or more domesticated animals and accessory uses.
- 15.1.98 **“Lagoon / Treatment Plant”** means a Lagoon and or waste water treatment facility that may be either owned by the municipality, municipal corporation, or private entity.
- 15.1.99 **“Land”** means land, tenements, or any estate or interest in them and includes growing timber but not mineral resources.
- 15.1.100 **“Landscaping”** means to change or modify the natural features of a parcel so as to make it more attractive and desirable by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, drives, or other structures and materials as used in modern landscape architecture for beautification or recreation.
- 15.1.101 **“Lane”** means a public right-of-way that provides a secondary means of access to a parcel and/or parcels of land and which is registered in the land Titles Office in the Province of Alberta.
- 15.1.102 **“Licenced Public Premises”** means development where the primary purpose is the sale of alcoholic beverages to the public for consumption on the site. This use typically has a limited menu and minors are prohibited from patronizing the establishment. Typical uses include neighbourhood pubs, bars, beverage rooms, and cocktail lounges. Entertainment is a very minor component of the operation.
- 15.1.103 **“Liquor Store”** means a use where alcoholic beverages are sold for consumption, off of the retail outlet premises, which has been licensed by the Alberta Gaming and Liquor Commission.
- 15.1.104 **“Loading Facility”** means a space that accommodates a vehicle while it is being loaded or unloaded.
- 15.1.105 **“Manufacturing Firm”** means a firm carrying out the production, assembling, finishing, or packaging of raw or finished goods and material intended for sale and may include indoor and/or Outdoor Storage of materials and products. It may also include cleaning, servicing, repairing, or testing of materials, goods, and equipment associated with industrial or commercial businesses or cleaning.
- 15.1.106 **“Marina or Boat Rental Facility”** means a facility that is constructed in close proximity to a watercourse and waterbed for the purpose of selling, renting, storing, or repairing of boats and related equipment.
- 15.1.107 **“Micro Home”** means a primary dwelling structure with a maximum gross floor area of 54.9 m<sup>2</sup> (591.0 ft<sup>2</sup>), a permanent foundation, kitchen, and washroom deemed acceptable by the Development Authority.

15.1.108 **“Mobile Home Park”** means a parcel of land under one title which has been planned and divided into Mobile Home stalls (space allocated for mobile homes) and approved for the placement of Mobile Homes for permanent residential use by way of leasehold tenure and which has not been subdivided by a plan of survey.

15.1.109 **“Mobile Home”** means a dwelling unit that is constructed with a heavy transport chassis that allows for the permanent or temporary attachment of a hitch and wheel assembly to enable the relocation of the dwelling. A Mobile Home may be a single structure (single-wide) or two (2) parts which when put together (double-wide) comprise a complete dwelling and will have the following features:

- a) A minimum roof pitch of 5.0 cm (1.97 inches) of vertical rise for every 30.0 cm (11.81 inches);
- b) Minimum overhang of 15.24 cm (6.0 inches);
- c) Minimum length to width ration of 3:1; and
- d) Be no older than twenty (20) years at the time of development application.

This use class may be also be referred to as “manufactured home.”

15.1.110 **“Modular Home”** means a finished Section(s) of a complete dwelling built in a factory for transport to the site for installation. Finished means fully enclosed on the exterior and interior but need not include interior painting, taping, and installation of cabinets, floor covering, fixtures, heating system, and exterior finishes in accordance with the Alberta building Code. A Modular Home will be considered to be a Mobile Home unless:

- a) It is fixed to a permanent foundation as per Alberta building Code and is designed for the permanent sitting in that location as with a single family dwelling; and
- b) Contains architectural façade articulation, recesses, projections, an entrance features and/or variances in the roof line.

15.1.111 **“Modular Unit (Industrial Camp)”** means a prefabricated or factory built frame or shell that comprises the wall or siding of a proposed dwelling. More specifically, a modular unit represents only a section of the dwelling and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side-by-side or vertically, and completed to form one or more complete dwelling units.

15.1.112 **“Motel”** means a development divided into self-contained sleeping or dwelling units, each with a separate exterior entrance and convenient access to on-site parking. Motels may include Eating and Drinking Establishments and personal service shops.

15.1.113 **“Multi-Family Housing”** means any physical arrangement of two or more attached dwelling units, intended to be occupied by separate households, which does not conform to the definition of any other residential use.

15.1.114 **“Multi-parcel Subdivision”** means a subdivision greater than four (4) parcels is being created and the size of each parcel is predominantly 4.05 ha (10.0 acres) or less in area.

15.1.115 **“Municipal Airport”** means any area of land or water, including the frozen surfaces thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft.



- 15.1.116 **“Municipal Development Plan”** means the Lac Ste. Anne County Municipal Development Plan adopted by Council in accordance with the MGA.
- 15.1.117 **“Municipal Facility”** means a building owned or occupied by a municipal body for carrying out functions and operations related to municipal operations.
- 15.1.118 **“Municipal Planning Commission (MPC)”** means a Commission established by Bylaw to serve as subdivision and Development Authority.
- 15.1.119 **“Municipal Infrastructure”** means land, signs, buildings and other provincial infrastructure necessary for the operation and/or support of provincial highway network. This may include, but is not limited to, signs, government weigh scales, and campsites.
- 15.1.120 **“Natural Resource Extraction”** means the extraction of natural resources, including oil and gas, peat, metallic minerals, non-metallic minerals (such as coal, limestone, gypsum, granite and salt) and reclamation of the site, but does not include aggregate resources (such as sand, gravel or clay). Natural resource extraction may include the Stripping of Topsoil, overburden, loading and hauling of product off-site but does not include processing of natural resources.
- 15.1.121 **“Natural Resource Processing”** means the processing of natural resources, including, oil and gas, peat, metallic minerals, non-metallic minerals (such as coal, limestone, gypsum, granite and salt) but does not include aggregate resource extraction, aggregate resource processing or Natural Resource Extraction.
- 15.1.122 **“Non-Conforming Building”** means a building that on the date of this Land Use Bylaw or any subsequent amendment becomes effective, need not comply with the regulations for the district in which it is located (Section 643 of the MGA).
- 15.1.123 **“Non-Conforming Use”** means a lawful use of land that on the date of this Land Use Bylaw or any subsequent amendment becomes effective, does not or, in the case of the use of a building under construction, would not, comply with the Land Use Bylaw (Section 643 of the MGA).
- 15.1.124 **“Offensive or Objectionable”** means, when used with reference to development, a use which by its nature, or from the manner or carrying on the same, creates or is liable to create by reason of noise, vibration, smoke, dust, or other particulate matter, odour, toxic or non-toxic matter, radiation hazards, fire or explosive hazards, heat, humidity or glare, a condition that in the opinion of the Development Officer may adversely affect the amenities of the neighbourhood, or interferes with the normal enjoyment of any land or development.
- 15.1.125 **“Office”** means development primarily for the provision of professional, management, administrative, consulting, or financial services in an Office setting, including Offices of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies. This excludes government services, the servicing and repair of goods, the sale of goods to the customer on the site, and the manufacture or handling of a product.

15.1.126 **“Oil and Gas Servicing”** means a development that provides cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with the oil and gas industry and may include the storage or shipping of such materials, goods and equipment, including petrochemical products and supplies provided such storage is in accordance with all applicable provincial and federal statutes. This definition applies to oil and gas industry support operations and includes, but is not limited to, seismic and surveying, well servicing, oilfield haulers, pipeline contractors, and welding operations.

15.1.127 **“Open house”** means a public consultation event facilitated by an Applicant whereby the details of the application are available for the public to review and provide comments. Note: an Open House is not the same as a Public Hearing.

15.1.128 **“Outdoor Storage”** means the accessory storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land. Typical uses include but are not limited to pipe yards or vehicle or heavy equipment storage compounds. This does not include recreation vehicle storage.

15.1.129 **“Overburden”** means soil or geological material an aggregate extraction pit, but does not include:

- a) Topsoil;
- b) Subsoil;
- c) Aggregate; or
- d) Reject.

15.1.130 **“Overland Flow”** means areas of the flood hazard area outside of the floodway where water is directed toward the floodway.

15.1.131 **“Owner”** means a person entitled to any freehold or other estate or interest in land, at law or in equity, in possession, in futurity or expectancy. The owner of a parcel within the County shall be the person(s) identified on the assessment roll. (See also “Register owner”)

15.1.132 **“Parcel”** means the aggregate of one (1) 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.

15.1.133 **“Park”** means any public outdoor land used specifically for passive or active recreation including public Parks, walkways, trails, environmentally sensitive areas, forest reserve, wildlife sanctuary, greenbelts, conservation areas, buffers, nature interpretation areas, and similar land uses.

15.1.134 **“Parking Structures”** means a structure set aside for storing and parking vehicles.

15.1.135 **“Permitted Use”** means a use of land or of a building that is listed in the column captioned “permitted uses” in a land use district established in Part III of this Bylaw, and for which a development permit shall be issued upon an application for such use being determined by the Development Authority to be in conformance with the provisions of this Bylaw.

15.1.136 **“Personal Services Shops”** means a development used for the provision of personal services to an individual that are related to the care and appearance of the body, or the cleaning and repair of personal effects, and may include such uses as: barbershops, hairdressers, tattoo parlours, beauty salons, tanning salons, shoe repair shops, laundromats, and dry cleaning outlets, but does not include Health Services, Retail Stores, Service Stations, or adult entertainment facilities.

15.1.137 **“Place of Worship”** means a building or outdoor area where people regularly assemble for worship and related religious, philanthropic, or social activities that is maintained and controlled for public worship. Typical uses include churches, chapels, mosques, temples, synagogues, convents, and monasteries. It also includes accessory manses or rectories.

15.1.138 **“Prime Agricultural Land”** means those parcels that are determined to be of higher quality for agricultural purposes as defined and in accordance with the provisions of the Lac Ste. Anne County Municipal Development Plan.

15.1.139 **“Principal Building or Use”** means a building or use in which is conducted the main or principal use of the site on which it is erected. There can only be one principal building or use per parcel.

15.1.140 **“Private Haul Route”** means a haul route that is on privately owned land and acts as a haul route from the site of a resource to the County road network or highway.

15.1.141 **“Protective & Emergency Services”** means public protection of persons and property from injury, harm, or damage, together with the incidental storage of emergency development that is necessary for the local distribution of utility services. Typical uses include gas equipment and vehicle storage, police stations, ambulance stations, fire stations and ancillary training facilities.

15.1.142 **“Provincial Highway”** means a highway as defined in the *Public Highways Development Act*.

15.1.143 **“Public Hearing”** means a proceeding held before Lac Ste. Anne County that is open to members of the public where the details of a proposed development are examined.

15.1.144 **“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) Public transportation operated by, or on behalf of, the municipality;
- d) Irrigation;
- e) Drainage;
- f) Fuel;
- g) Electric power;
- h) Heat;
- i) Waste management; and
- j) Residential and commercial street lighting.
- k) Anything that is provided for public consumption, benefit, convenience or use.

15.1.145 **“Rear Yard”** means that portion of a parcel extending across the full width of the parcel from the rear wall of a building situated on the parcel, to the rear property line of the parcel.

15.1.146 **“Reclaimed Area”** means the area of an aggregate operation pit, measured in acres or ha, where the landscape has been re-established, the topsoil has been replaced, and vegetation has been established, but does not include any area where a certificate of reclamation has been received from AESRD.

15.1.147 **“Reclamation”** means any or all of the following:

- a) The removal of equipment or buildings or other structures or appurtenances;
- b) The decontamination of buildings or other structures or other appurtenances, or land or water;
- c) The stabilization, contouring, maintenance, conditioning, or reconstruction of the surface of land;
- d) A development to return an area to a land capability that is equivalent to the pre-disturbance land capability or a post-disturbance condition and land use that is satisfactory to the Development Authority and in accordance with the approved site plan; or
- e) Any other procedure, operation, or requirement specified in the regulations.

15.1.148 **“Recreational Facility”** means any building, structure or equipment for either active or passive recreation, excluding washroom and changing facilities.

15.1.149 **“Recreational Vehicle”** means a vehicle or portable structure designed to be carried on a motor vehicle, towed behind a motor vehicle, or designed and built to be transported on its own wheels, and which provides temporary living accommodation for travel and/or recreational purposes. This includes such vehicles as campers, pop-up trailers, pull behind trailers, motor homes, fifth wheel trailers, and holiday trailers, but does not include a mobile home or manufactured home.

15.1.150 **“Recreational Vehicle, Park Model”** means a recreational vehicle designed to be transportable and for long-term or permanent placement at a destination where a recreational vehicle or mobile home is allowed. When set up, park models are connected to the utilities necessary to operate home-style fixtures and appliances. Park models should be less than 50.17 m<sup>2</sup> (540 ft<sup>2</sup>) in area.

15.1.151 **“Recreational Vehicle (RV) Storage”** means land used or intended to be used for the commercial storing recreational vehicles and includes all buildings or structures thereon.

15.1.152 **“Regional Landfill”** means a publicly operated site used for the disposal of solid waste on a regional basis.

15.1.153 **“Registered Owner”** means:

- a) In the case of land owned by the Crown in Right of Alberta or the Crown in Right of Canada, the Minister of the Crown having the administration of the land;
- b) In the case of any other land;
  1. The purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the Certificate of Title in the land and any assignee of the purchaser’s interest that is the subject of a caveat registered against the Certificate of Title; or
  2. In the absence of a person described in Subsection (a), the person registered under the *Land Titles Act* as the owner of the fee simple estate in the land.

- 15.1.154 **“Residential Sales Centre”** means a building used for a limited period of time for the purpose of marketing residential land or buildings. A Residential Sale Centre may include the use of an unoccupied dwelling as a show home. The Residential Sale Centre may operate out of the same building as the show home, or out of a separate building.
- 15.1.155 **“Rooming/Boarding Homes”** means a dwelling within which sleeping units are rented, usually on a monthly basis, with or without daily meals being provided, to persons other than members of the family of the lessee, tenant, or owner of the dwelling and specifically excludes Bed and Breakfast facilities, rest homes, Hotels, motels, and the preparation of meals within the sleeping units.
- 15.1.156 **“Row Housing”** means a building designed and built to contain three (3) or more dwelling units with a separate exterior entrance at grade that shares no more than two (2) party walls with adjacent dwelling units and intended as a permanent residence. No part of a dwelling unit is placed over another in part or in whole and every dwelling unit shall have separate, individual direct access to grade. For the purposes of this Bylaw, garden-linked, row and townhouse units are considered to be Row Housing dwellings. Row Housing units are adjoined by a vertical party wall that is insulated against sound transmission.
- 15.1.157 **“Rural Industries”** means those industrial uses that require relatively large areas of land. Notwithstanding the generality of the foregoing, Rural Industries may include sawmills, fertilizer plants, and agriculturally oriented facilities.
- 15.1.158 **“Salvage/Storage yard”** means any land or building used for the collection, demolition, dismantlement, storage, salvage, recycling, or sale of waste materials including scrap metal, vehicles, machinery, and other discarded materials.
- 15.1.159 **“School”** means the use of a building and the area surrounding the building for the purpose of instruction and learning.
- 15.1.160 **“Secondary Suite”** means an additional dwelling unit located within an owner-occupied single dwelling or within an accessory structure that is located on a residential parcel. A Secondary Suite shall not be located within Semi-Detached dwellings, fourplex housing, town housing, or Apartment housing. This use class does not include boarding and lodging houses, but does include garage suites.
- 15.1.161 **“Self-Storage”** means the use of a building consisting of individual, self-contained units that are leased, usually on a monthly basis, for the storage of business and household goods or materials.
- 15.1.162 **“Semi-Detached dwelling”** means two attached dwelling units under one roof where each dwelling has an independent entrance.
- 15.1.163 **“Service Station”** means development used for the servicing, washing, or repairing of vehicles and the sale of gasoline, other petroleum products, and a limited range of vehicle parts and accessories. Service stations may include Eating and Drinking Establishments. Typical uses include truck stops and highway Service Stations. Convenience stores will be included.
- 15.1.164 **“Shed”** means an enclosed structure with a floor area no greater than 11.15 m<sup>2</sup> (120 ft<sup>2</sup>) used as a storage space, personal workspace, or for any other use accessory to a principal use on-site.
- 15.1.165 **“Shipping Container”** means a shipping container, originally used to transport goods, now used as an Accessory Building for storage provided that a building permit can be issued under Alberta Safety Codes.

15.1.166 **“Shipping Industry”** means an activity and/or facility whose primary purpose is to be a terminal for the distribution of goods to be either shipped to or received from outside the county boundary.

15.1.167 **“Shoreline”** means the land covered by water for such a period of time that it no longer features the natural vegetation or which marks a distinct property line from the water environment and the soil on the water body and the vegetation of the surrounding land.

15.1.168 **“Side Yard”** means that portion of a parcel extending from the front wall of a principal building situated on a parcel, to the rear of a building, and lying between the side property line of the parcel and the side wall of the principal building.

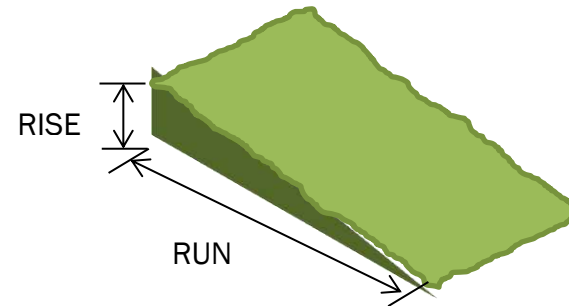
15.1.169 **“Sign”** means anything that serves to indicate the presence or the existence of something, including, but not limited to, a lettered board, a structure, or a trademark displayed, erected, or otherwise developed and used or serving or intended to serve to identify, to advertise, or to give direction.

15.1.170 **“Single Detached Dwelling”** means a complete building or self-contained portion of a building for the use of one (1) or more individuals living as a single housekeeping unit with associated facilities and intended as a permanent residence not separated from direct access to the outside by another separate or self-contained portion of a building which may include an on-site stick built or Modular Home with a length to width ratio of 3:1 or less.

15.1.171 **“Single Storey”** means the storey with its floor closest to grade and having its ceiling more than 1.8 m above grade. A bi-level structure is a single storey for the purpose of this Bylaw.

15.1.172 **“Site”** means a parcel, group of parcels or portion of a parcel on which a building or use exists or which is, in the opinion of the Approving Authority, the subject of an application for a development permit.

15.1.173 **“Slope”** means the average sustained vertical deviation of land (rise) over a certain horizontal distance (run). Slope is calculated by dividing the rise by the run.



15.1.174 **“Social Care Facility”** means an establishment licensed by Alberta Health Services intended to provide care, educational services, and supervision of children or adults during the day or evening, and may include limited overnight accommodation to accommodate shift workers. This use includes group day care centres, out-of-School centres, nursery or play Schools, and drop-in centres. This also includes developments for group day-care or for the provision of care, before and after School hours and during School holidays for children attending School.

15.1.175 **“Stripping of Topsoil”** means the removal and stock piling of topsoil on a parcel or parcels, either for future reclamation purposes and/or possible sale under an approved development permit.

15.1.176 **“Subdivision Development Appeals Board (SDAB )”** means the authority as passed by Bylaw.

15.1.177 **“Telecommunication Tower”** see **“Communication Tower”**.

- 15.1.178 **“Temporary Storage”** means Outdoor Storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land.
- 15.1.179 **“Tourist Information Use”** means a building and use for the purpose of providing tourist information and related services to tourists and the traveling public.
- 15.1.180 **“Towing and Storage Facility”** means a vehicle storage facility used for the purposes of supporting a vehicular towing operation.
- 15.1.181 **“Warehousing”** means a structure used for the storage and distribution of raw materials, processed or manufactured goods, and establishments providing servicing for those purposes.
- 15.1.182 **“Waste Transfer Station”** means a facility, either publicly or privately owned and operated, that is used for gathering, sorting, and bulk transport of waste materials.
- 15.1.183 **“Water Body”** means a natural or man-made feature such as a lake, marsh, dugout, wetland, aquifer, or pond that contains water throughout the year. It may also include any location where water flows are present, whether or not the flow or presence of water is continuous, intermittent, or occurs only during a flood, and includes but is not limited to wetlands and aquifers, “water body” as defined by AESRD and the *Water Act*, as amended. As of the adoption date of this Bylaw, “water body” means any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent, or occurs only during a flood, and includes but is not limited to wetlands and aquifers.

- 15.1.184 **“Water Portal”** means web-based systems that provide for free and open source access for sharing information and knowledge on ground and surface water conditions, water management innovations, best practices, news, and research and conservation programs that are located at [www.albertawater.com](http://www.albertawater.com).
- 15.1.185 **“Water Reservoir”** means any facilities utilized for the storage, transmission, treatment, or supplying of water together with any land required for or in connection with any of those facilities.
- 15.1.186 **“Wind Energy Convertor System (WECS)”** means a generating unit of a customer that:
- a) Exclusively uses sources of renewable or alternative energy;
  - b) Is intended to meet all or a portion of the customer’s electricity needs;
  - c) Is, at the time of construction or installation or the generating unit, sized to the customer’s load or anticipated load or a portion of it, as evidenced by a total nominal capacity of the generating unit that does not exceed the rating of the customer’s service;
  - d) Has a total nominal capacity not exceeding 1.0 megawatts (MW); and
  - e) Is located on the customer’s site or on a site owned by or leased to the customer that is adjacent to the customer’s site.

15.1.187 **“Work Camp”** means one (1) or more buildings established to accommodate persons who are employed in mining, lumbering, construction, drilling, resource exploration and any similar industry, and includes land on which the building or buildings are situated.

15.1.188 **“Yard”** means a part of a parcel upon or over which no principal building is erected.

15.1.189 **“Municipal Government Act (MGA)”** means the *Municipal Government Act, R.S.A. 2000, c. M-26* and amendments thereto, and the Regulations passed pursuant thereto.

## **15.2 Other Words, Terms and Expressions**

15.2.1 Other words and expressions not outlined in Part V of this Bylaw have the meaning respectively assigned to them by *the Municipal Government Act, R.S.A. 2000*.

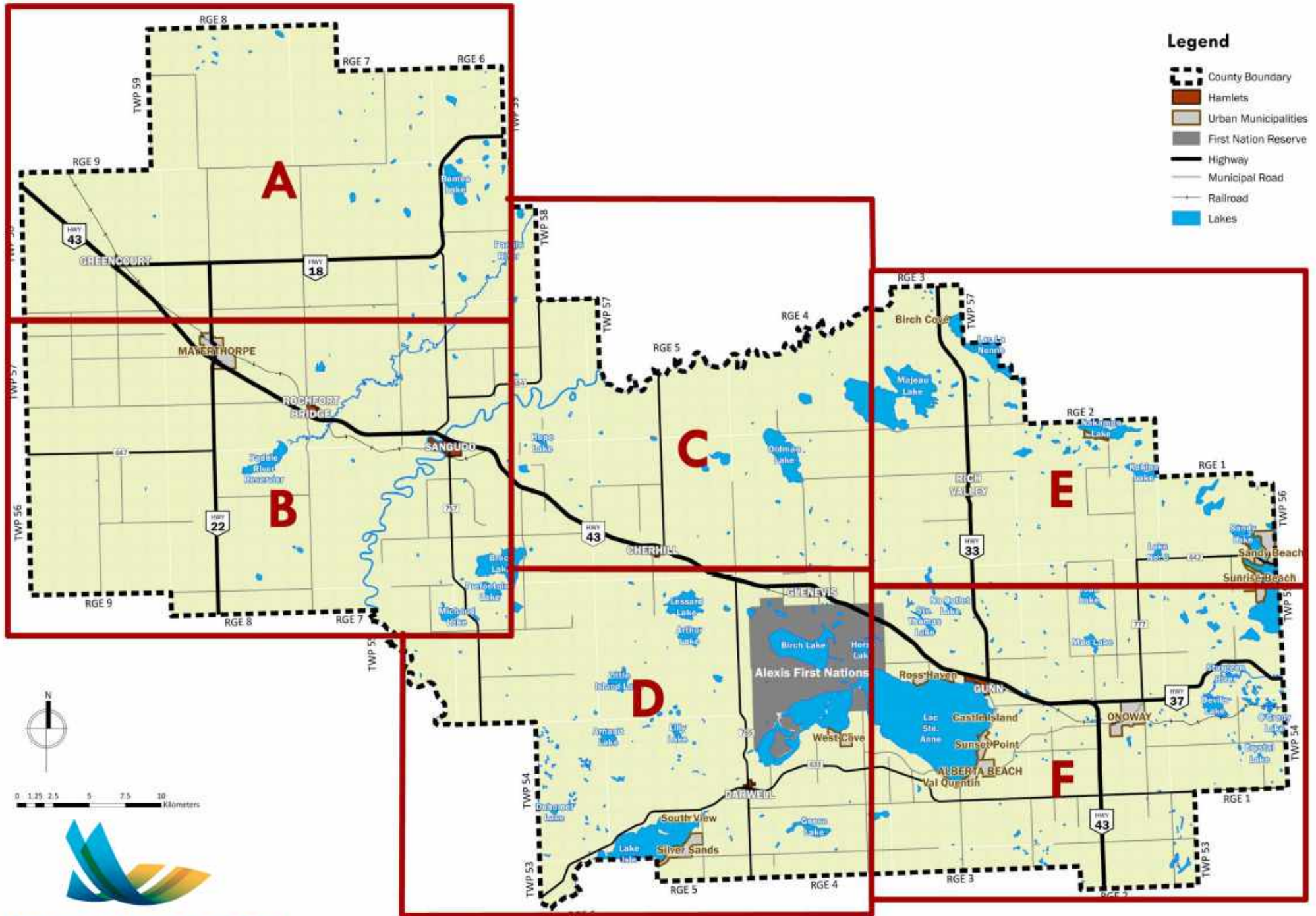


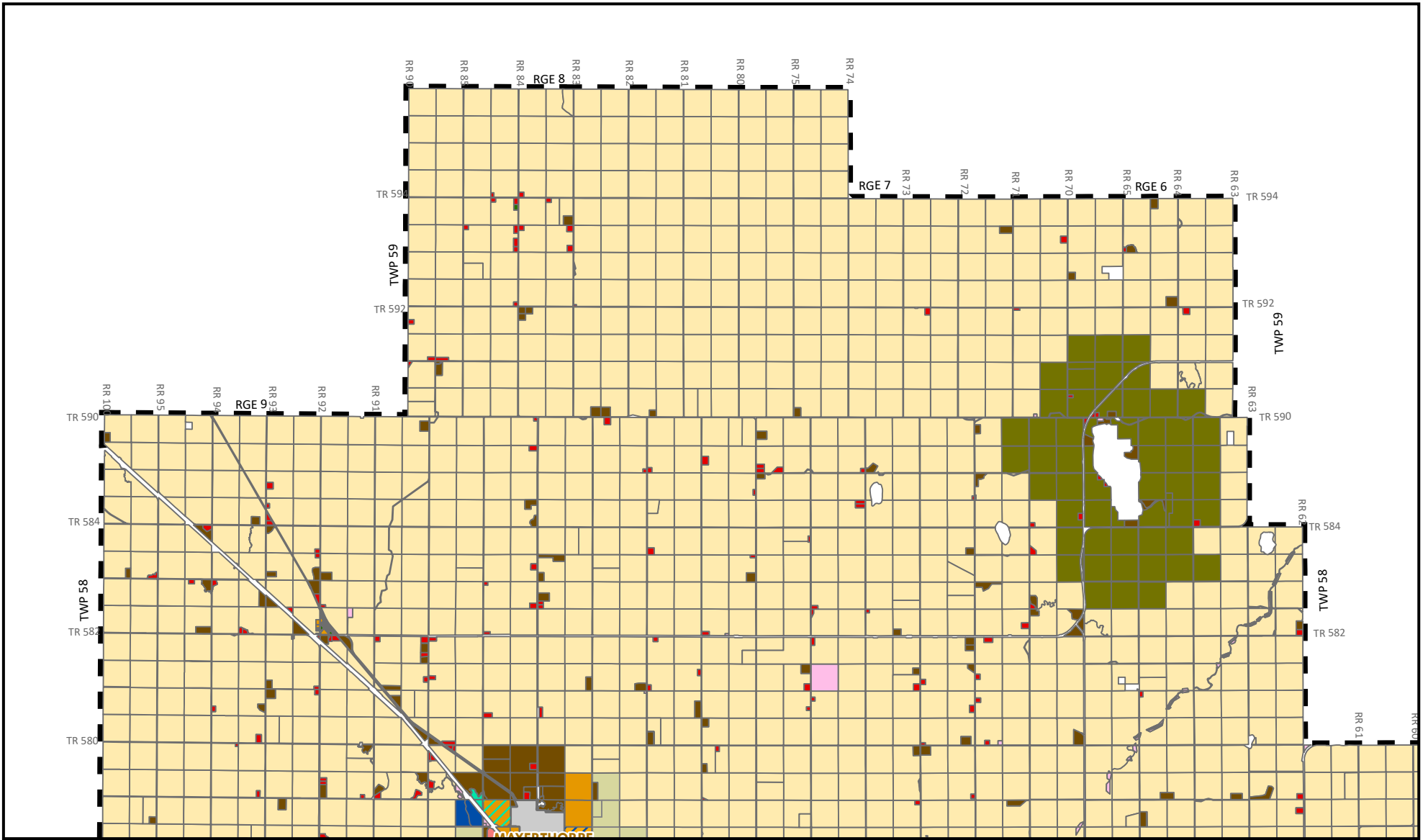


# Part VI

## Maps







Lac Ste. Anne County  
Land Use Bylaw



LAC STE. ANNE COUNTY

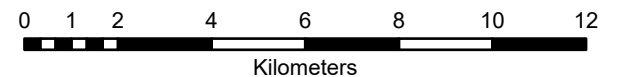
LUB

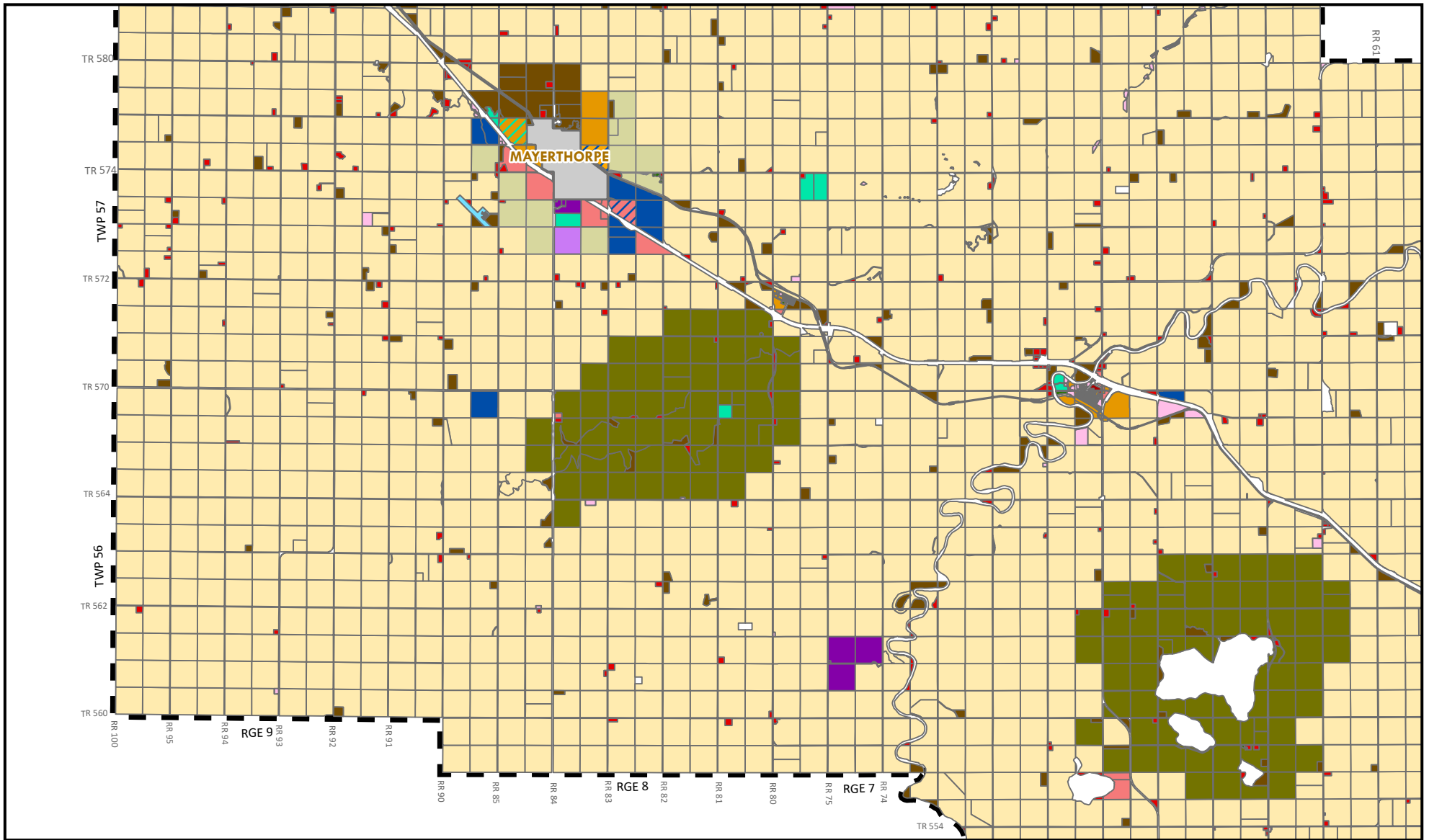
- AG1
- AG1, AR
- AG1, CREC
- AG2
- AGF

- AP
- AR
- CL
- CLR
- CR3
- CRE
- CREC
- CRR
- CRS
- CRX
- County Land
- DC
- HC
- HD

- HD, IN
- IN
- IN, CRS
- INT
- MHS
- REC
- UR
- UR, IN
- UR,CREC
- Alexis Nakota Sioux
- Municipal Boundaries
- County Boundary

Map 1  
Region 'A'









Lac Ste. Anne County  
Land Use Bylaw






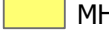


LAC STE. ANNE COUNTY

LUB




-  AG1
-  AG1, AR
-  AG1, CREC
-  AG2
-  AGF

-  AP
-  AR
-  CL
-  CLR
-  CR3
-  CRE
-  CREC

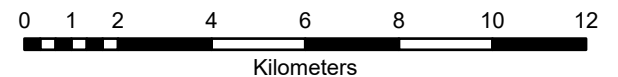
-  CRR
-  CRS
-  CRX
-  County Land
-  DC
-  HC
-  HD

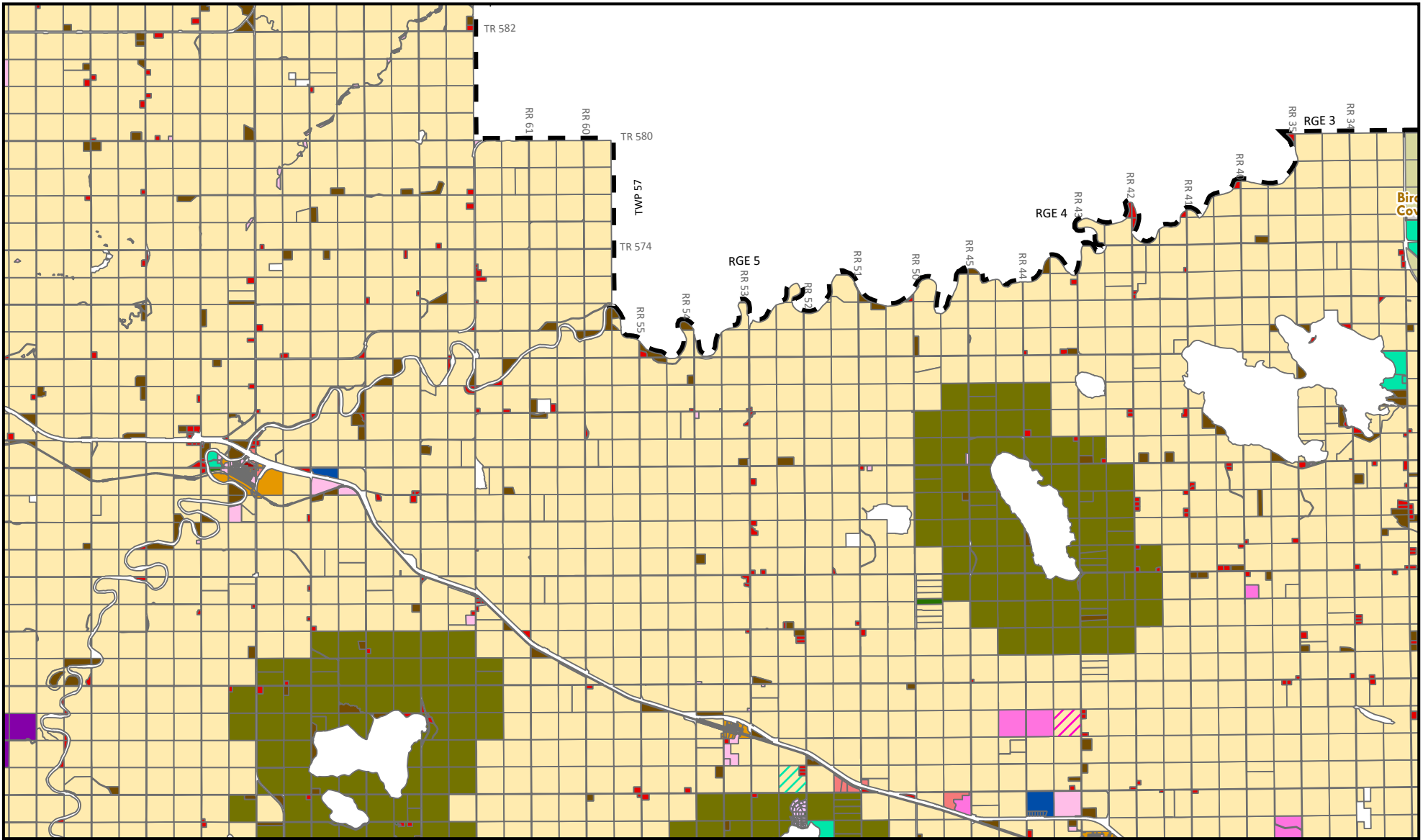
-  HD, IN
-  IN
-  IN, CRS
-  INT
-  MHS
-  REC
-  UR

-  UR, IN
-  UR, CREC

-  Alexis Nakota Sioux
-  Municipal Boundaries
-  County Boundary

Map 2  
Region 'B'





Lac Ste. Anne County  
Land Use Bylaw



LAC STE. ANNE COUNTY

LUB

- AG1
- AG1, AR
- AG1, CREC
- AG2
- AGF

- AP
- AR
- CL
- CLR
- CR3
- CREC

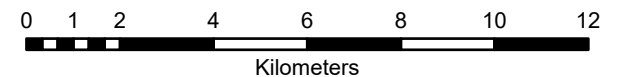
- CRR
- CRS
- CRX
- County Land
- DC
- HC
- HD

- HD, IN
- IN
- IN, CRS
- INT
- MHS
- REC
- UR

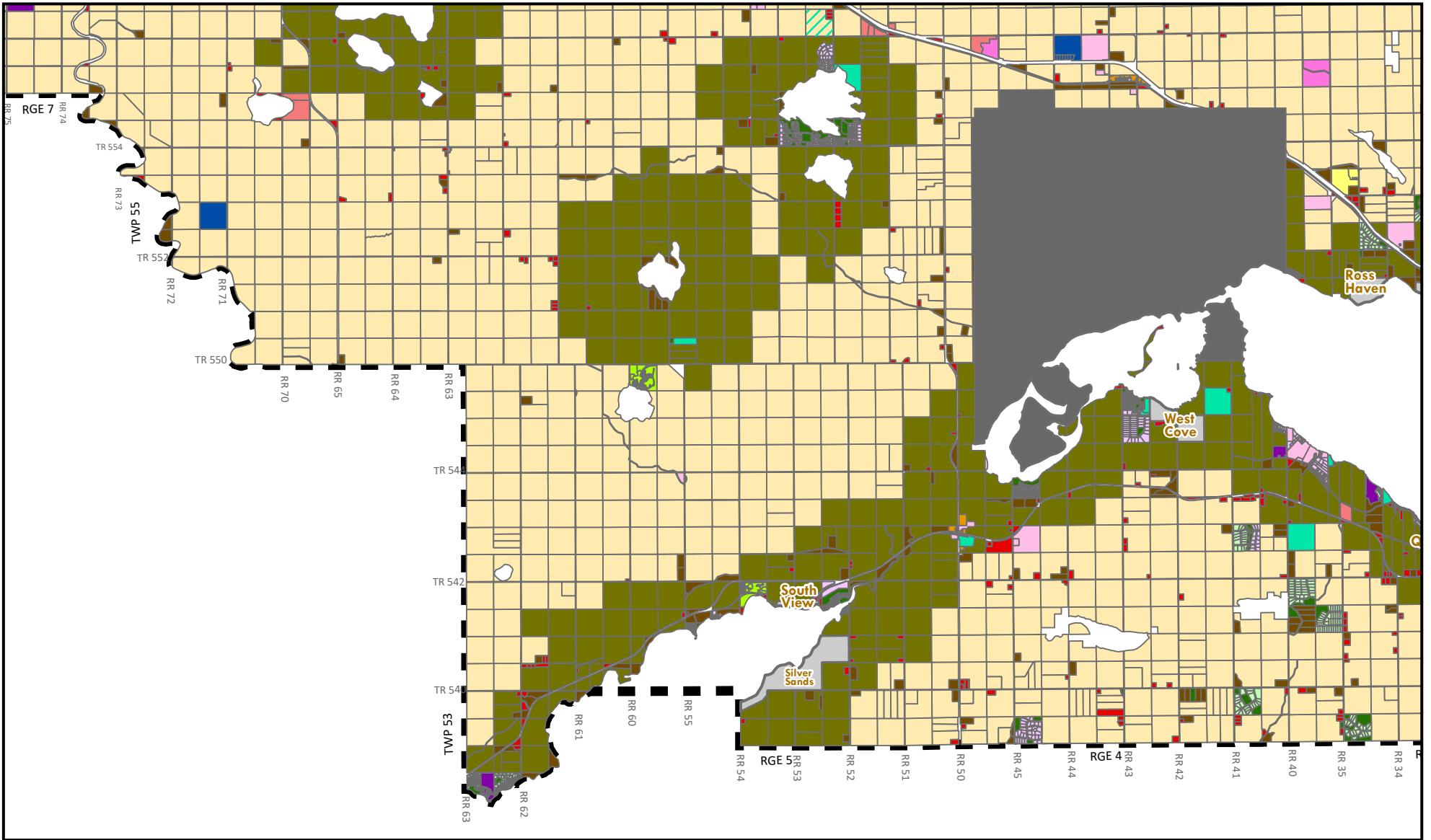
- UR, IN
- UR, CREC

- Alexis Nakota Sioux
- Municipal Boundaries
- County Boundary

Map 3  
Region 'C'







Lac Ste. Anne County  
Land Use Bylaw



LAC STE. ANNE COUNTY

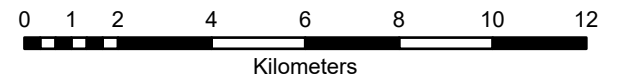
LUB

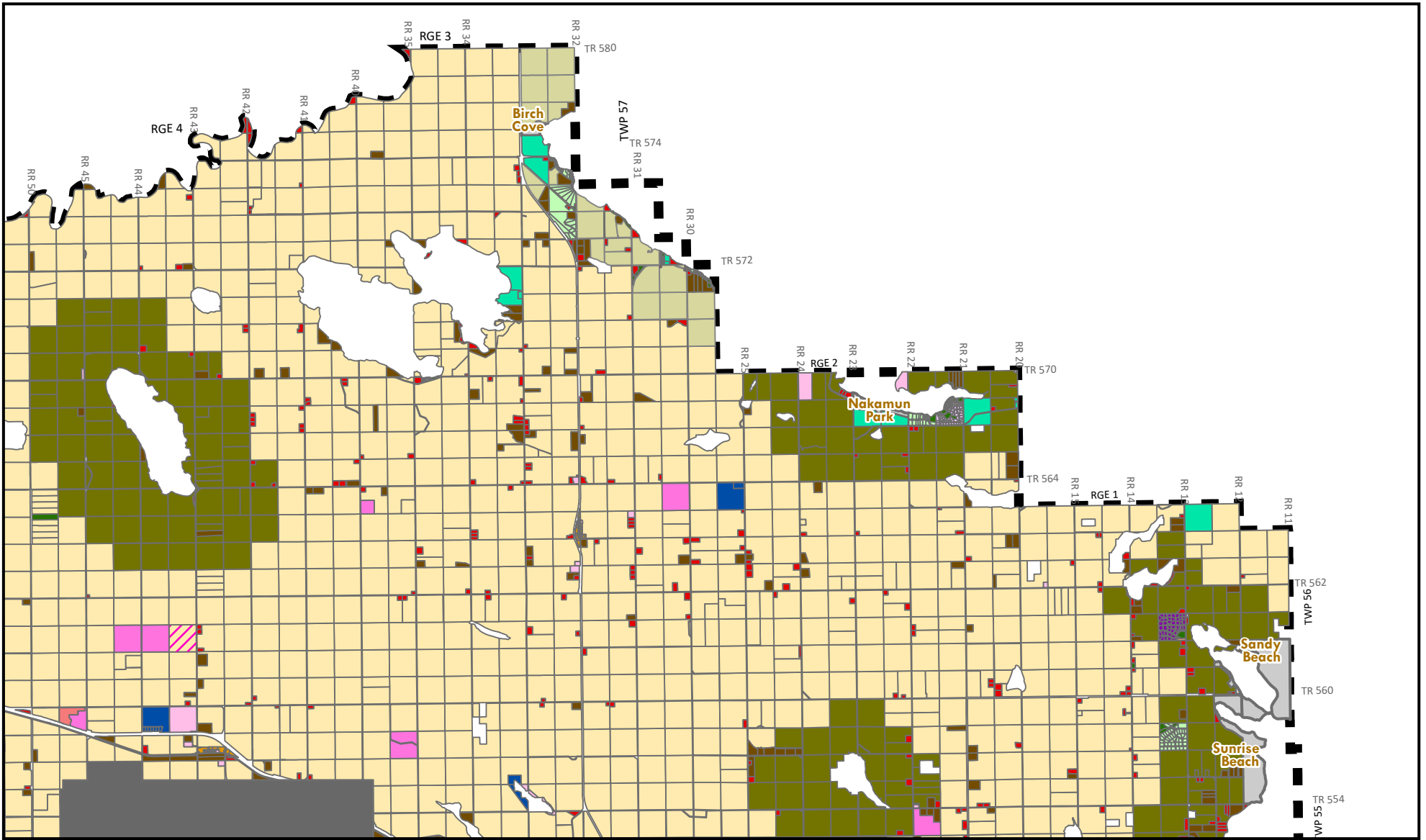
- AG1
- AG1, AR
- AG1, CREC
- AG2
- AGF

- AP
- AR
- CL
- CLR
- CR3
- CRE
- CREC
- CRS
- CRX
- County Land
- DC
- HC
- HD
- CRR
- CRS
- County Land

- HD, IN
- IN
- IN, CRS
- INT
- MHS
- REC
- UR
- UR, IN
- UR, CREC
- Alexis Nakota Sioux
- Municipal Boundaries
- County Boundary

Map 4  
Region 'D'





Lac Ste. Anne County  
Land Use Bylaw



LAC STE. ANNE COUNTY

LUB

- AG1
- AG1, AR
- AG1, CREC
- AG2
- AGF

- AP
- AR
- CL
- CLR
- CR3
- CRE
- CREC

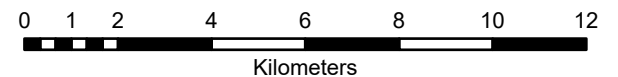
- CRR
- CRS
- CRX
- County Land
- DC
- HC
- HD

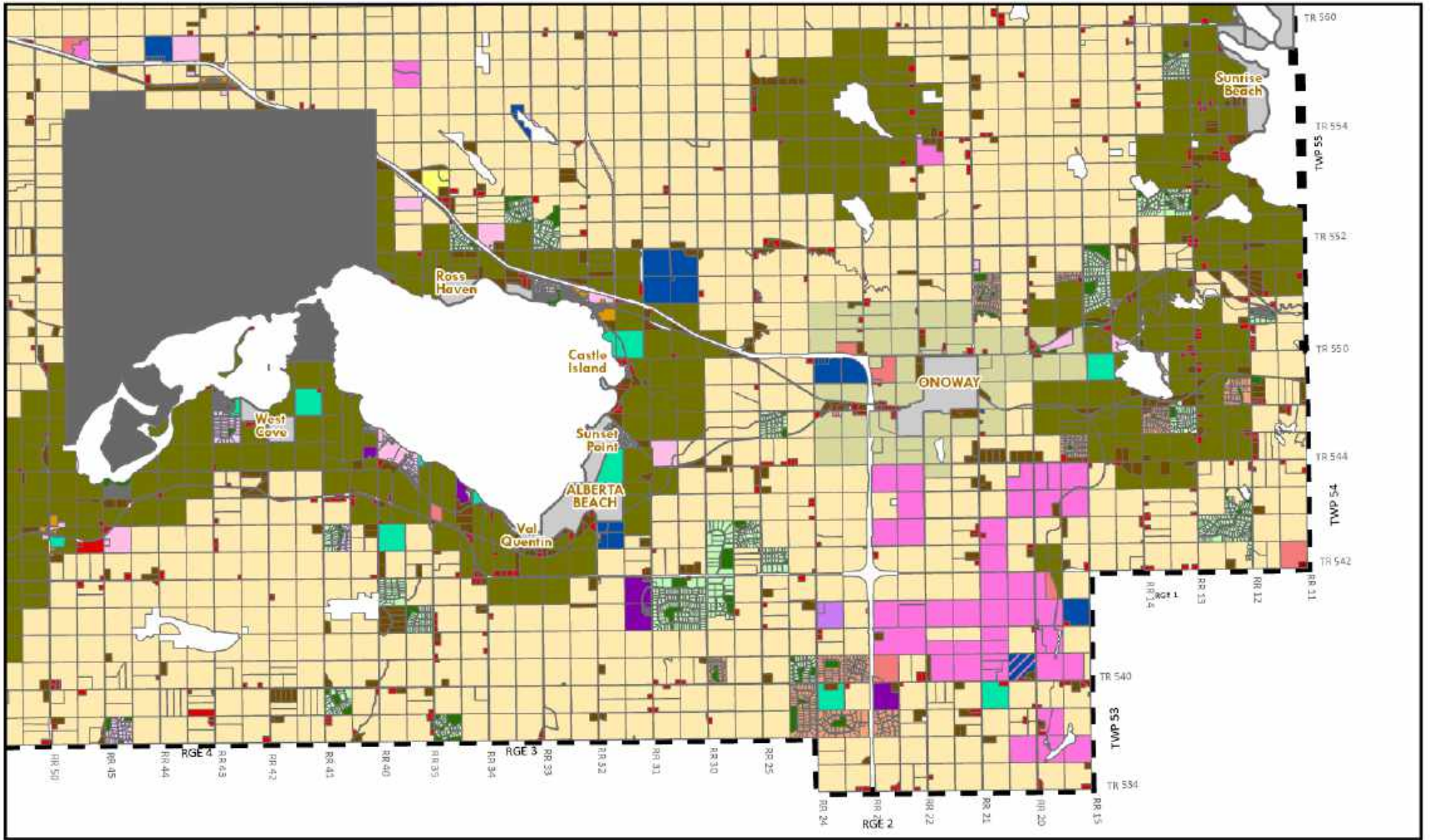
- HD, IN
- IN
- IN, CRS
- INT
- MHS
- REC
- UR

- UR, IN
- UR, CREC

- Alexis Nakota Sioux
- Municipal Boundaries
- County Boundary

Map 5  
Region 'E'





Lac Ste. Anne County  
Land Use Bylaw



LAC STE. ANNE COUNTY  
Updated February 13, 2024

LUB

- AG1
- AG1, AR
- AG1, CREC
- AG2
- AGF

- AP
- AR
- CL
- CLR
- CR3
- CRE
- CREC

- CRR
- CRS
- CRX
- DC
- HC
- HD
- HD, IN

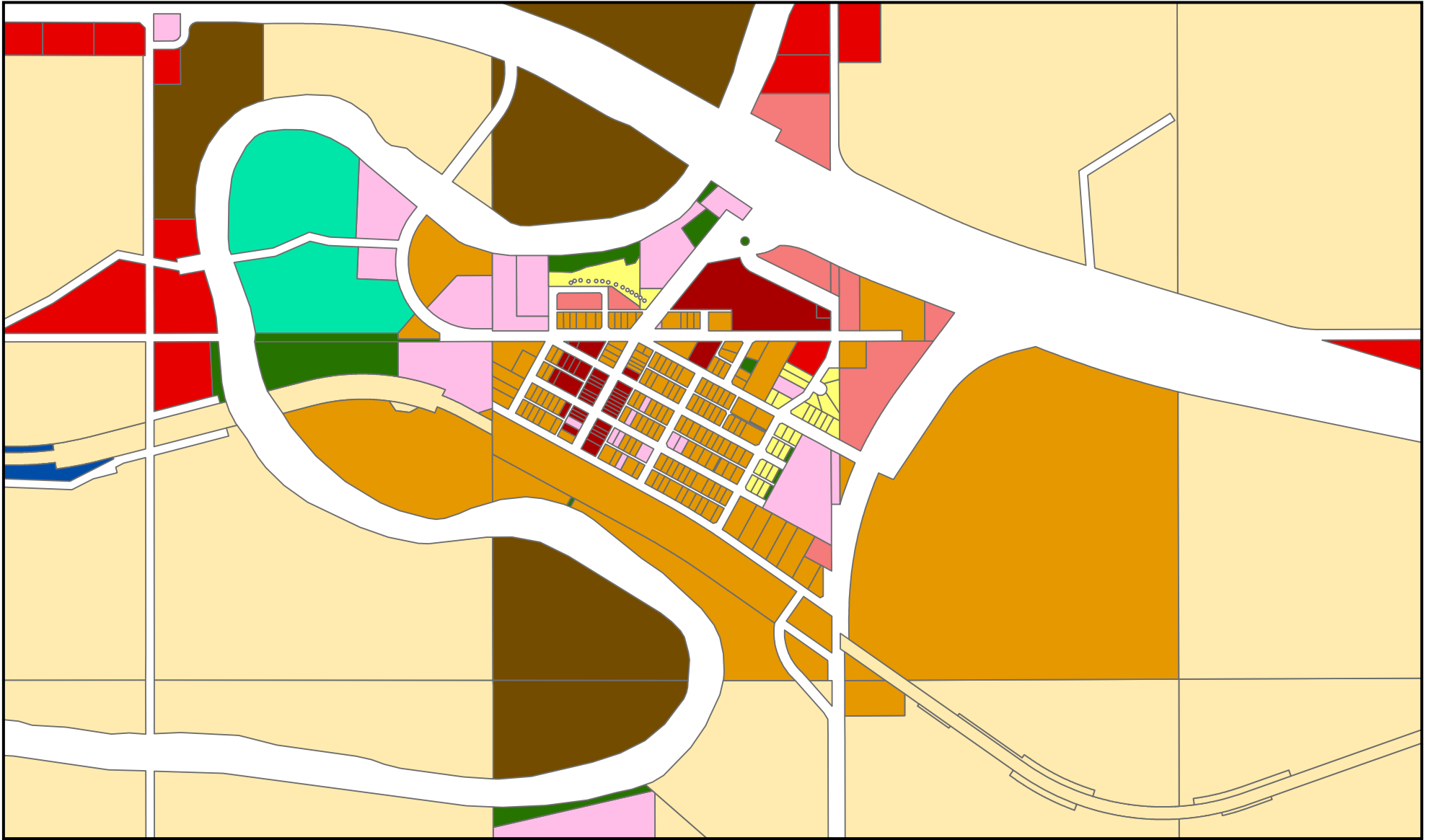
- IN
- IN, CRS
- INT
- MHS
- REC
- UR
- UR, IN

- UR, CREC
- CREC, AGF
- Alexis Nakota Sioux
- Municipal Boundaries
- County Boundary

Map 6  
Region 'F'













Lac Ste. Anne County  
Land Use Bylaw




LAC STE. ANNE COUNTY

LUB




-  AG1
-  AG1, AR
-  AG1, CREC
-  AG2
-  AGF

-  AP
-  AR
-  CL
-  CLR
-  CR3
-  CRE
-  CREC

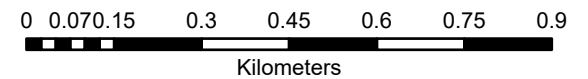
-  CRR
-  CRS
-  CRX
-  County Land
-  DC
-  HC
-  HD

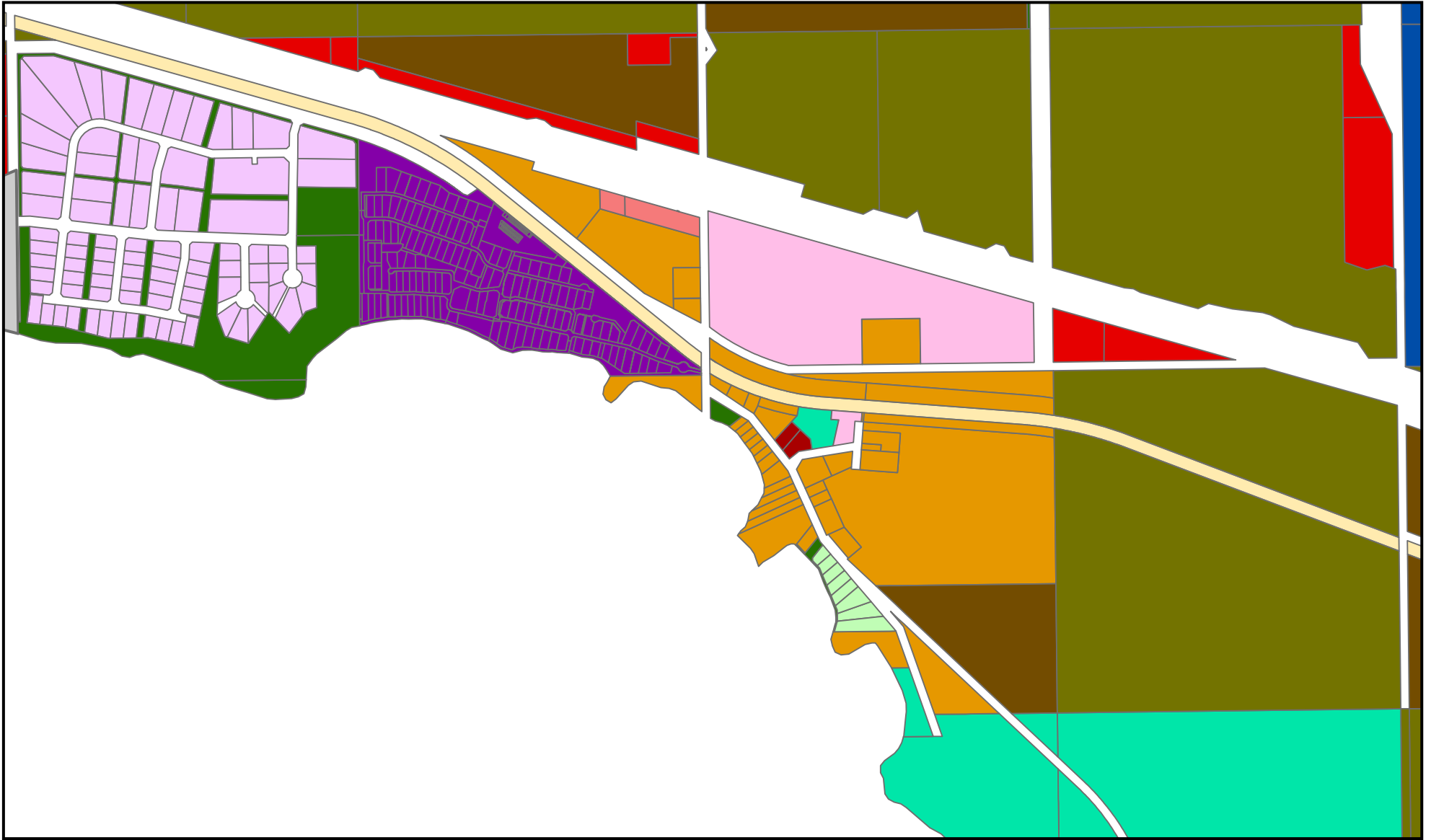
-  HD, IN
-  IN
-  IN, CRS
-  INT
-  MHS
-  REC
-  UR

-  UR, IN
-  UR, CREC

-  Alexis Nakota Sioux
-  Municipal Boundaries
-  County Boundary

**Map 7**  
Hamlet of Sangudo





Lac Ste. Anne County  
Land Use Bylaw



LAC STE. ANNE COUNTY

LUB

- AG1
- AG1, AR
- AG1, CREC
- AG2
- AGF

- AP
- AR
- CL
- CLR
- CR3
- CRE
- CREC

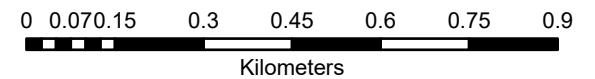
- CRR
- CRS
- CRX
- County Land
- DC
- HC
- HD

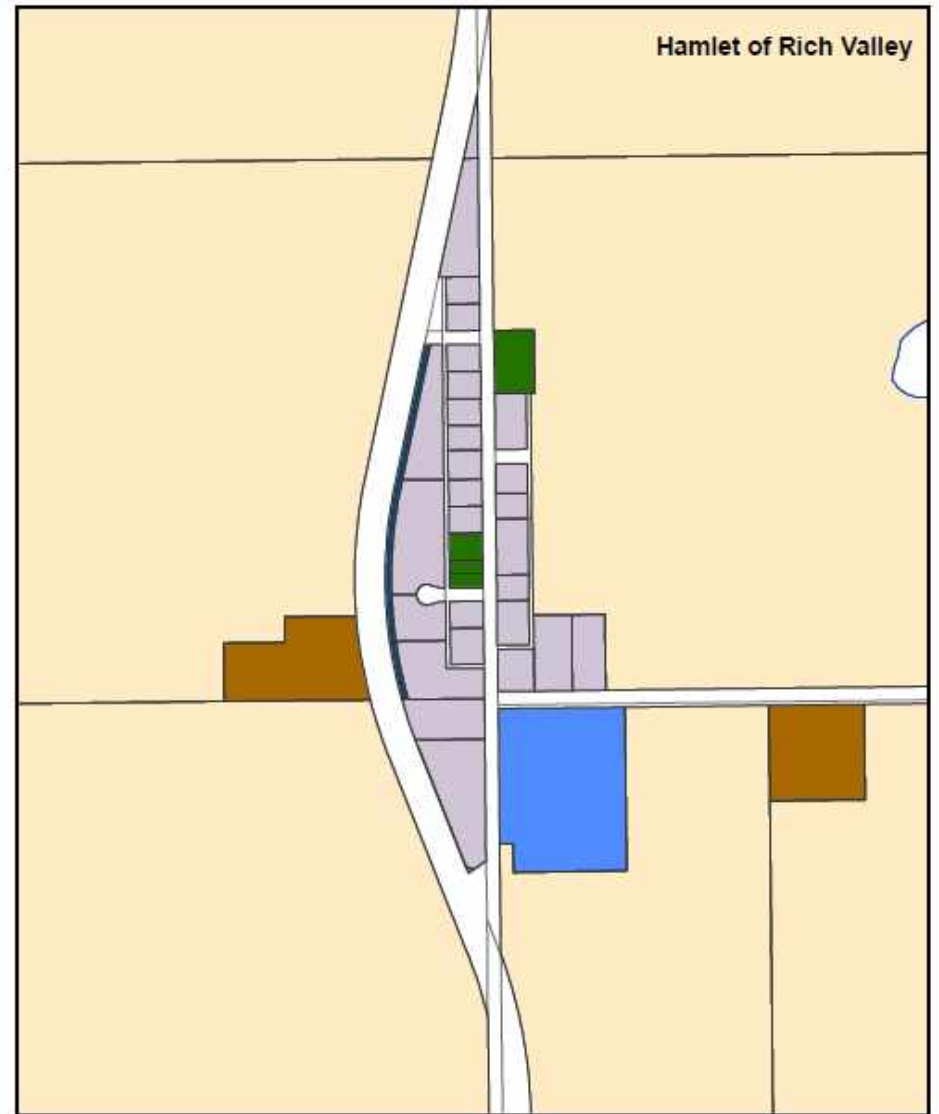
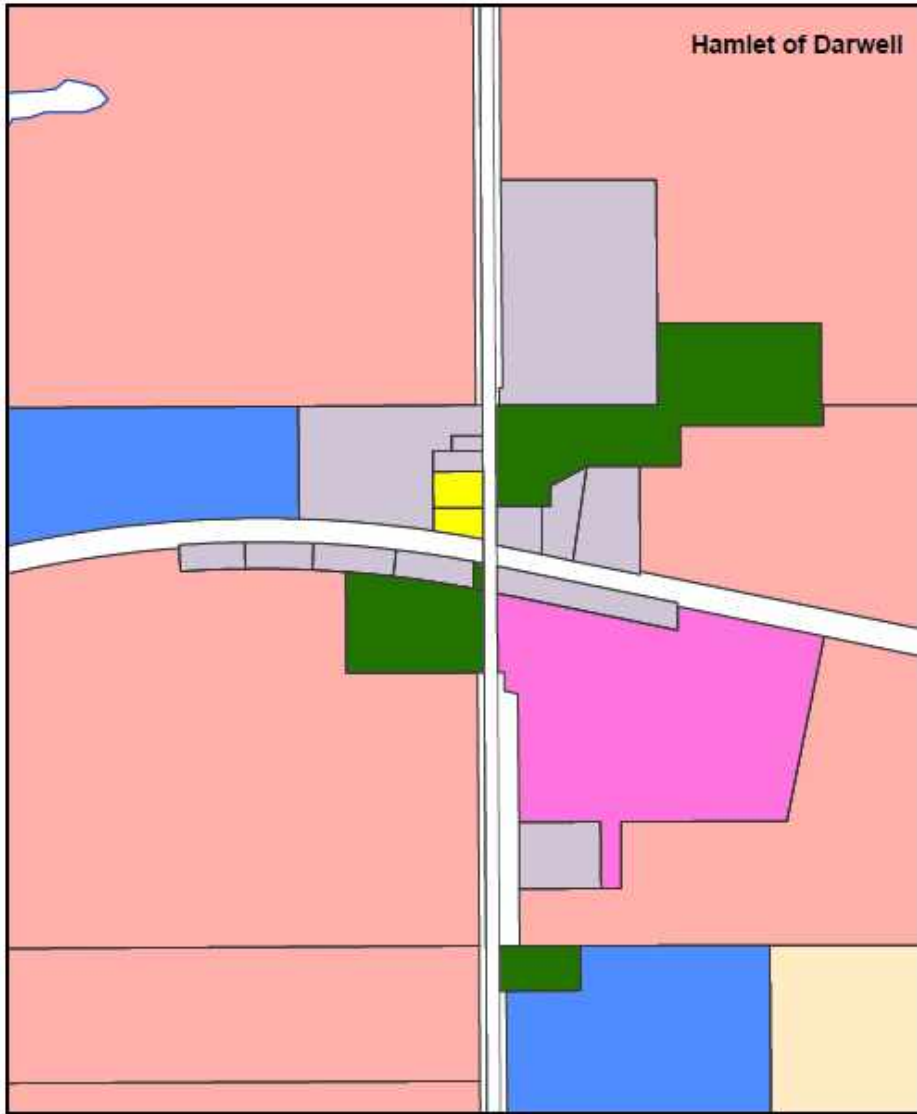
- HD, IN
- IN
- IN, CRS
- INT
- MHS
- REC
- UR

- UR, IN
- UR, CREC

- Alexis Nakota Sioux
- Municipal Boundaries
- County Boundary

Map 8  
Hamlet of Gunn





Lac Ste. Anne County  
Land Use Bylaw

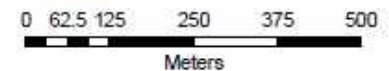


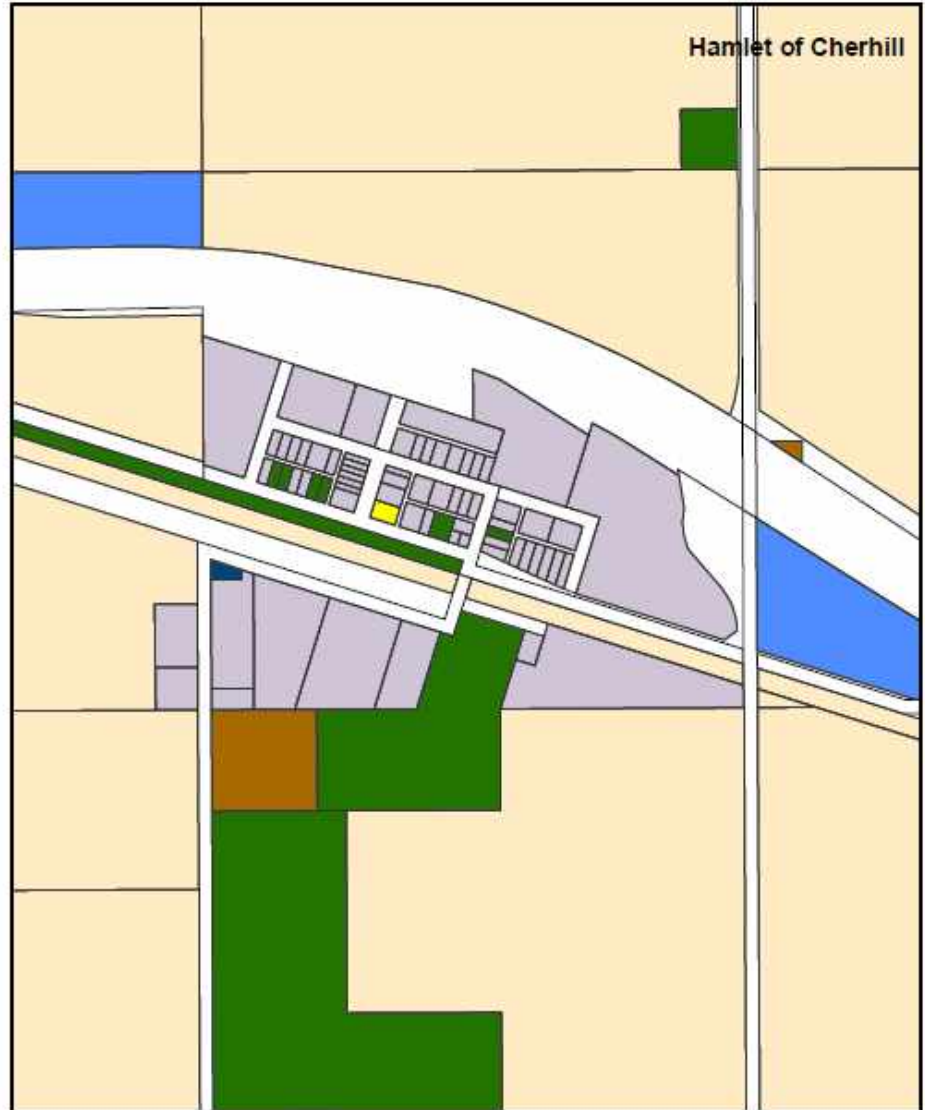
Land Use Bylaw Classification

-  County Boundary
-  First Nations Reserve
-  Urban Municipalities
-  River
-  Lakes
-  CRS
-  INT
-  REC
-  AP
-  AR
-  CREC
-  HC
-  IN
-  LR
-  CRE
-  UR

**Map 9**  
Hamlets of Darwell & Rich Valley

-  CRR
-  CLR
-  CL
-  MHS
-  CRX
-  HD
-  DC
-  AGF
-  AG2
-  AG1
-  CR3





Lac Ste. Anne County

Land Use Bylaw



Land Use Bylaw Classification

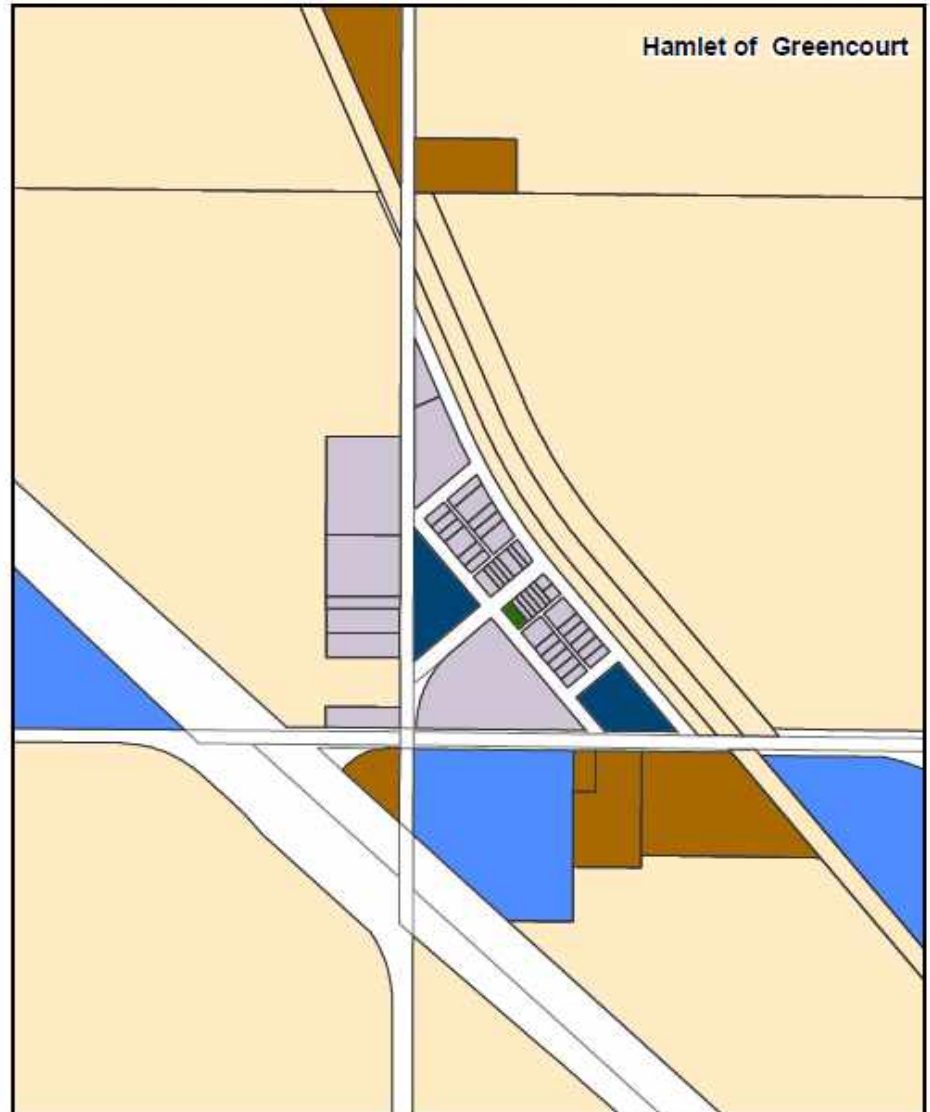
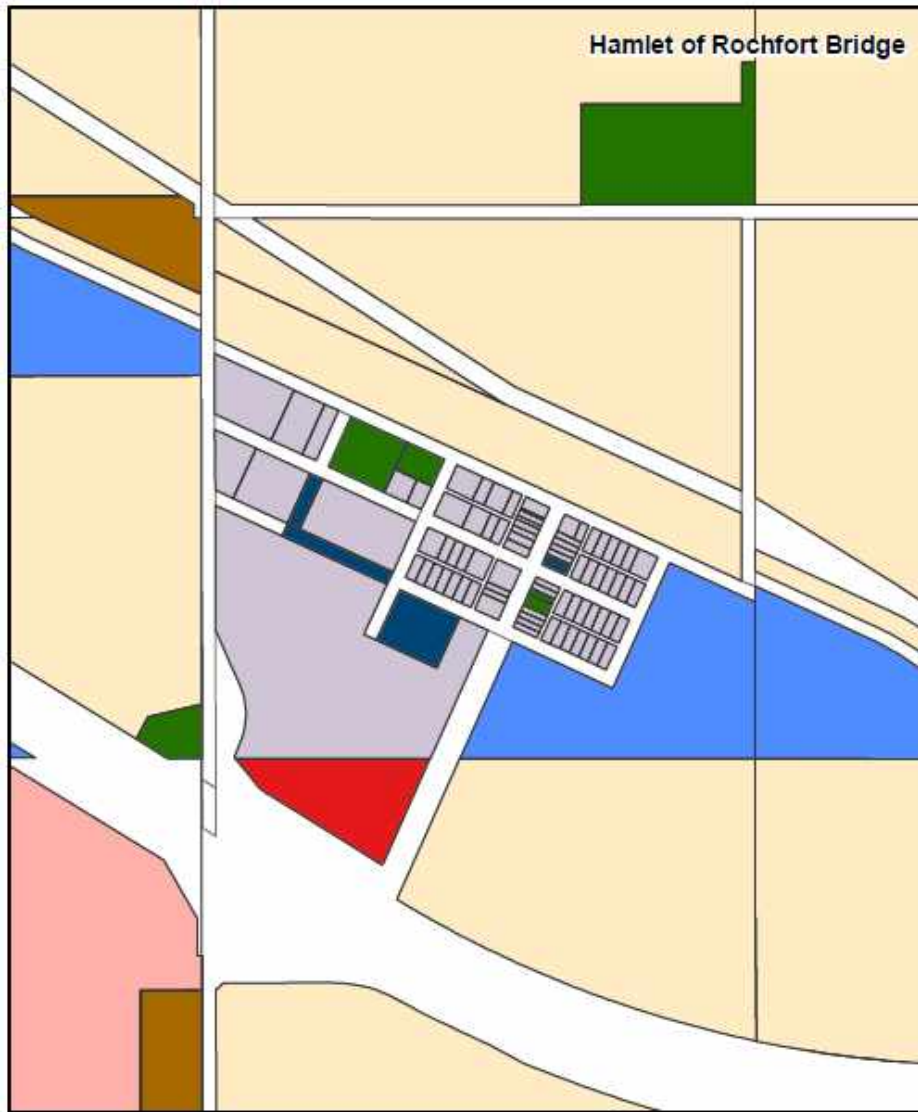
|                       |     |      |     |     |
|-----------------------|-----|------|-----|-----|
| County Boundary       | CRS | CREC | UR  | CRX |
| First Nations Reserve | INT | HC   | CRR | HD  |
| Urban Municipalities  | REC | IN   | CLR | DC  |
| River                 | AP  | LR   | CL  | AGF |
| Lakes                 | AR  | CRE  | MHS | AG2 |

**Map 10**  
Hamlets of Glenevis & Cherhill

|     |
|-----|
| AG1 |
| CR3 |







Lac Ste. Anne County  
Land Use Bylaw



LAC STE. ANNE COUNTY

Land Use Bylaw Classification

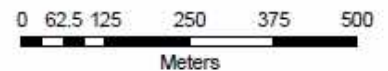
- County Boundary
- First Nations Reserve
- Urban Municipalities
- River
- Lakes
- CRS
- INT
- REC

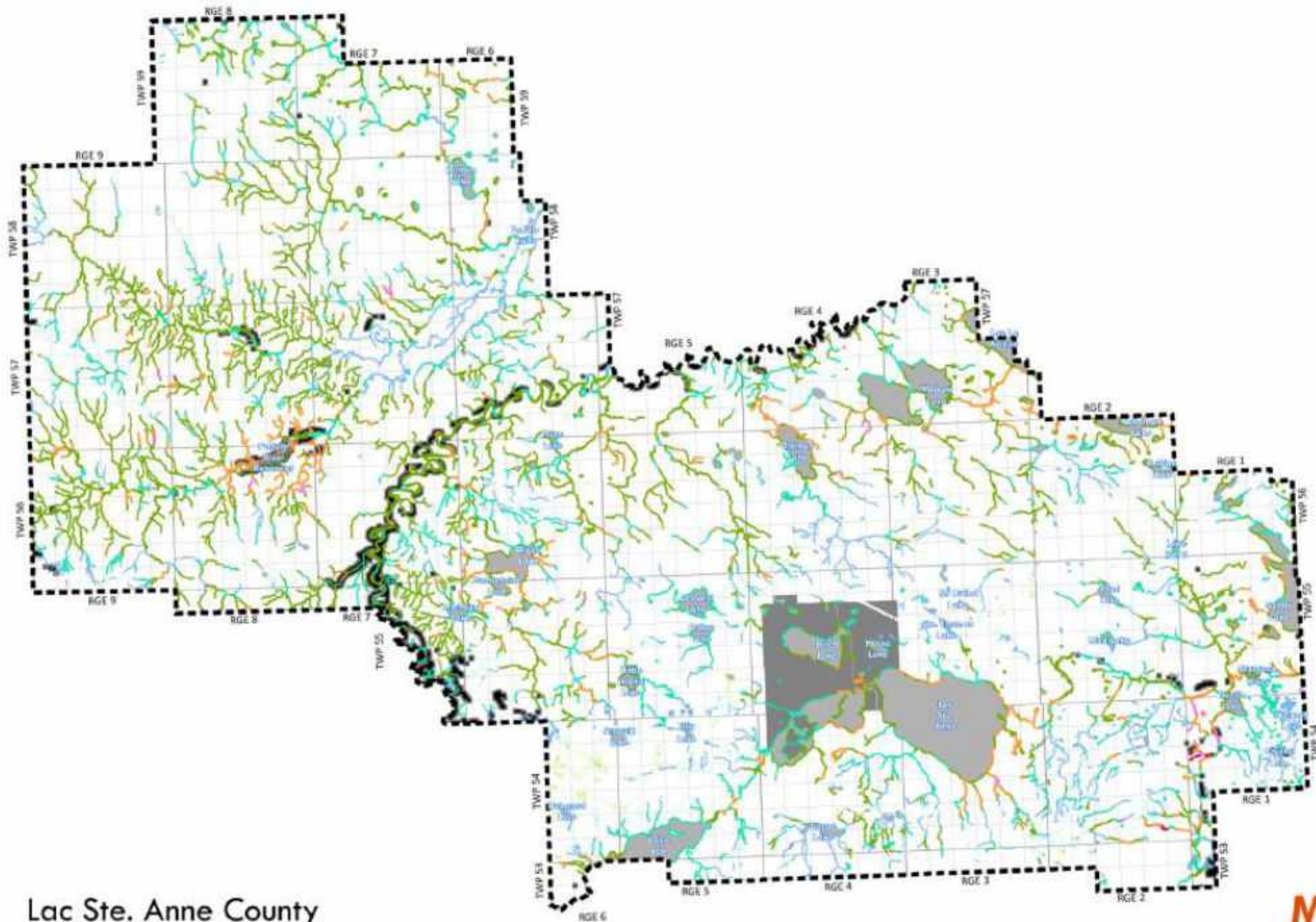
- AP
- AR
- CREC
- HC
- IN
- LR
- CRE
- UR

Hamlets of Rochfort Bridge & Greencourt

- CRR
- CLR
- CL
- MHS
- CRX
- HD
- DC
- AGF
- AG2
- AG1
- CR3

Map 11





Lac Ste. Anne County  
Land Use Bylaw



LAC STE. ANNE COUNTY

**Legend**

- County Boundary
- First Nation Reserve
- Rivers
- Lakes

**Required Setbacks (Meters)**

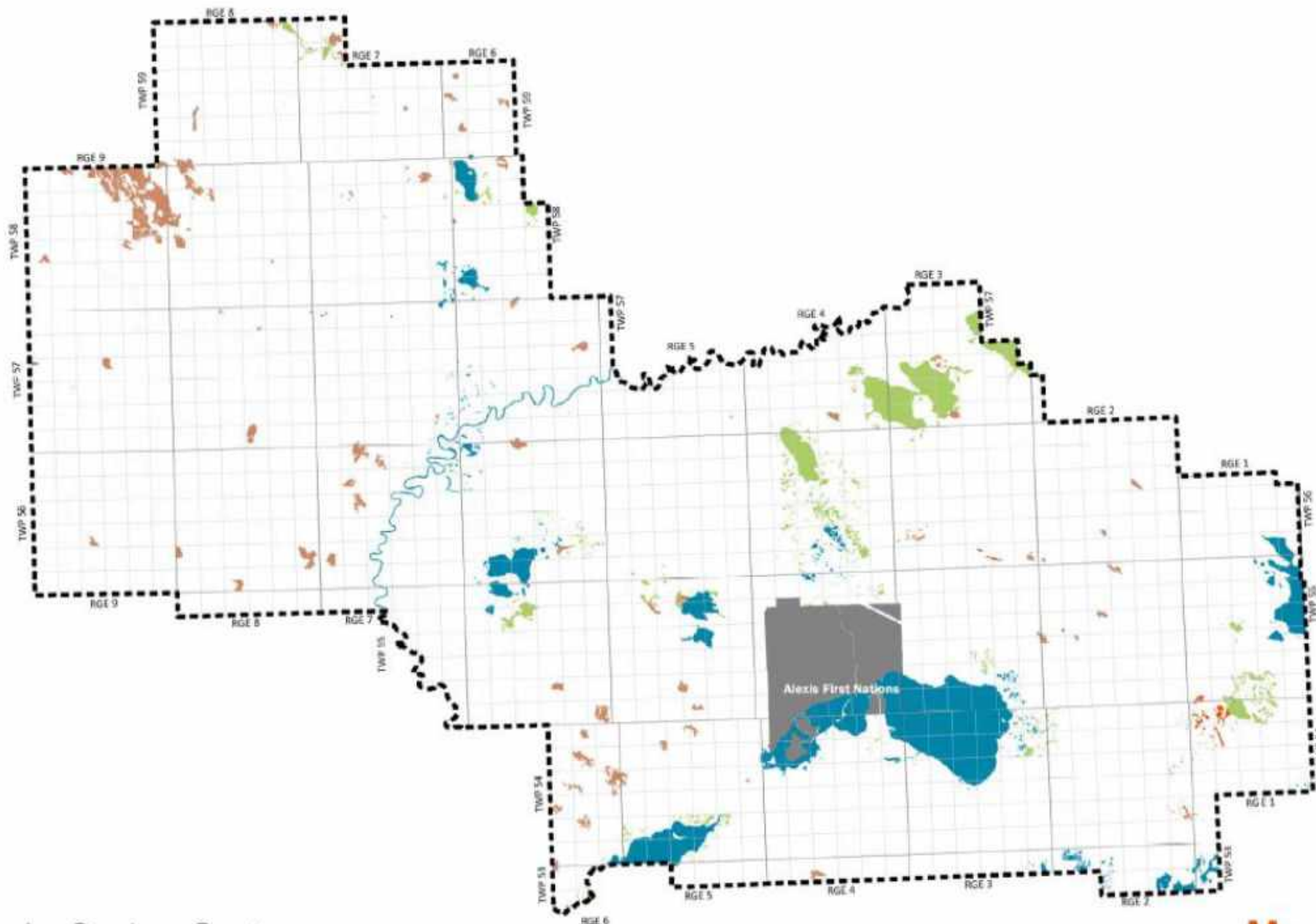
- |    |    |     |
|----|----|-----|
| 20 | 50 | 80  |
| 30 | 60 | 90  |
| 40 | 70 | 100 |

- Slope Stability Study Required

**Map 12**  
Setbacks from Key Water Bodies







Lac Ste. Anne County  
Land Use Bylaw







LAC STE. ANNE COUNTY

**Legend**

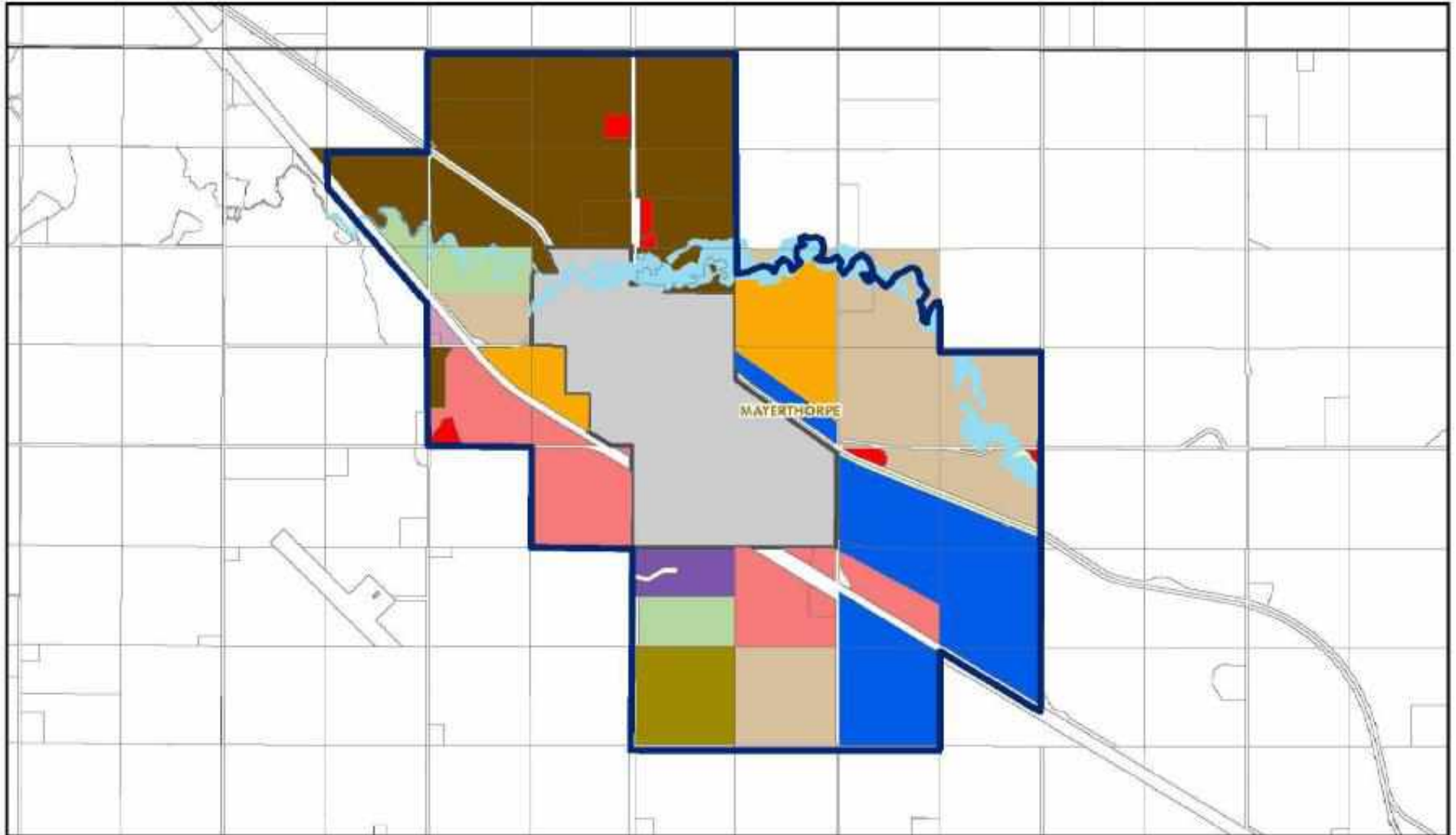
-  County Boundary
-  First Nation Reserve
-  Watercourses

**Priority Wetlands**

-  Aquatic Environmentally Significant Areas
-  Bogs and Large Fens
-  Environmentally Significant Areas
-  High Groundwater Risk

**Map 13**  
**Priority Conservation Wetlands**





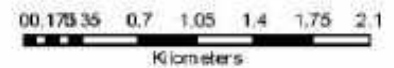
Lac Ste. Anne County  
Land Use Bylaw



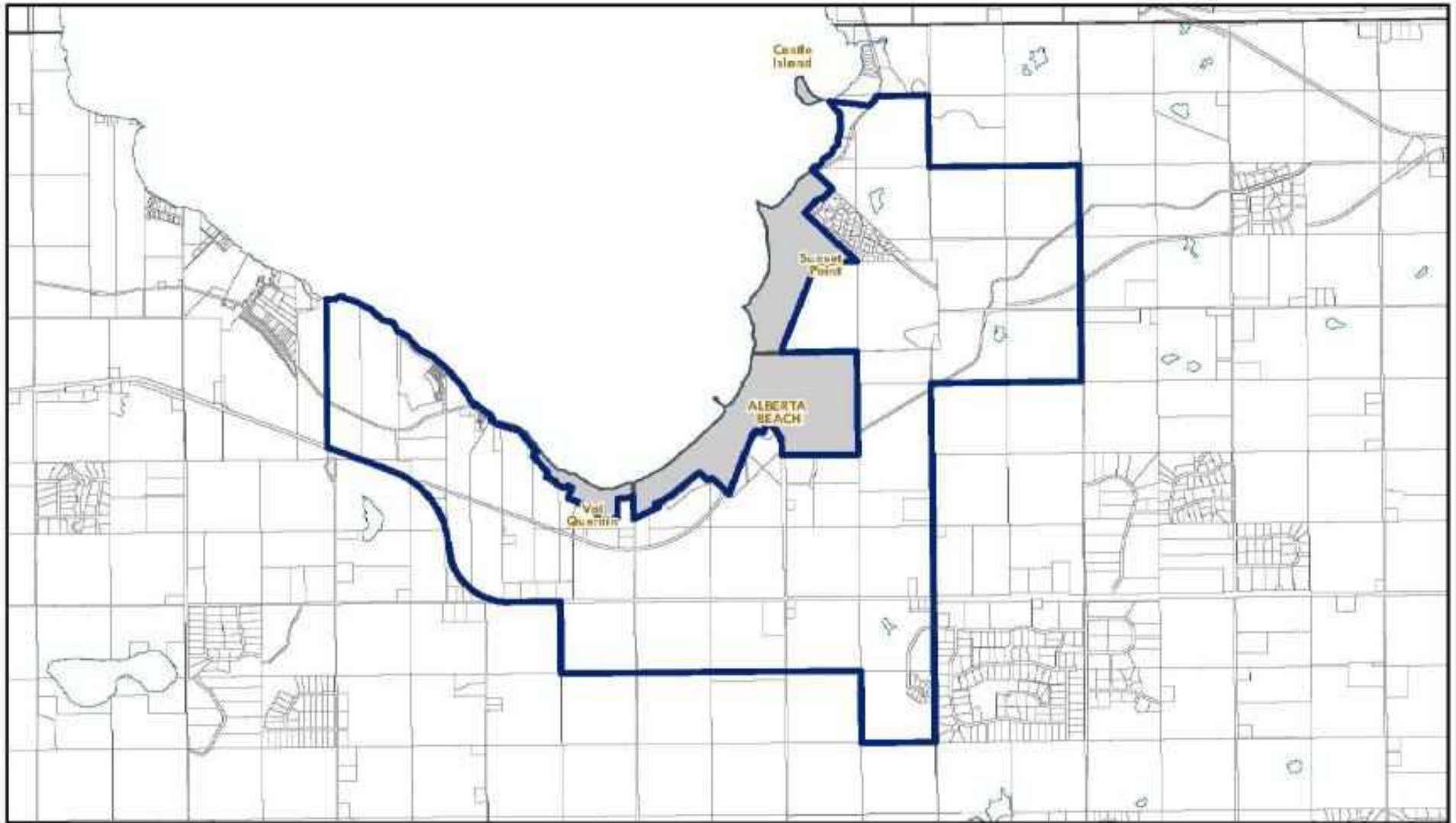
**Legend**

- |  |      |     |
|--|------|-----|
| Urban Municipalities                   | AGF  | HD  |
| Intermunicipal Fringe Overlay Boundary | CREC | IN  |
| River                                  | CRR  | INT |
| Lakes                                  | CRS  | UR  |

**Map 14**  
Intermunicipal Fringe Overlay







Lac Ste. Anne County

Land Use Bylaw



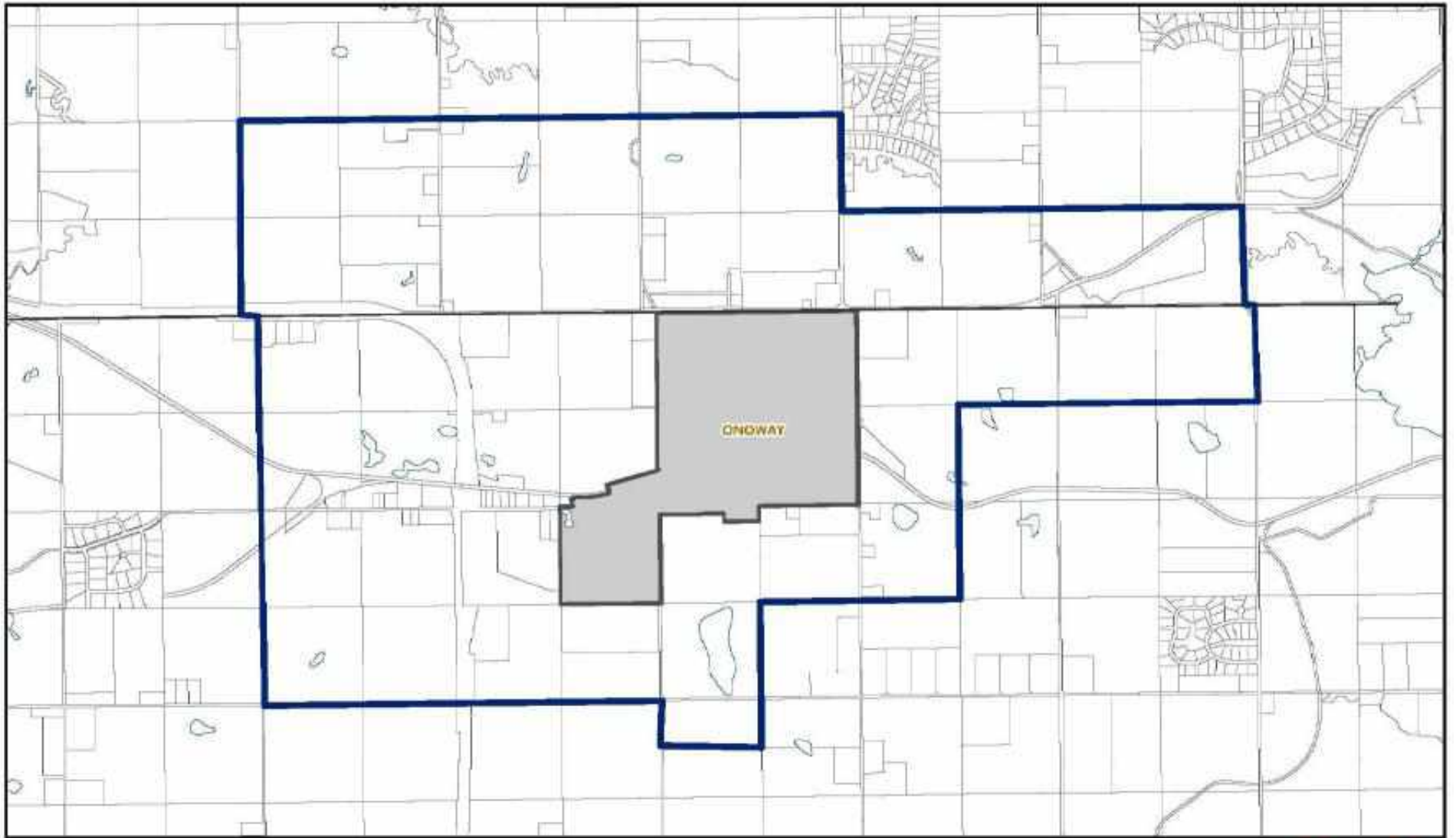
LAC STE. ANNE COUNTY

**Legend**

-  Urban Municipalities
-  Intermunicipal Fringe Overlay Boundary
-  River
-  Lakes

**Map 15**  
Intermunicipal Fringe Overlay





Lac Ste. Anne County

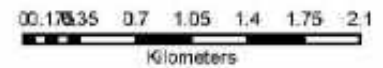
Land Use Bylaw



**Legend**

-  Urban Municipalities
-  Intermunicipal Fringe Overlay Boundary
-  River
-  Lakes

**Map 16**  
Intermunicipal Fringe Overlay

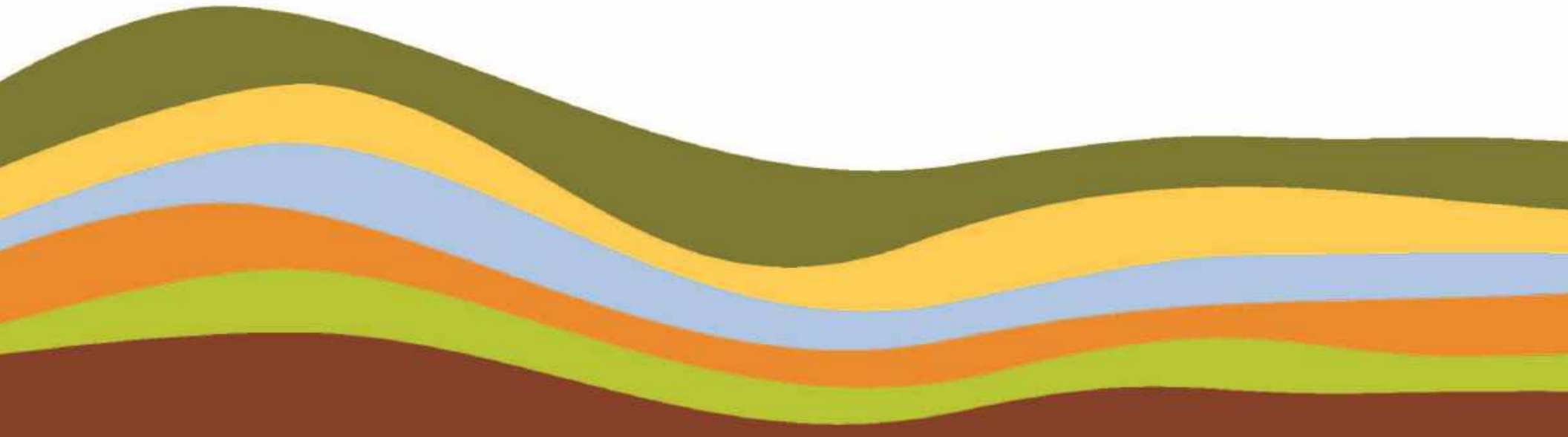


---

# Appendix A

## Direct Control Districts

---

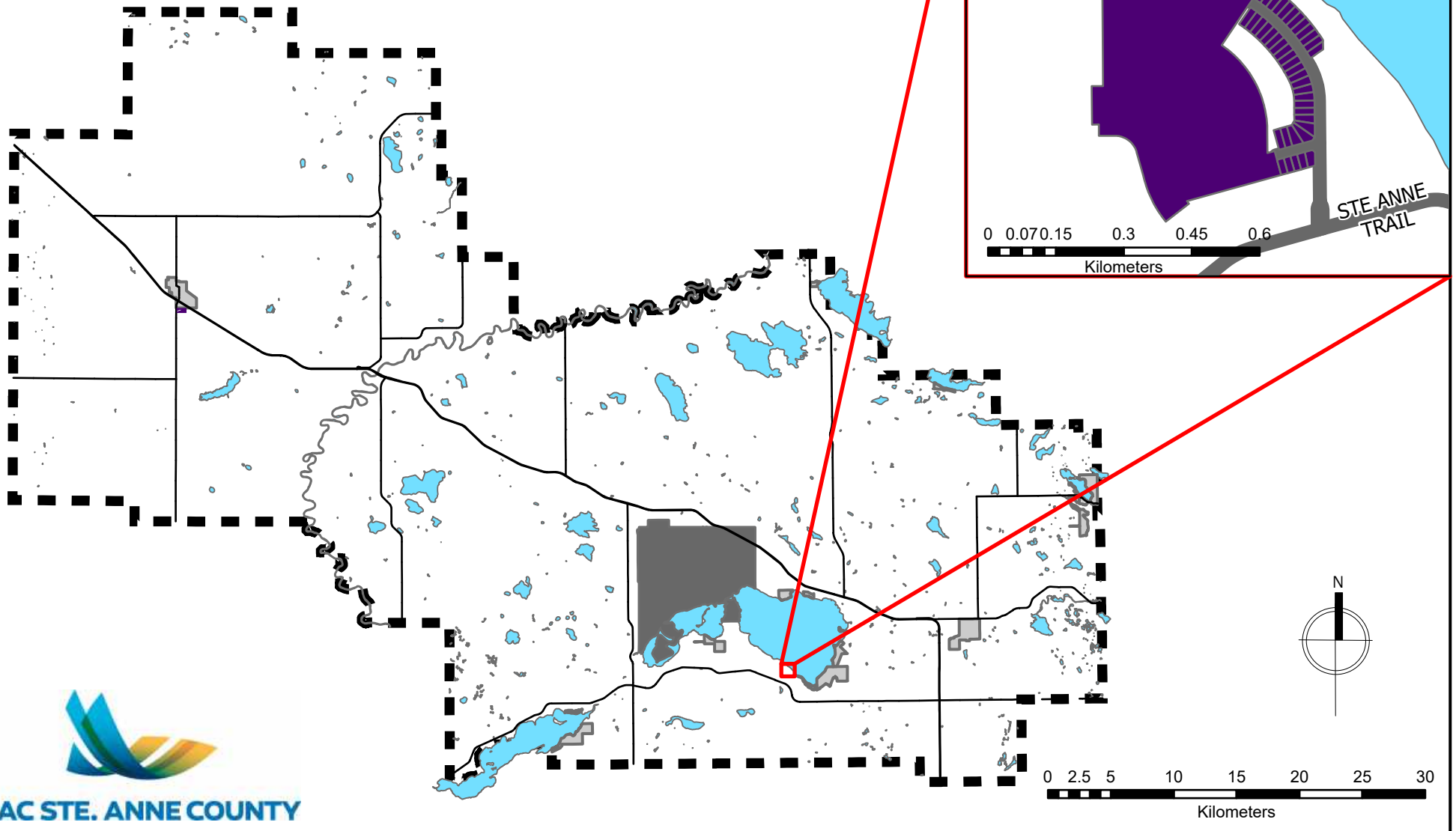


# Lac Ste. Anne County

## Land Use Bylaw

### Appendix A

#### Windmill Harbour (04-01)



LAC STE. ANNE COUNTY

## 16 DC 04-01

### Windmill Harbour

#### Purpose

This district is intended to accommodate the development of an upscale, environmentally sensitive and fully serviced bare-land condominium lake front resort community.

#### Regulations

Permitted and discretionary uses within DC 04-01 are outlined in Table 1.

Development regulations for DC 04-01 are outlined in Table 2.

Table 1: Permitted and Discretionary Uses

| Uses  | Permitted | Discretionary |
|---|-----------|---------------|
| Accessory Building or Use                                 |           | <b>D</b>      |
| Condominium Boat Launch, Pier/Wharf and Accessory Parking | <b>P</b>  |               |
| Condominium Equipment Garage and Yard                     | <b>P</b>  |               |
| Condominium Boat and RV Storage                           | <b>P</b>  |               |
| Condominium Caretakers' Residence                         | <b>P</b>  |               |
| Condominium Club House                                    | <b>P</b>  |               |
| Condominium Convenience Store                             |           | <b>D</b>      |
| Condominium Food and Beverage Service                     |           | <b>D</b>      |
| Geothermal/Wind/Solar Energy Installations                | <b>P</b>  |               |
| Home Based Business (Minor)                               |           | <b>D</b>      |
| Modular Home  | <b>P</b>  |               |
| Nature Conservation                                       | <b>P</b>  |               |
| Private Park, Playground and Open Space Including Trail   | <b>P</b>  |               |
| Public Use  |           | <b>D</b>      |
| Single Detached Dwelling                                  | <b>P</b>  |               |
| Utility Building and Operation                            | <b>P</b>  |               |
| Accessory Building or Use                                 |           | <b>D</b>      |

Table 2: Development Regulations

| Regulation   | Standard  |
|--|---|
| <b>Minimum Lot Area</b>  | 553 m <sup>2</sup> (5,737 ft <sup>2</sup> )   |
| <b>Minimum Lot Frontage</b>  | 15.25 m (50 ft) or 9.0 m (29.5 ft in cul-de-sac)  |
| <b>Minimum Lot Depth</b>   | 35m (114.8 ft) or 32m (105ft) in cul-de-sac)  |
| <b>Minimum Front Yard Setback</b>  | 7.5 m (24.6 ft)   |
| <b>Minimum Side Yard Setback</b>   | 1.5 m (4.92 ft) for principal building,<br>7.5 m (24.6 ft) for accessory building         |
| <b>Minimum Rear Yard Setback</b>   |   |
| Principal Building   | 12 m (39.4 ft) on channel and lake lots or, 7.5 m (24.6 ft) on inland lots.               |
| Accessory Building   | 7.5 m (24.6 ft) on channel and lake lots or, 0.5 m (1.6 ft) on inland lots.               |
| <b>Maximum Developed Area of a Lot</b>   | 40%   |
| <b>Minimum Dwelling Floor Area</b><br>(not including Deck, Porch, Attached Garage, etc.) | Minimum dwelling floor area not including deck, 111m <sup>2</sup> (1,195ft <sup>2</sup> ) |
| <b>Maximum Dwelling Floor Area</b><br>(Not including Deck Porch, attached Garage, etc.)  | 465m <sup>2</sup> (5,005 ft <sup>2</sup> )  |
| <b>Maximum Dwelling Height</b><br>(In the Front Row of Lots from the Lake)               | 7.5 m (24.6 ft)   |
| <b>Maximum Dwelling Height</b><br>(In the Second Row of Lots from the Lake)              | 9 m (29.5 ft)   |

16.1.1 No habitable floor or mechanical/utility room of any building shall be located below 724 metre geodetic in elevation, unless adequate water proofing in compliance with good engineering practice is provided.

16.1.2 Access to each lot shall be in accordance with Development Authority standards.

*Dwelling Density*

16.1.3 A maximum of one single detached dwelling, modular home or manufactured home may be located on a lot.

16.1.4 Temporary guest RV may be permitted as regulated by the condominium association.

*Parking and Storage*

16.1.5 Each lot shall accommodate the parking of two passenger vehicles on-site.

16.1.6 The storage of RV and/or boat on a lot other than the condominium RV and boat storage yard may be permitted, provided that the RV and/or boat belong to the lot owner and as regulated by the condominium association.

*Landscaping and Nature Conservation (excluding habitat management area)*

16.1.7 Each lot and undeveloped common land shall be landscaped with proper vegetation and tree retention for appearance and drainage purposes.

16.1.8 Fence shall not exceed 1.8 metre (5.9 feet) in height, unless for security reason a higher fence is necessary. No fence shall be located in the front yard of a lot. Only chain link fence (without inserts) shall be allowed; however, the condominium association may consider exceptional circumstance and specifically permit the installation of a fence of different construction, design and/or location.

16.1.9 Land designated as conservation area shall not be developed except for nature conservation, passive open space recreation, natural and storm water drainage, access to the lake, and geothermal, wind/solar energy installations.

#### *Utilities and Drainage*

16.1.10 Water supply and sanitary sewage disposal systems shall be provided to all lots and shall be operated by the condominium association in compliance with Provincial and County standards.

16.1.11 Where appropriate, surface storm water shall be retained, managed and released in accordance with Alberta Environment guidelines. The neighbouring land shall not be adversely affected by surface drainage from development in this district.

#### *Character and Appearance of Development*

16.1.12 The condominium association may impose additional development and architectural guidelines, which shall be consistent with the provisions of this district.

#### *Delegation of Development Authority*

16.1.13 Lac Ste. Anne Council delegates approving authority for all residential development and uses related to a residential development as described in Subsection (2) above to the Development Officer. All other development and uses shall be determined by the Municipal Planning Commission.

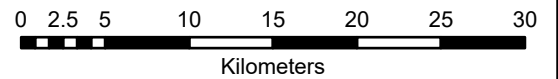
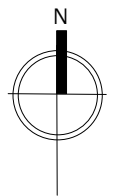
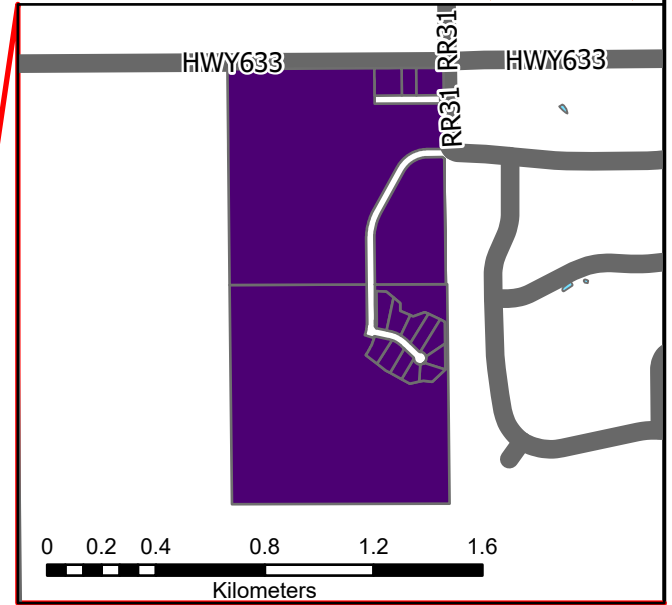
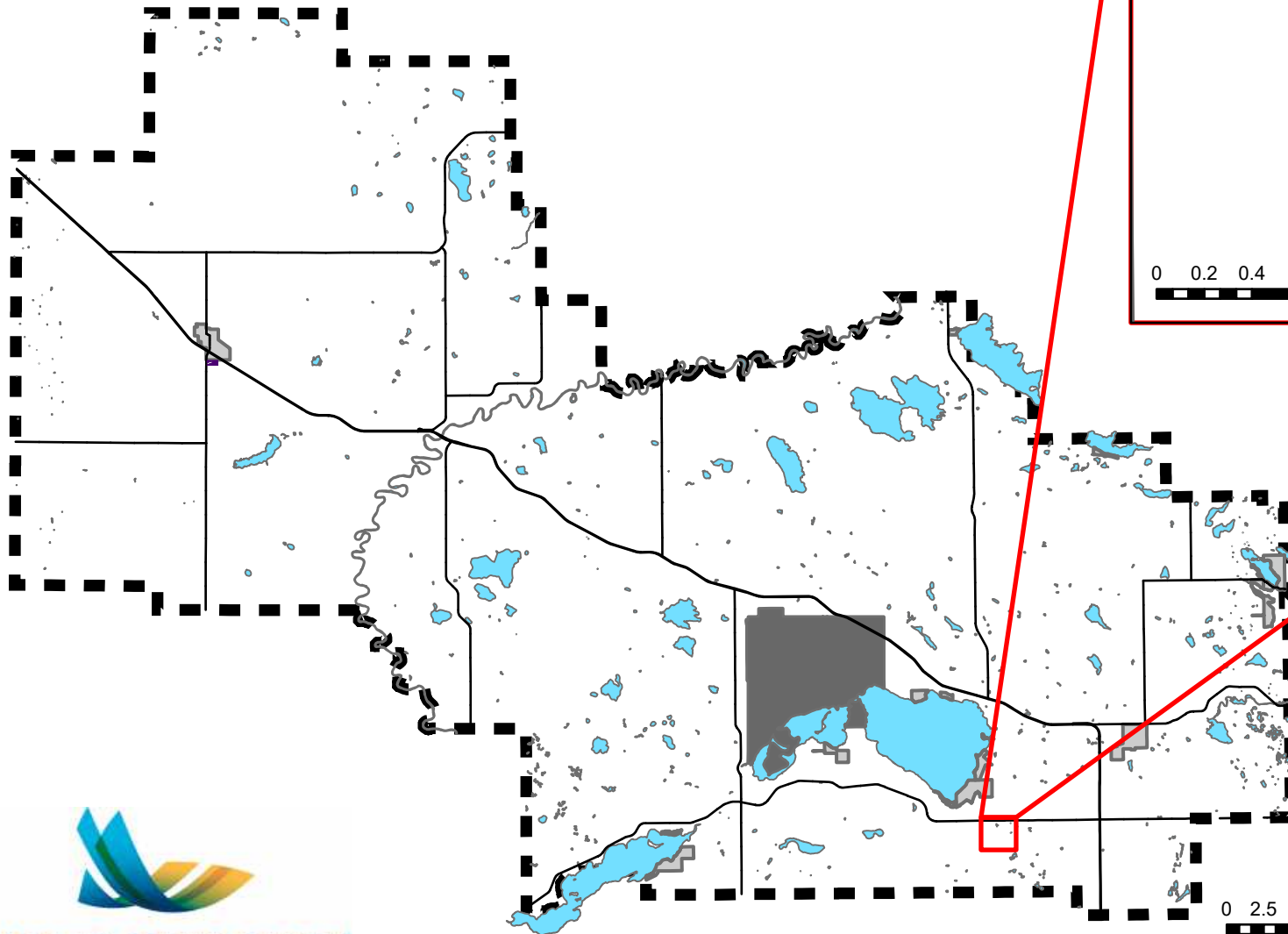
16.1.14 Development permits and stop orders are subject to the Subdivision and Development Appeal Board.

16.1.15 The area subject to this DCC is as described as that portion of River Lot 15, which lies north of Lakeshore Road in the area, known as Lac Ste. Anne Settlement.



# Lac Ste. Anne County Land Use Bylaw

## Appendix A Alberta Beach Estates (11-01)





## 17 DC 11-01

### Alberta Beach Estates

#### Purpose

This district is intended to accommodate the development of an upscale, environmentally sensitive and fully serviced bare-land condominium residential community near Alberta Beach, Alberta.

#### Regulations

Permitted and discretionary uses within DC 11-01 are outlined in Table 1.

Development regulations for DC 11-01 are outlined in Table 2.

Table 1: Permitted and Discretionary Uses

| Uses                             | Class    | Notes  |
|----------------------------------|----------|--|
| Accessory Building               | <b>P</b> | Shall not be a principal building                      |
| Accessory Use                    | <b>D</b> | Shall not be a principal use                           |
| Home Based Business (Minor)      | <b>D</b> |  |
| Multi-Unit Dwelling              | <b>P</b> | Only on Multi-unit dwelling designated condominium lot |
| Park & Playground                | <b>P</b> |  |
| Trails                           | <b>P</b> |  |
| Single Detached Dwelling         | <b>P</b> |  |
| Extensive Agriculture            | <b>P</b> | Prior to conversion to non-agricultural use            |
| Keeping of Animals               | <b>P</b> |  |
| Public Use                       | <b>D</b> |  |
| Supportive Living                | <b>D</b> |  |
| Independent Adult Living         | <b>D</b> |  |
| Affordable Housing               | <b>D</b> |  |
| Intensive Recreation             | <b>D</b> |  |
| Common Services Building         | <b>D</b> | Within a bare-land condominium                         |
| Recreational Vehicle             | <b>D</b> |  |
| Condominium Maintenance Building | <b>D</b> | Within a bare-land condominium                         |

Table 2: Development Regulations

| Regulation   | Standard  |
|--|---|
| <b>Minimum Lot/Unit Dwelling Area</b>  |   |
| <b>Frontage:</b>   |   |
| Single Detached Dwelling   | 30 m (98.4 ft.)   |
| Affordable Living  | 20 m (65.6 ft.)   |
| Independent Adult  | 20 m (65.6 ft.)   |
| Supportive Living  | 15 m (49.2 ft.)   |
| <b>Minimum Lot Depth</b>   | 45 m (147.6 ft)   |
| <b>Minimum Front Yard Setback</b>  | 7.5 m (24.6 ft)   |
| <b>Minimum Side Yard Setback</b>   | 1.5 m (4.92 ft) for principal building,<br>7.5 m (24.6 ft) for accessory building |
| <b>Minimum Rear Yard Setback</b>   | 15 m (49.2 ft) for principal building,<br>7.5 m (24.6 ft) for accessory building  |
| <b>Maximum Developed Area of a Lot</b>   |   |
| Single Detached  | 40%   |
| Affordable Living  | 67% (2:1)   |
| Independent Adult  | 67% (2:1)   |
| Supportive Living  | 75% (3:1)   |
|  | Subject to Subsection 1.1.6   |
| <b>Minimum Dwelling Floor Area</b><br>(Not including deck, porch, attached garage, etc): |   |
| Single Detached  | 111 m <sup>2</sup> (1,195 ft <sup>2</sup> )                                       |
| Affordable Living  | 74.3 m <sup>2</sup> (800 ft <sup>2</sup> )  |
| Independent Adult  | 74.3 m <sup>2</sup> (800 ft <sup>2</sup> )  |
| Supportive Living  | 56 m <sup>2</sup> (602.7 ft <sup>2</sup> )  |

## Additional Regulations

### Land Use Plan Compliance:

- 17.1.1 All development within this District shall comply with the policy directions provided within the Alberta Beach Estates Area Structure Plan. Where a standard within a Statutory Plan conflicts with this Bylaw, the more restrictive requirement shall be applied.
- 17.1.2 Setbacks are measured as the distance from the building foundation to the property line.
- 17.1.3 Access to each lot shall be in accordance with Development Authority standards.

### Dwelling Density

- 17.1.4 Dwelling density per lot or condominium unit are in accordance with the Alberta Beach Area Structure Plan requirements.
- 17.1.5 Temporary guest RV may be permitted as regulated by the condominium association and in accordance with the Lac Ste. Anne County Parking Bylaw.

### Site Coverage

- 17.1.6 Where the lot solely contains an individual home and private amenity space site coverage standards described in Table 2 shall apply. Where multiple homes are on a single lot/unit the open/space to development ratio and housing density limit shall prevail.

### Parking and Storage

- 17.1.7 Each lot/unit other than supportive living shall accommodate the parking of two passenger vehicles on-site.

17.1.8 The storage of RV and/or boat on a lot other than the condominium RV and boat storage yard may be permitted, provided that the RV and/or boat belong to the lot owner and as regulated by the condominium association.

#### *Landscaping and Nature Conservation*

17.1.9 Each lot and undeveloped common land shall be landscaped with proper vegetation and tree retention for appearance and drainage purposes.

17.1.10 Fence shall not exceed 1.8 metres (5.9 feet) in height, unless for security reason a higher fence is necessary. No fence shall be located in the front yard of a lot. Only chain link fence (without inserts) shall be allowed; however, the condominium association may consider exceptional circumstance and specifically permit the installation of a fence of different construction, design and/or location.

17.1.11 A landscaping plan and vegetative plan shall be submitted for approval in a form acceptable to Lac Ste. Anne County prior to the development of any lot within Alberta Beach Estates. Development may commence at the discretion of the approving authority provided adequate security is provided to the County.

17.1.12 Trails shall be developed in accordance with County Standards. Trails within the Supportive Living and Independent Adult area must be hard-surfaced.

17.1.13 Land designated as conservation area shall not be developed except for nature conservation, passive open space recreation, natural and storm water drainage, access to the lake, and geothermal/wind/solar energy installations.

#### *Supportive Living Standards*

17.1.14 The Condominium Association must maintain an operating license under the Supportive Living Accommodation and Licensing Act and all applicable standards of the Lac Ste. Anne County Land Use Bylaw as a condition of Development Permit Approval.

#### *Affordable Housing Standards*

17.1.15 The Condominium Association must conform with all applicable standards of the Lac Ste. Anne County Land Use Bylaw as a condition of Development Permit Approval

#### *Independent Adult Standards*

17.1.16 The Condominium Association must conform with all applicable standards of the Lac Ste. Anne County Land Use Bylaw as a condition of Development Permit Approval.

#### *Subdivision Applications*

17.1.17 No subdivision application shall be considered unless a satisfactory amendment has been made to the Alberta Beach Estates Area Structure Plan unless the purpose of the subdivision is to allow for a public work such as a fire department work, water or sewer utility lot or similar work.

#### *Utilities and Drainage*

17.1.18 Water supply and sanitary sewage disposal systems shall be provided to all lots and shall be operated by the condominium association in compliance with Provincial and County standards.

17.1.19 Where appropriate, surface storm water shall be retained, managed and released in accordance with Alberta Environment guidelines. The neighbouring land shall not be adversely affected by surface drainage from development in this district.

*Character and Appearance Authority*

17.1.20 The condominium association may impose additional development and architectural guidelines which shall be consistent with the provisions of this district.

*Delegation of Development Authority*

17.1.21 Lac Ste. Anne Council delegates approving authority for all residential development and uses related to a residential development to the Development Officer. All other development and uses shall be determined by the Municipal Planning Commission.

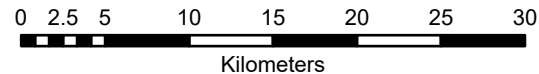
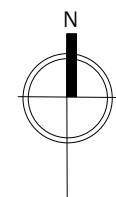
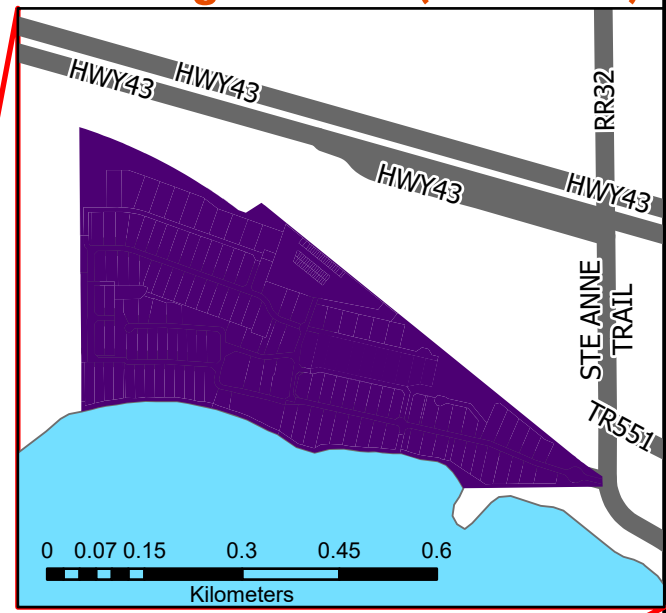
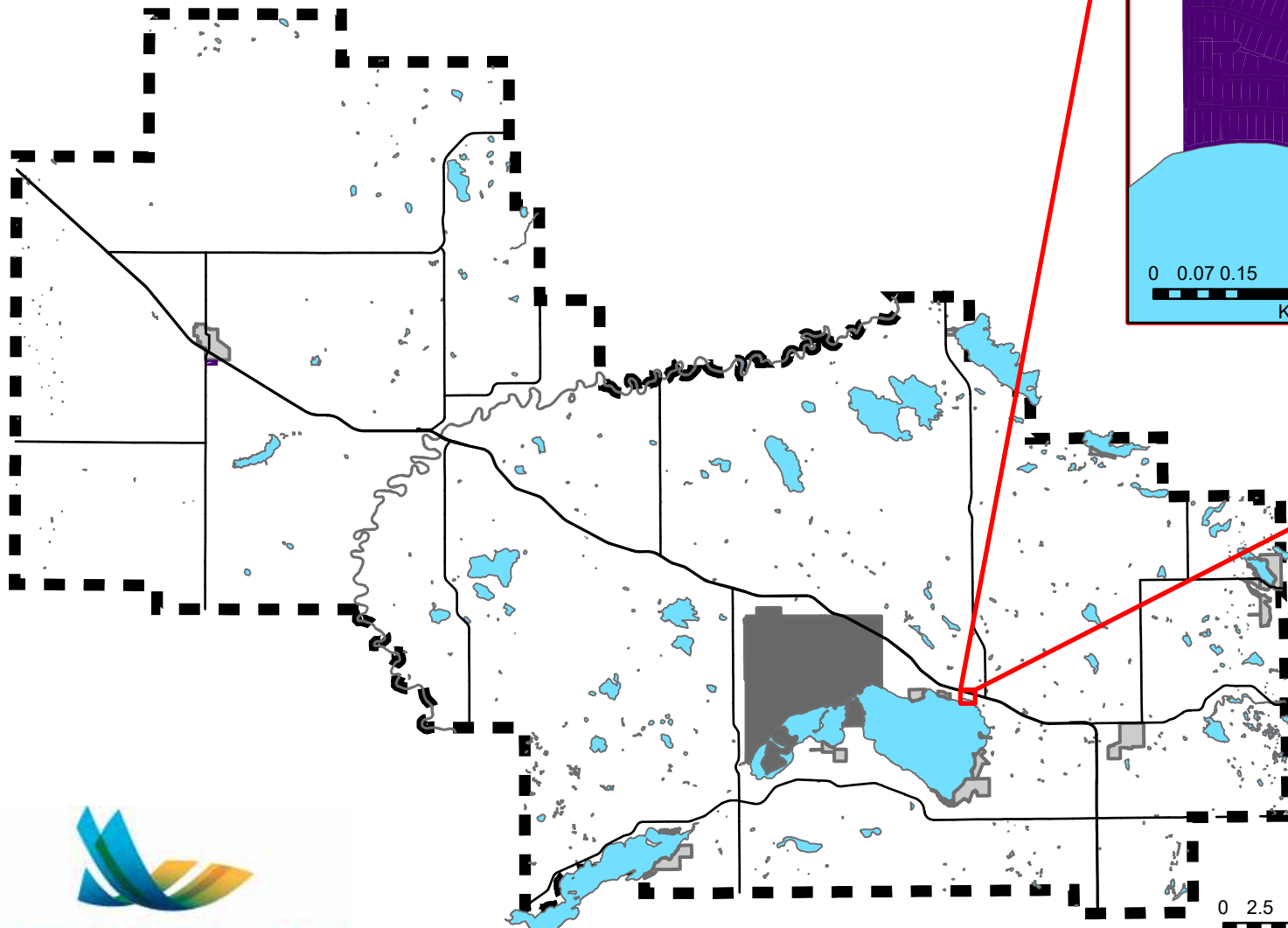
17.1.22 Development permits and stop orders are subject to the Subdivision and Development Appeal Board.

*Development Permit Authorization*

17.1.23 All development permit applications within a condominium area shall require the approval of the applicable condominium association where one exists in order to be considered in complete form and be processed by the Development Authority.

# Lac Ste. Anne County Land Use Bylaw

## Appendix A Water's Edge Resort (DC14-01)



## 18 DC 14-01

### Waters Edge Resort

#### Purpose

The purpose of this District is to accommodate the development of an adult and family oriented Bare Land Condominium Subdivision which will provide a wide selection of lot sizes, common property for access, park area and lakefront access, and a picturesque view of Lac Ste. Anne under Bare Land Condominium Ownership.



#### Regulations

Permitted and Discretionary uses within DC 14-01 are outlined in Table 1.

Development Regulations for DC 14-01 are outlined in Table 2.

Table 1: Permitted and Discretionary Uses

| Uses  | Permitted | Discretionary |
|---|-----------|---------------|
| Accessory Building or Use                   | <b>P</b>  |               |
| Communication Tower                         |           | <b>D</b>      |
| Garage                                      | <b>P</b>  |               |
| Guest House                                 |           | <b>D</b>      |
| Home Based Business (minor)                 | <b>P</b>  |               |
| Marina or Boat Rental Facility              | <b>P</b>  |               |
| Modular Dwelling                            | <b>P</b>  |               |
| Park, playground and open space inc. trails | <b>P</b>  |               |
| Retail Store                                |           | <b>D</b>      |
| Single Detached Dwelling/Modular Home       | <b>P</b>  |               |
| Storage Yard                                | <b>P</b>  |               |

Table 2: Development Regulations

| Regulation      | Standard  |
|-----------------|---|
| Parcel Areas    | Area "A" Lots Min 929.0 m <sup>2</sup> (10,000.0 ft <sup>2</sup> )<br>Other Lot Min: 696.75 m <sup>2</sup> (7500.0 ft <sup>2</sup> )      |
| Density         | Max. 1 dwelling per parcel*<br><br>*More than 1 dwelling may be permitted subject to the conditions set out in Section 10.2 of this Bylaw |
| Floor Area      | Min: 55.7 m <sup>2</sup> (640 ft <sup>2</sup> )   |
| Dwelling Height | Area "B" Lots: 1 storey<br>Other: 1.5 to 2.0 storey   |
| Min. Setbacks   | Rear: 6.0 m (19.7 ft)<br>Side: 2.43 m (8 ft)<br>Front: 9.0 m (30 ft)<br>Lake View (Front Yard): 9.0 m (30 ft)<br>Lane Way: 6.0m (19.7ft)  |
| Min Lot Width   | Area "A" Lots: 18.28 m (60.0 ft)<br>Other: 15.24 m (50.0 ft)  |
| Min Lot Depth   | 45.75 m (150.0 ft)  |
| Lot Coverage    | Maximum 40%   |
| Parking         | Min 2 passenger vehicles per parcel   |

### Additional Regulations

- 18.1.1 In addition to the regulations listed above, other regulations in this bylaw also apply. These include:
- General Development Regulations of Sections 10;
  - Specific Use Regulations of Section 11;
  - Parking and Loading Standards of Section 12;
  - Landscaping Standards of Section 14; and
  - Sign Regulations of Section 14.
- 18.1.2 Setbacks are measured as the distance from the building foundation to the property line.
- 18.1.3 A maximum raised deck of 408.0 ft<sup>2</sup> (37.9<sup>2</sup>) shall be allowed per lot. Decks that are not 600.0 millimetres (2.0 feet) above grade shall not require a Building Permit. Decks that are above 600.0 millimetres (2.0 feet) shall require a Building Permit and Development Permit.
- 18.1.4 A maximum of seventy-nine (79) residential parcels to be developed within Bare Land Condominium Plan No 072-6914, Unit 1.
- 18.1.5 A maximum of fifty-four (54) residential parcels to be developed within Bare Land Condominium Plan No. 072-6942, Unit 2.
- 18.1.6 A retail store shall only be developed within Bare Land Condominium Plan No. 072-6942, Unit 2.
- 18.1.7 A maximum of one (1) storage shed shall be allowed per lot, only if storage is not part of the garage or car port. Maximum size is 3.0 metres (10.0 feet) x 3.0 metres (10.0 feet) x 2.13 metres (7.0 feet).

18.1.8 Uncovered Entrance Porches and Steps can be located in Side yards to a maximum of 2.70 metres (9.0 feet.) in width.

18.1.9 All finishes of dwelling/modular home, attached/detached garage or car port, guest house, or shed shall be compatible finishes, colour coordinated and follow the Architectural Guidelines and Controls of the Bare Land Condominium Association.

18.1.10 The improvements on each lot shall follow the Architectural Controls and Landscape Standards of the Bare Land Condominium Association and have the approval of the Association. Homes with less than the standard roof pitch may be allowed subject to obtaining engineering approval in accordance with the standards of *the Safety Codes Act*.

18.1.11 Each side yard shall be landscaped with shrubs and trees to provide natural vegetation screening between lots and follow the Landscape Controls and Guidelines of the Bare Land Condominium Association.

18.1.12 A fence shall not exceed 1.80 metre (5.90 feet) in height and shall require the approval of the Bare Land Condominium Association.

18.1.13 The keeping of animals is limited to a maximum of two (2) domestic pets.

18.1.14 No residential lot may be re-subdivided to create a larger number of residential lots in this District without a formal bylaw amendment of this District and the applicable Area Structure Plan.

18.1.15 All development permit applications shall have the written approval of Waters Edge Resort Bareland Condominium Association prior to submission to Lac Ste. Anne County.

18.1.16 Lac Ste. Anne County Council delegates the approving authority for all residential development and uses related to a residential development as described in this District to the Development Officer. All other development and uses shall be determined by the Municipal Planning Commission.

18.1.17 Development decisions and stop orders are eligible for appeal to the Subdivision and Development Appeal Board pursuant to Sections 685 and 645 of *the Municipal Government Act*.

18.1.18 A landscaped buffer within each side yard shall be a minimum of 0.90 metres (3.0 feet) in width.

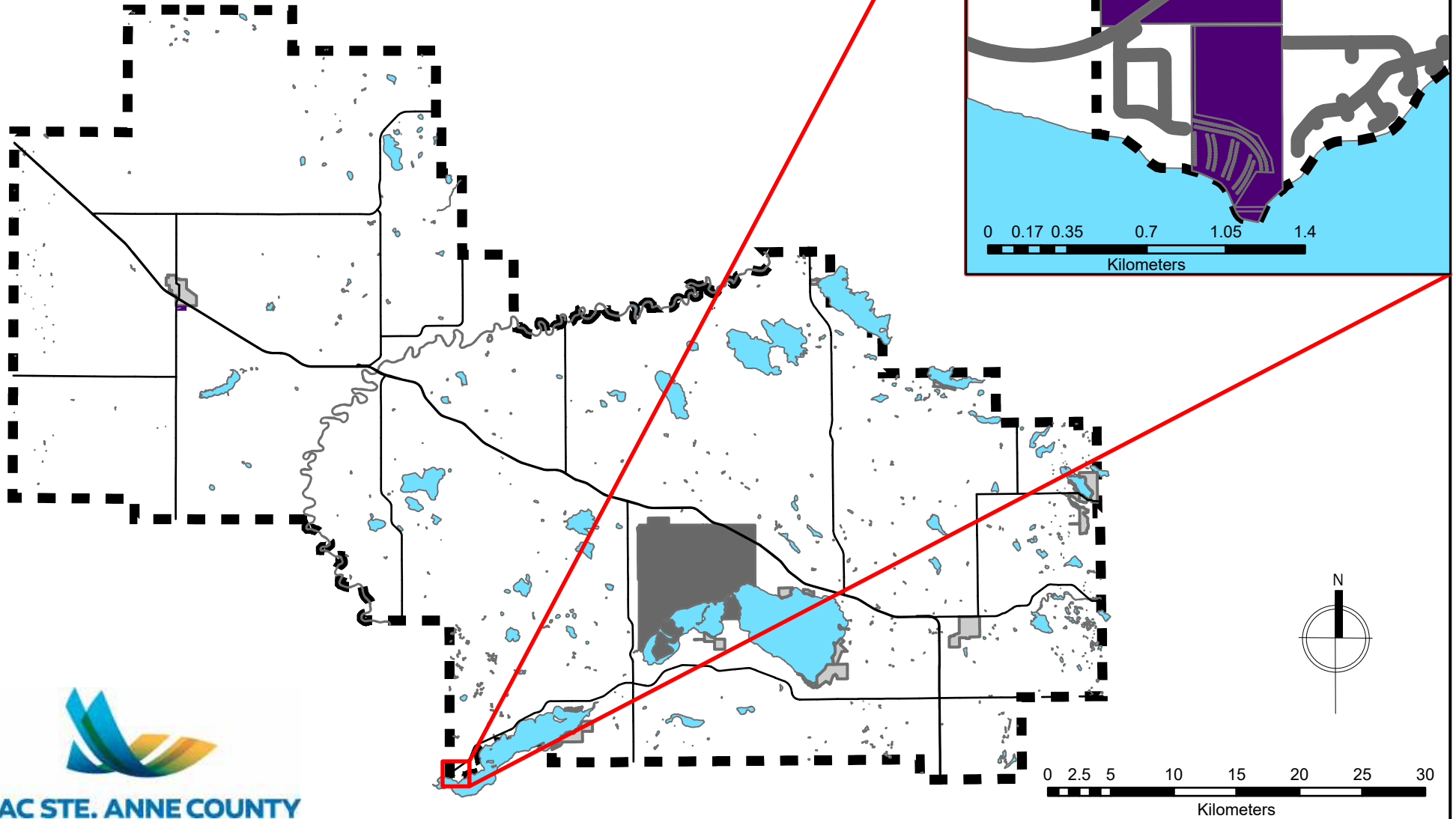
18.1.19 The areas subject to this DCC are located within S.E. 10-55-03-W5M, including all lots located within the following plans:

- 082 5408;
- 092 7772;
- 112 3180;
- 132 0402;
- 132 2310;
- 142 0650;
- 142 2592;
- 142 2595; and
- 142 2802.



# Lac Ste. Anne County Land Use Bylaw

## Appendix A Camp Koinonia (DC15-01)



## 19 DC 15-01

### Lutheran Camp Koinonia



#### Purpose

The purpose of this District is solely to accommodate the existing Camp Koinonia, which is owned and operated by the Lutheran Camp Association on the shores of Lake Isle. The Lutheran Camp Association is a registered non-profit Alberta Society incorporated in 1960 that has developed and operated Camp Koinonia since 1961 as a family oriented recreational retreat for the benefit of the Association's members, the greater Lutheran Church, and the general public. The camp is made up of 155 lots, 20 seasonal lots, and 17 campsites as outlined in Figure 19.1.

In addition to having common recreational, community and worship facilities, individual members license unsubdivided lots or seasonal lots of varying size designated and governed by the Lutheran Camp Association to park recreational vehicles or, in the case of lots, to locate cabins, for seasonal recreational living. Campsites for tents and recreational vehicles, for use by the public and by members and their guests, are also available. Camp Koinonia includes typical amenities for a lakeside campground and the amenities such as a seniors' centre, pavilion and outdoor chapel associated with a Bible Camp.

It is the purpose of the Lutheran Camp Association to provide a recreational facility within a Christian setting where individuals and groups may participate in programs and activities that will enhance their spiritual growth and strengthen their Christian faith.

#### Regulations

- 19.1.1 Permitted and Discretionary uses within DC 15-01 are outlined in Table 1.
- 19.1.2 Development Regulations for DC 15-01 are outlined in Table 2.
- 19.1.3 The existing camp, buildings, amenities and structures located within the area of this DC 15-01 District as of the adoption date of this Bylaw shall be considered to be permitted and conforming uses for the purposes of this Bylaw.

## Use Definitions

19.1.4 For the purposes of this DC 15-01 District only, the following use definitions shall be used for the remainder of this Section:

- a) “Accessory Building” means a building separate and subordinate to the principal building (including such a building on a Lot or a Seasonal Lot), the use of which is incidental to that of the principal building and is located on the same Parcel (or Lot or Seasonal Lot), but does not include a building or Structure used for human habitation.
- b) “Accessory Use” means the use of a building or land that is incidental to and subordinate to the principal use of the site on which it is located.
- c) “Bible Camp” means a camp for use by a religious organization that includes a recreational component not limited to outdoor sports, camping, water sports, and their associated facilities.
- d) “Cabin” means a self contained building with provisions for sleeping and may include cooking and toilet facilities. A Cabin shall not have a habitable basement and shall not be occupied for more than 240 days in one (1) year.
- e) “Campground” means areas of Lots, Seasonal Lots and Campsites within a Parcel which have been planned and improved (including tree clearing, roadways and utility servicing) to be used and maintained for a seasonal short-term period where the maximum occupancy shall not exceed 240 days in one (1) year. Only areas designated as Lots may include Cabins, Mobile Homes or Modular Homes. Related facilities that are accessory to and support the Campground such as an administrative Office, laundromat, picnic grounds, playgrounds, washrooms, shower house, community centres, Caretaker Residence, storage and boating facilities may be included on-site.
- f) “Caretaker Residence” means a Dwelling Unit that is secondary or ancillary to the other uses on the Parcel, and is used year-round for the purpose of providing living accommodation for the individual and their family who is primarily responsible for the maintenance and security of the Parcel. A Caretaker Residence may be a Mobile Home, Modular Home or Single Detached Dwelling and shall not be located on a Lot, a Seasonal Lot or a Campsite.

- g) “Communication Tower” means an accessory structure, either freestanding or attached to a building, the purpose of which is to support a telecommunications antenna for the transmitting or receiving of television, radio, and internet or telephone communications. For the purposes of this DC 15-01 District, a Communication Tower does include a structure or use that requires approval from Industry Canada.
- h) “Extensive Recreation” means a recreational development where the use requires large tracts of land for non-facility recreational activities such as hunting, trail riding, all-terrain vehicle trails, beach areas, picnic grounds and hiking.
- i) “Garage” means an Accessory Building or part of the principal building designed and used primarily for storage of noncommercial motor vehicles and other equipment and includes a carport.
- j) “Intensive Recreation” means high density recreational activities such as fishing lodges, a boat rental facility, riding stables, sports fields with amenities, curling rinks, arenas, skating rinks, outdoor swimming pools, golf courses, recreational resorts and bowling alleys.
- k) “Lagoon / Treatment Plant” means a private Lagoon and/or waste water treatment facility which is owned by the Lutheran Camp Association.
- l) “Mobile Home” means a dwelling unit which is constructed with a heavy transport chassis that allows for the permanent or temporary attachment of a hitch and wheel assembly to enable the relocation of the dwelling. A Mobile Home located on a Lot shall not have a habitable basement and shall not be occupied for more than 240 days in one (1) year. A Mobile Home may be a single structure (single-wide) or two (2) parts which when put together (double-wide) comprise a complete dwelling and will have the following features:
  - i) Minimum roof pitch of 5.0 centimeter (1.97 inches) of vertical rise for every 30.0 cm (11.81 inches);
  - ii) Minimum overhang of 15.24 cm (6.0 inches);
  - iii) Minimum length to width ration of 3:1; and
  - iv) Be no older than twenty (20) years at the time of development application.

- m) “Modular Home” means a finished section(s) of a complete dwelling built in a factory for transport to the site for installation. Finished means fully enclosed on the exterior and interior but need not include interior painting, taping, and installation of cabinets, floor covering, fixtures, heating system, and exterior finishes in accordance with the Alberta building Code. A Modular Home located on a Lot shall not have a habitable basement and shall not be occupied for more than 240 days in one (1) year. A Modular Home will be considered to be a Mobile Home unless:
  - i) It is fixed to a permanent foundation as per Alberta Building Code and is designed for the permanent sitting in that location as with a dwelling unit; and
  - ii) Contains architectural façade articulation, recesses, projections, an entrance features and/or variances in the roof line.
- n) “Place of Worship” means a building or outdoor area where people regularly assemble for worship and related religious, philanthropic or social activities that is maintained and controlled for private or public worship. Typical uses include churches, chapels, mosques, temples, synagogues, convents, monasteries, halls and pavilions. It also includes accessory manses or rectories.
- o) “Recreational Facility” means any building, structure or equipment for either active or passive recreation, excluding washroom and changing facilities.
- p) “Recreational Vehicle (RV) Storage” means land used or intended to be used for the storage of Recreational Vehicles.
- q) “Single Detached Dwelling” means a complete building or self-contained portion of a building for the use of one (1) or more individuals living as a single housekeeping unit with associated facilities and intended as a permanent residence not separated from direct access to the outside by another separate or self-contained portion of a building which may include an on-site stick built or Modular Home with a length to width ratio of 3:1 or less.
- r) “Temporary Storage” means Outdoor Storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land.

## General Definitions

19.1.5 For the purposes of this DC 15-01 District only, the following general definitions shall be used for the remainder of this Section:

- a) "Campsite" means an area within the Parcel designated by the Lutheran Camp Association Board for the Campground use for use by the public or by members of the Lutheran Camp Association (society) or their guests for overnight camping using Recreational Vehicles and/or tents. No Cabins, Mobile Homes, Modular Homes or Single Detached Dwellings are permitted on a Campsite.
- b) "Lot" means an area within the Parcel designated by the Lutheran Camp Association Board for the Campground use and licensed for use to a member of the Lutheran Camp Association (society) for that member's use and occupancy.
- c) "Recreational Vehicle" means tent trailers, holiday trailers, campers, motor homes and similar vehicles which contain provisions for indoor sleeping and may also contain cooking and toilet facilities. Recreational Vehicles have a transport chassis that allows for the permanent attachment of a hitch to tow them or a motor to propel them, and have a wheel assembly and other properties which enable their legal movement on public highways.
- d) "Seasonal Lot" means an area within the Parcel designated by the Lutheran Camp Association Board for the Campground use and licensed for use on an annual basis to a member of the Lutheran Camp Association (society) for that member's use. No Cabins, Mobile Homes, Modular Homes or Single Detached Dwellings are permitted on a Seasonal Lot.
- e) "Structure" means a Cabin, Mobile Home, Modular Home or Recreational Vehicle located on a Lot. In the case of a Recreational Vehicle, to be a Structure it must remain parked on a Lot for more than fourteen (14) consecutive days.
- f) "Yard Setback" means the part of a Lot on which no Structure, Accessory Building, Garage or uncovered deck shall be situated, including pop-outs, cantilevers and roof extensions, but not including eaves. Covered decks or roof extensions shall be considered to be part of the structure they abut or as Accessory Buildings.

Table 1: Permitted and Discretionary Uses

| Uses                         | Permitted | Discretionary |
|------------------------------|-----------|---------------|
| Accessory Building or Use    |           | D             |
| Bible Camp                   | P         |               |
| Cabin                        | P         |               |
| Campground                   |           | D             |
| Caretaker Residence          | P         |               |
| Communication Tower          |           | D             |
| Extensive Recreation         | P         |               |
| Garage                       |           | D             |
| Intensive Recreation         |           | D             |
| Lagoon/Treatment Plant       |           | D             |
| Mobile Home                  | P         |               |
| Modular Home                 |           | D             |
| Place of Worship             | P         |               |
| Recreation Facility          |           | D             |
| Recreational Vehicle Storage | P         |               |
| Single Detached Dwelling     |           | D             |
| Temporary Storage            |           | D             |

Table 2: Development Regulations

| Regulation               | Standard  |
|--------------------------|---|
| Density                  | Max: 1 dwelling per lot<br>Max: 2 recreational vehicles per lot<br>Max: 1 recreational vehicle per seasonal lot |
| Floor Area               | Max: 92.9 m <sup>2</sup> (1,000 ft <sup>2</sup> )   |
| Structure Height         | Lot or Seasonal Lot: 8.2 m (27 ft)  |
| Min. Setbacks<br>(Lots ) | Rear: 1.52 m (5 ft)<br>Side: 1.52 m (5 ft)<br>Front: 7.62 m (25 ft)   |
| Lot Coverage             | Max: 40%  |

### **Additional Regulations**

- 19.1.6 The Lutheran Camp Association's bylaws, policies and Board govern lot and seasonal lot development and the use of common areas by members of the Society and their guests. For clarity and uniformity these land use regulations are included in the DC 15-01 District to apply to all new Development Permits on the Parcel under the Campground use.
- 19.1.7 All development permit applications shall have written approval by the Lutheran Camp Association Board prior to their submission to Lac Ste. Anne County.
- 19.1.8 No Cabin, Mobile Home, Modular Home or Single Family Dwelling may be located on a seasonal lot.
- 19.1.9 For a Cabin, Mobile Home or Modular Home:
- a) The foundation shall be poured concrete, concrete pads, screw piles, concrete pile and grade beam system, or floating concrete slab. There are no basements permitted on a lot;
  - b) The exterior finish shall be stone, brick, vinyl, metal, stucco or wood. All exteriors shall be kept in a neat and clean appearance;
  - c) The roofing shall be fiberglass, cedar or asphalt shingles, or metal or rolled roofing;
  - d) The electrical service panel shall be limited to 100 amp and be installed in accordance with the Alberta Building Code; and
- e) The maximum age of a structure when it is first located on to a lot shall be twenty (20) years.
- 19.1.10 No structure on a lot, seasonal lot, or campsite shall be used as a permanent residence. The maximum length of occupancy of a structure shall not exceed 240 days in one (1) year.
- 19.1.11 During the time in a year when a structure on a lot or seasonal lot is not being occupied, if the structure is a recreational vehicle, the use shall be considered recreational vehicle (RV) storage, which may occur on the lot or seasonal lot where the structure is situated.
- 19.1.12 All lots and seasonal lots may be serviced with potable water and electrical power. Water supply to lots and seasonal lots may be seasonally provided.
- 19.1.13 All lots and seasonal lots with a structure must have a waste disposal system provided in accordance with the Alberta Safety Codes Act, Provincial Board of Health Regulations and the Environmental Protection and Enhancement Act (as amended and replaced). Sealed pump out tanks are the desired method of waste management. If the only structures on a lot are recreational vehicles, and for seasonal lots, the recreational vehicle's internal tanks may be used for waste disposal provided they can be pumped out or the recreational vehicle can be moved off the parcel to dump its tanks.
- 19.1.14 The areas subject to this DC are located NW and SW 27-53-6-W5.



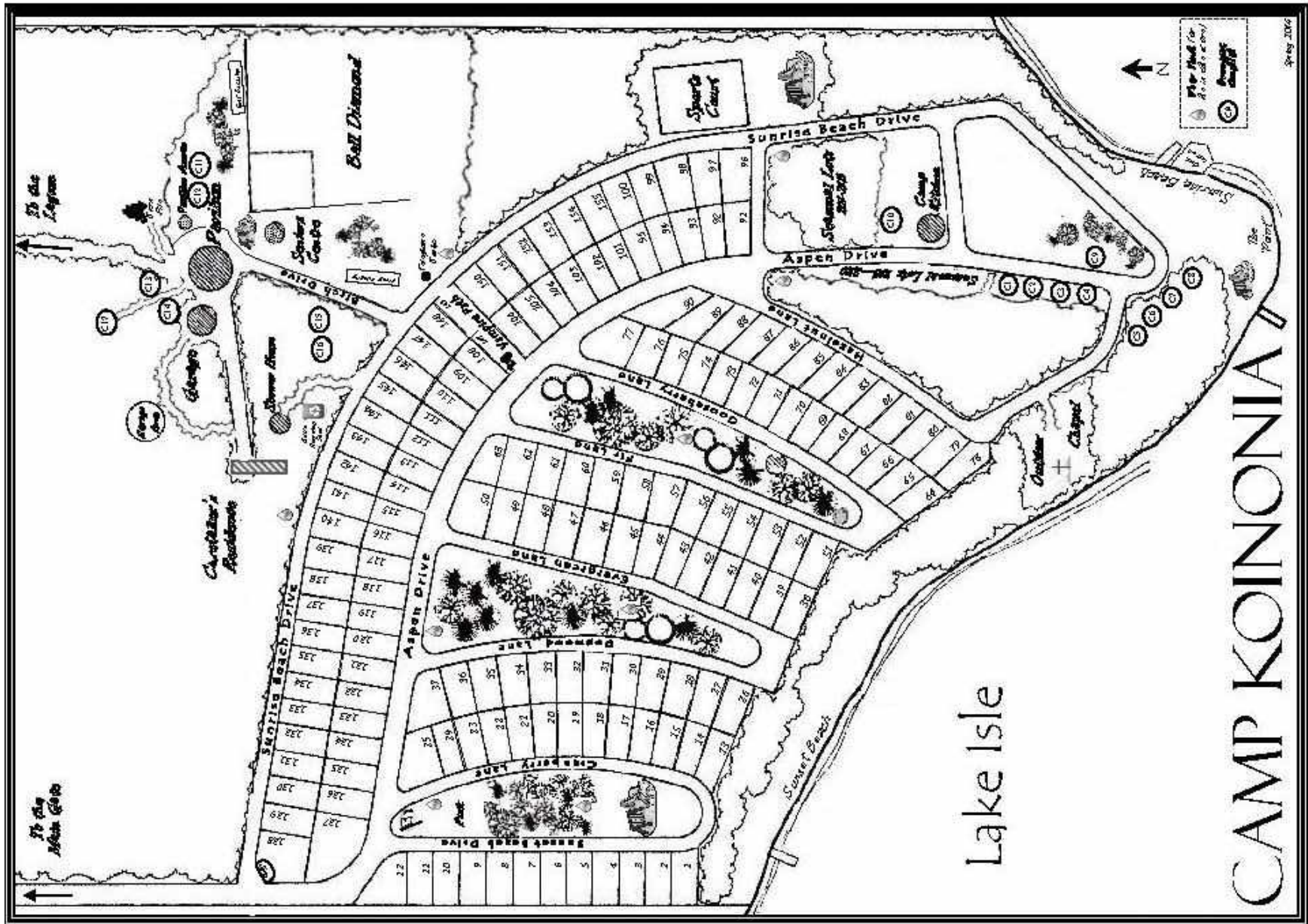


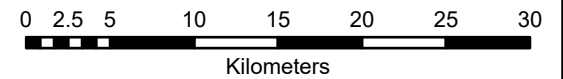
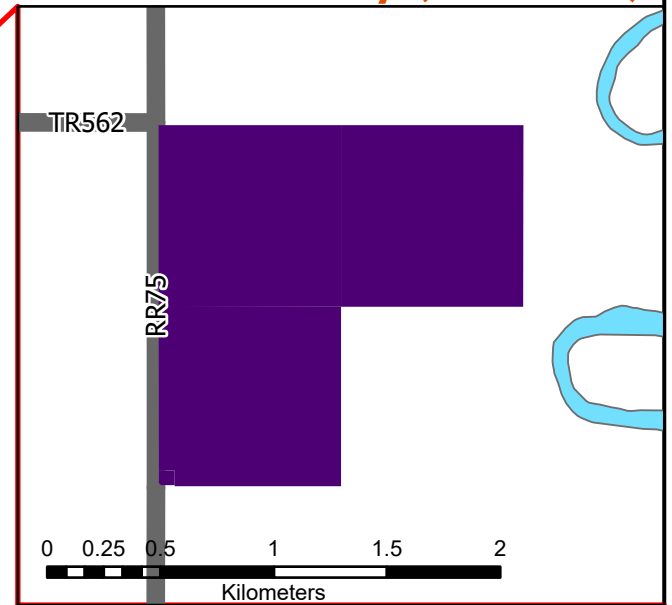
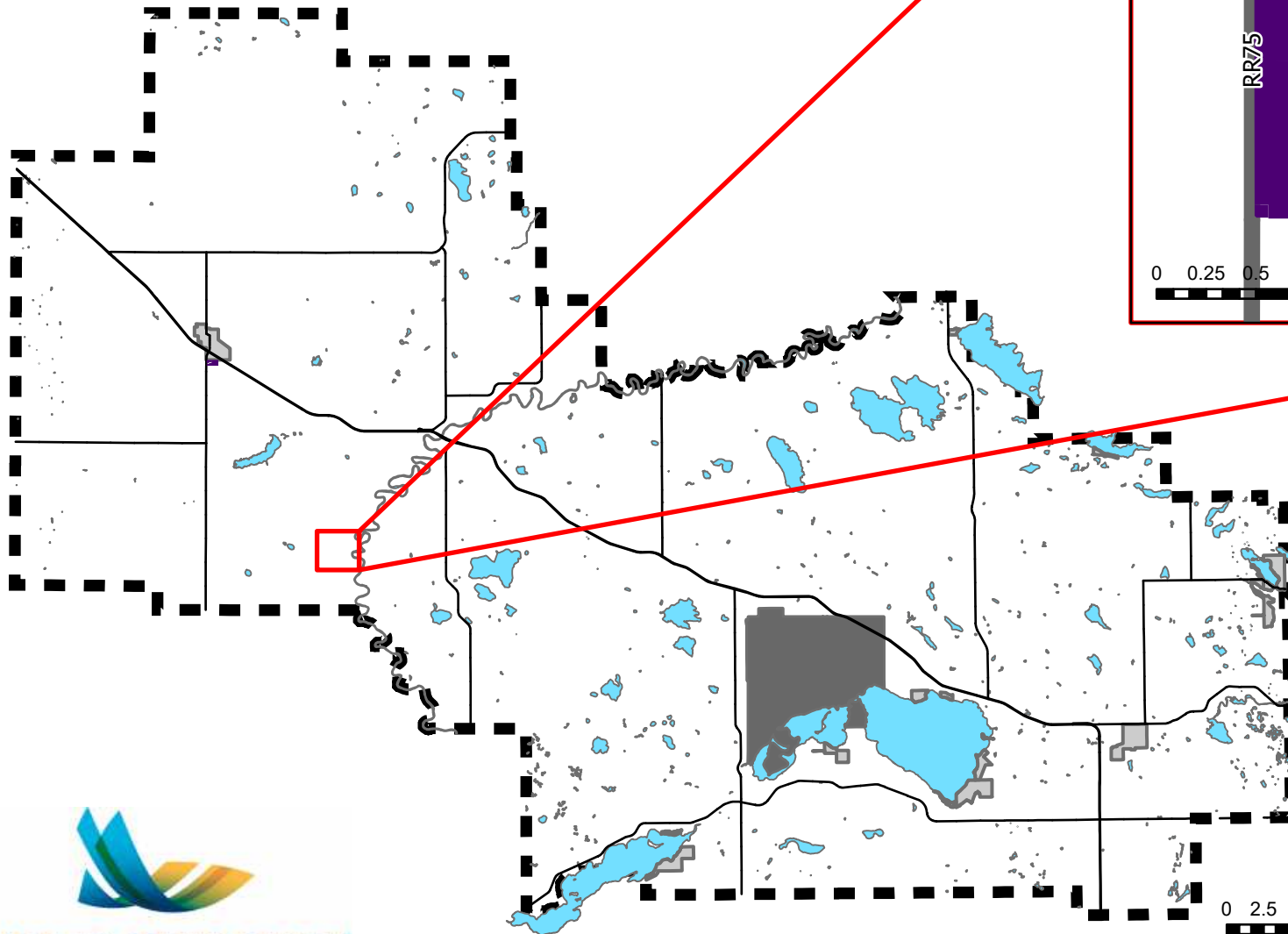
Figure 1: Lots, Seasonal and Campsites

# Lac Ste. Anne County

## Land Use Bylaw

# Appendix A

## Rocfort Colony (DC15-02)



## 20 DC 15-02

### Rocfort Hutterite Colony



#### Purpose

The purpose of this District is to provide for the orderly development of a range of uses in addition to the primarily agricultural use of the area, such as residential, industrial manufacturing and other uses normally associated with a Hutterite colony.

#### Regulations

- 20.1.1 Permitted and Discretionary uses within DC 15-02 are outlined in Table 1.
- 20.1.2 Development Regulations for DC 15-02 are outlined in Table 2.
- 20.1.3 The existing buildings, amenities and structures located within the area of this DC 15-02 District as of the adoption date of this Bylaw shall be considered to be permitted and conforming uses for the purposes of this Bylaw.

Table 1: Permitted and Discretionary Uses

| Uses                            | Permitted | Discretionary |
|---------------------------------|-----------|---------------|
| Accessory Building or Use       | P         |               |
| Extensive Agriculture           | P         |               |
| Institutional Use               | P         |               |
| Intensive Agriculture – Class 1 |           | D             |
| Intensive Agriculture – Class 2 |           | D             |
| Kennel, Breeding & Boarding     |           | D             |
| Manufacturing Firm              |           | D             |
| Multi-Family Housing            | P         |               |
| Place of Worship                | P         |               |
| Public Utility                  |           | D             |
| Public Utility Building         |           | D             |
| Recreational Vehicle Storage    |           | D             |
| Single Detached Dwelling        |           | D             |

Table 2: Development Regulations

| Regulation    | Standard  |
|---------------|---|
| Density       | Max: 4 multi-family housing dwellings per lot<br>Max: 8 units per multi-family housing dwelling |
| Floor Area    | Max: 1,858 m <sup>2</sup> (20,000 ft <sup>2</sup> ) for industrial manufacturing                |
| Min. Setbacks |   |
|               | Rear: 15.0 m (49.2 ft)  |
|               | Side: 15.0 m (49.2 ft)  |
|               | Front: 25.0 m (82.02 ft)  |
|               | 40.0 m (131.23ft) abutting highway  |

**Additional Regulations**

- 20.1.4 In addition to the district regulations, the following also apply:
- a) Landscaping Standards of Section 13; and
  - b) Sign Regulations of Section 14.

20.1.5 The terms and conditions of this Direct Control district apply only to the Rocfort Hutterite Colony and are not transferable through the sale of land to any party outside of the colony. Transfer of land title outside of colony ownership shall cause the land to be redistricted as Agricultural '1' (AG1).

#### **Industrial Manufacturing**

20.1.6 Industrial manufacturing shall be confined to a single building appropriate for the use.

20.1.7 No more than one (1) industrial manufacturing operation shall be allowed in this district.

#### **Automobile, Machinery, Equipment and Raw Material Storage**

20.1.8 Outside storage of material and equipment shall be screened to the satisfaction of the Development Authority.

20.1.9 Storage of industrial oil and gas exploration and production machinery and equipment shall require a development permit.

#### **Recreational Vehicles**

20.1.10 Three (3) recreational vehicles may be parked and used for camping on the parcel and do not require a development permit.

20.1.11 Six (6) recreational vehicles may be stored or compounded, but not used for camping on the parcel, and do not require a development permit.

#### **Fire Protection**

20.1.12 Fire protection measures are to be provided to the satisfaction of the Development Authority, and may be included as a condition of a development permit as deemed necessary by the Development Authority.

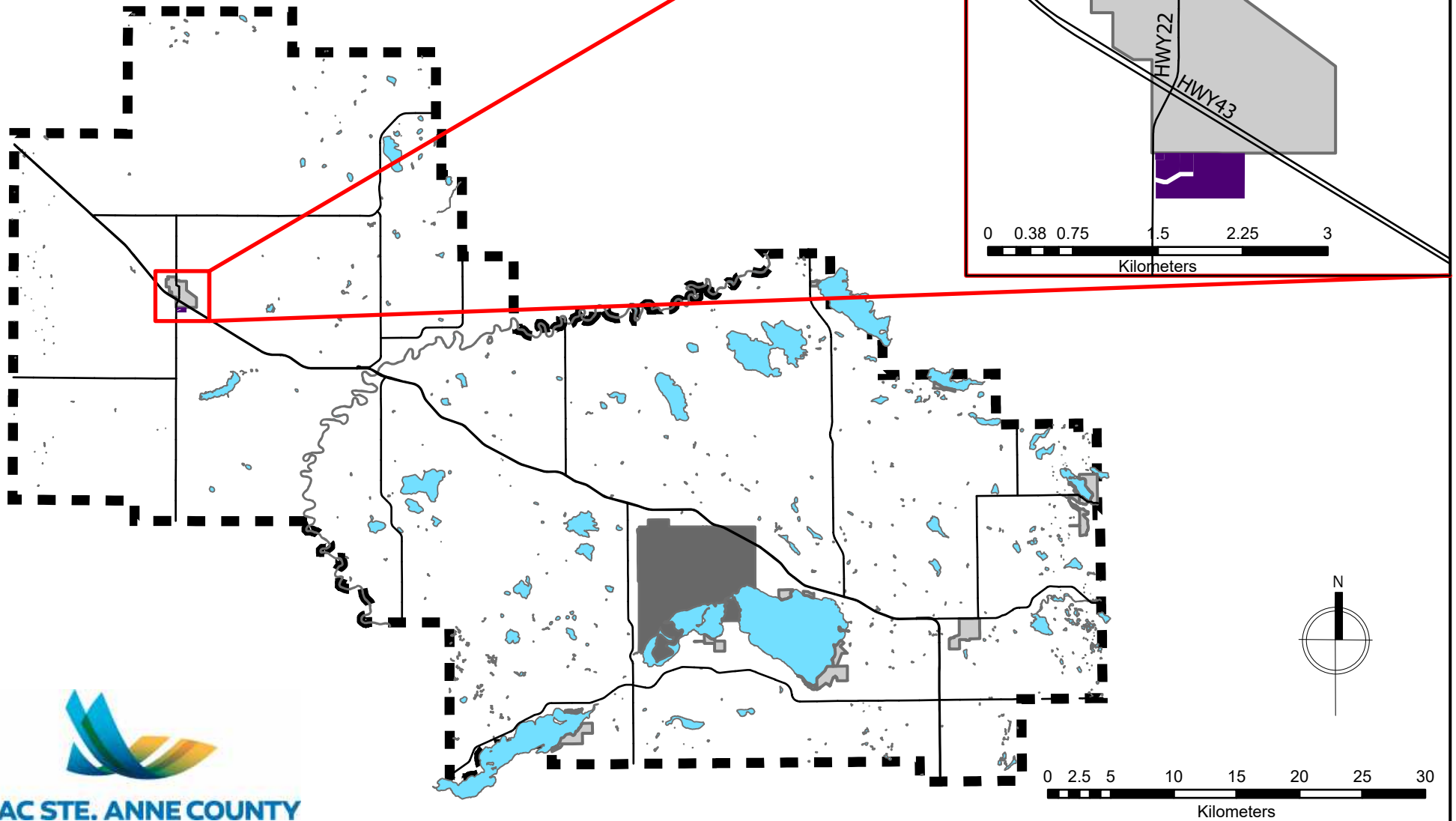
#### **Other Approvals**

20.1.13 Notwithstanding any other requirements of this Bylaw, the owner shall be required to obtain all permits and authorizations required to develop and operate the colony, including but not limited to such authorizations required by the Agricultural Operation Practices Act, the Water Act, the Safety Codes Act, and other applicable legislation and regulations.

20.1.14 The areas subject to this DC are located SW and SE 8-56-7-W5 and NW 5-55-7-W5.

Lac Ste. Anne County  
Land Use Bylaw

Appendix A  
Mayerthorpe Industrial Lands (DC15-03)





## 21 DC 15-03

### Mayerthorpe Industrial



#### **Purpose**

The purpose of this District is to provide for various forms of industrial development within the inter-municipal fringe of the Town of Mayerthorpe.

#### **Regulations**

- 21.1.1 Permitted and Discretionary uses are at the discretion of Council.
- 21.1.2 Development Regulations for density, setbacks, height, floor area and site coverage are at the discretion of Council.

- 21.1.3 The existing buildings, amenities and structures located within the area of this DC 15-03 District as of the adoption date of this Bylaw shall be considered to be permitted and conforming uses for the purposes of this Bylaw.

#### **Additional Regulations**

- 21.1.4 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:
  - a) General Development Regulations of Section 10;
  - b) Specific Use Regulations of Section 11;
  - c) Parking and Loading Standards of Section 12;
  - d) Landscaping Standards of Section 13; and
  - e) Sign Regulations of Section 14.
- 21.1.5 All parcels must have direct access to a highway, Arterial, Industrial or Collector roadway.
- 21.1.6 Parcels shall be screened from the adjoining local road or highways to the satisfaction of the Development Authority.
- 21.1.7 All industrial and commercial parks in this district shall be subject to architectural controls outlined in the Town of Mayerthorpe and Lac Ste. Anne County Inter-Municipal Development Plan, and any applicable Area Structure Plan or Area Concept Plan.
- 21.1.8 The areas subject to this DC are located SW 21-57-8-W5.

## 22 DC 18-01

### 22 County Hall

#### Purpose

22.1.1 The purpose this district is to provide for various forms of development compatible with the adjacent existing residential and other uses around county halls.



### 22.2 Regulations

22.2.1 Permitted and discretionary principal uses within the DC 18-01 are listed in Table 1.

22.2.2 Permitted and discretionary accessory uses within DC 18-01 are listed in Table 2

22.2.3 Development regulations for DC 18-01 are outlined in Table 3.

22.2.4 The existing buildings, amenities and structures located within the area of this DC 18-01 District as of the adoption date of this Bylaw shall be considered to be permitted and conforming uses for the purposes of this Bylaw.

Table 1 – Permitted and Discretionary Principal Uses

| Principal Uses                    | Permitted | Discretionary |
|-----------------------------------|-----------|---------------|
| Apartment                         | <b>P</b>  |               |
| Automotive Repair & Service       |           | <b>D</b>      |
| Automotive Sales and Rental       | <b>P</b>  |               |
| Business Support Services         | <b>P</b>  |               |
| Commercial - Retail               | <b>P</b>  |               |
| Commercial – Shopping Mall        |           | <b>D</b>      |
| Commerical - Strip                |           | <b>D</b>      |
| Contractors Business              | <b>P</b>  |               |
| Day Care Facility                 |           | <b>D</b>      |
| Eating and Drinking Establishment |           | <b>D</b>      |
| Group Home                        |           | <b>D</b>      |
| Health Services                   | <b>P</b>  |               |
| Hotel                             | <b>P</b>  |               |
| Institutional Use                 |           | <b>D</b>      |
| Intensive Agriculture – Class 2   | <b>P</b>  |               |



|                              |          |          |
|------------------------------|----------|----------|
| Licensed Public Premise      |          | <b>D</b> |
| Liquor Store                 |          | <b>D</b> |
| Motel                        |          | <b>D</b> |
| Mobile Home                  |          | <b>D</b> |
| Modular Home                 | <b>P</b> |          |
| Multi-Family Housing         | <b>P</b> |          |
| Office                       |          | <b>D</b> |
| Outdoor Storage              | <b>P</b> |          |
| Park                         | <b>P</b> |          |
| Parking Structure            |          | <b>D</b> |
| Personal Service Shop        | <b>P</b> |          |
| Place of Worship             |          | <b>D</b> |
| Public Utility               |          | <b>D</b> |
| Public Utility Building      |          | <b>D</b> |
| Recreational Vehicle Storage |          | <b>D</b> |
| Row Housing                  | <b>P</b> |          |
| Rooming/Boarding Home        | <b>P</b> |          |
| Semi Detached Dwelling       | <b>P</b> |          |
| Self Storage                 |          | <b>D</b> |

Table 2 – Permitted and Discretionary Accessory Uses

| Accessory Uses              | Permitted | Discretionary |
|-----------------------------|-----------|---------------|
| Bed & Breakfast             | <b>P</b>  |               |
| Garage                      | <b>P</b>  |               |
| Garden Suite                | <b>P</b>  |               |
| Communication Tower         |           | <b>D</b>      |
| Home Based Business – Major | <b>P</b>  |               |
| Home Based Business – Minor | <b>P</b>  |               |
| Home Occupation             | <b>P</b>  |               |
| Secondary Suite             |           | <b>D</b>      |
| Other Accessory Uses        |           | <b>D</b>      |

Table 3 – Development Regulations

| Regulation                         | Standard                            |
|------------------------------------|-------------------------------------|
| <b>Min. Setbacks*<br/>(Parcel)</b> |                                     |
| Rear                               | 7.5 m (24.61 ft)                    |
| Side:                              | Lesser of 10% of lot width          |
| Front                              | 1.5 m (4.92 ft)<br>4.5 m (14.76 ft) |

**Additional Regulations**

22.2.5 In addition to the regulations in this district, other regulations in this Bylaw also apply. These include:

- a) General Development Regulations of Section 10;
- b) Specific Use Regulations of Section 11;
- c) Parking and Loading Standards of Section 12;
- d) Landscaping Standards of Section 13; and
- e) Sign Regulations of Section 14.

22.2.6 This district applies to the following areas:

- a) The lands described as Plan 1392BR, Lot R;
- b) The lands described as

## 23 DC 19-01

### Industrial Cannabis Production

#### Purpose

23.1.1 The intent of this Direct Control district is for cannabis production uses that are compatible with nearby residential use and allow for continued use of agricultural land for efficient farming operations on the remainder of the quarter-section.

#### Regulations

23.1.2 Permitted uses within the DC district are outlined in Table 1.

23.1.3 Development regulations for DC are outlined in Table 2. Regulations not outlined shall be subject to the discretion of the Development Authority.

Table 1 – Permitted Uses

| Principal Uses                  | Permitted |
|---------------------------------|-----------|
| Cannabis Production             | <b>P</b>  |
| Caretakers Residence            | <b>P</b>  |
| Extensive Agriculture           | <b>P</b>  |
| Farm Building                   | <b>P</b>  |
| Farmstead                       | <b>P</b>  |
| Intensive Agriculture – Class 2 | <b>P</b>  |
| Mobile Home                     | <b>P</b>  |

Table 2 – Permitted and Discretionary Accessory Uses

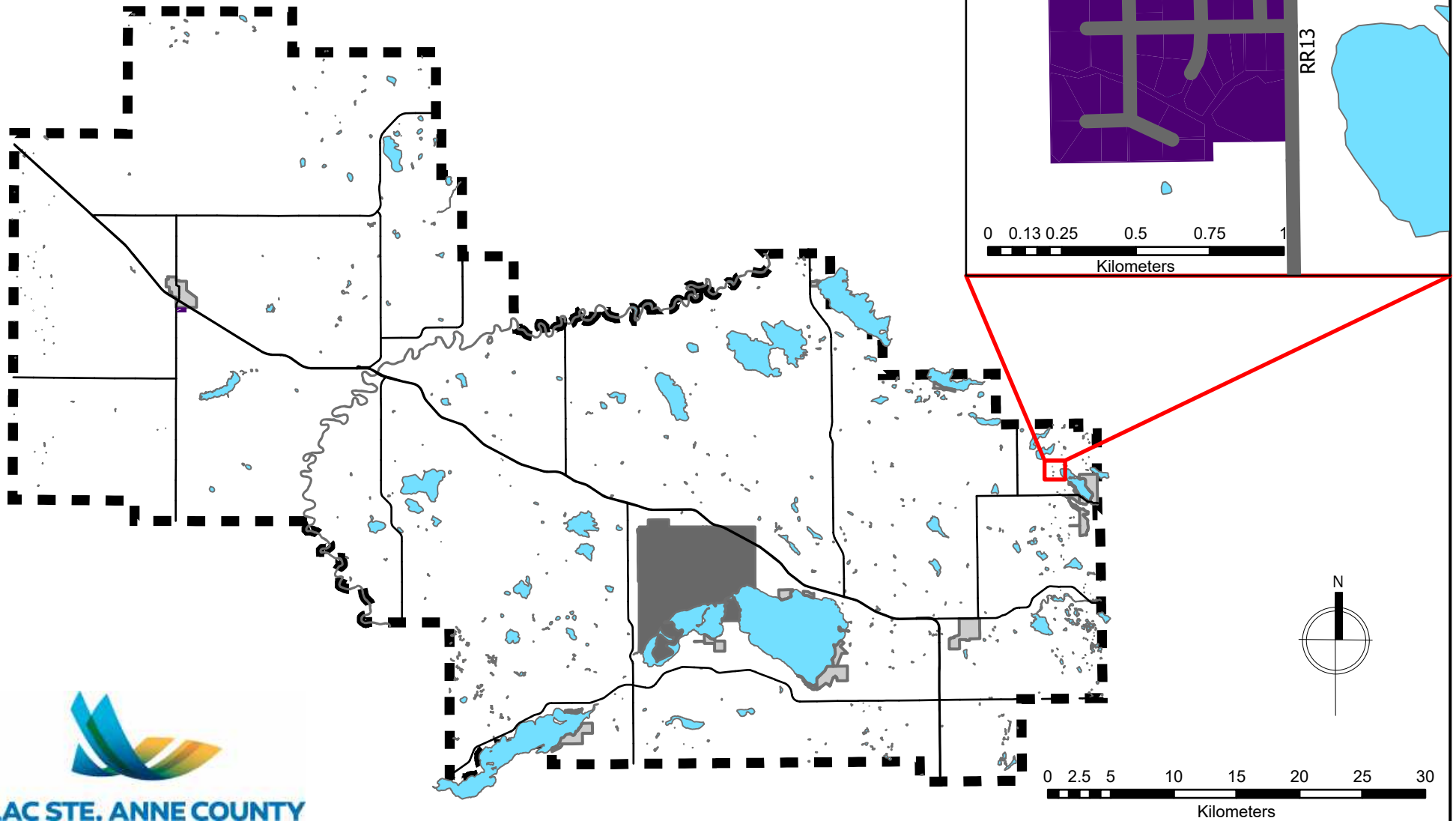
| Regulation                             | Standard  |
|--|---|
| <b>Floor Area (Principal Building)</b> | Min: 55.0 m <sup>2</sup> (592.0 ft <sup>2</sup> )   |
| 23.1.4                                 | Development Regulations for density, setbacks, height, floor area and site coverage are at the discretion of Council.   |
| 23.1.5                                 | Parcels shall be screened from the adjoining local road, highways and adjacent residential properties to the satisfaction of the Development Authority.   |
| 23.1.6                                 | In addition to the regulations listed above, other regulations in this Bylaw also apply, including but not limited to: <ul style="list-style-type: none"> <li>a) General Development Regulations of Section 10</li> <li>b) Specific Use Regulations of Section 11;</li> <li>c) Parking and Loading Standards of Section 12;</li> <li>d) Landscaping Standards of Section 13; and</li> <li>e) Sign Regulations of Section 14.</li> </ul> |
| 23.1.7                                 | Any site proposed for Cannabis Production shall meet the minimum separation distance of 300.0 m (984.25 ft) from a residential parcel or school site.   |
| 23.1.8                                 | The areas subject to this DC are all of NW 34-53-02 W5M, excepting thereout Plan 4923PX 92.0 acres), Plan 1220717 (3.37 acres), and Plan 1920469 (16.11 acres).   |

# Lac Ste. Anne County

## Land Use Bylaw

# Appendix A

## Belle Vista Estates



## 24 DC 19-02

### Belle Vista

#### Purpose

- 24.1.1 The Purpose of this District is to facilitate land uses within the SE 09-56-01 W5M that are compatible with a country residential lifestyle that includes high quality development features that require further regulation than typical county residential subdivisions. The presence of an abandoned landfill on the southeast corner of the quarter section requires site-specific development controls (such as restrictions on locations of water wells) and may require approval by one or more Provincial departments.
- 24.1.2 Further subdivision of parcels within this District is Prohibited.



#### Regulations

- 24.1.3 Permitted and discretionary principal uses within this district are outlined in Table 24.1.
- 24.1.4 Permitted and discretionary accessory uses within this district are outlined in Table 24.2.
- 24.1.5 Development regulations for this district are outlined in Table 24.3. Regulations not outlined shall be at the discretion of the Development Authority.

Table 24.1 – Permitted and Discretionary Principal Uses

| Principal Uses        | Permitted | Discretionary |
|-----------------------|-----------|---------------|
| Communication Tower   |           | <b>D</b>      |
| Contractors Business  |           | <b>D</b>      |
| Day Care Facility     |           | <b>D</b>      |
| Extensive Recreation  |           | <b>D</b>      |
| Garage                |           | <b>D</b>      |
| Group Home            |           | <b>D</b>      |
| Health Services       |           | <b>D</b>      |
| Mobile Home           |           | <b>D</b>      |
| Modular Home          | <b>P</b>  |               |
| Municipal Facility    |           | <b>D</b>      |
| Park                  |           | <b>D</b>      |
| Personal Service Shop |           | <b>D</b>      |
| Place of Worship      |           | <b>D</b>      |
| Public Utility        |           | <b>D</b>      |

|                          |          |
|--------------------------|----------|
| Public Utility Building  | <b>D</b> |
| Recreational Facility    | <b>D</b> |
| Rooming/Boarding Home    | <b>D</b> |
| Self-Storage             | <b>D</b> |
| Single Detached Dwelling | <b>P</b> |
| Social Care Facility     | <b>D</b> |
| Water Reservoir          | <b>D</b> |

Table 23.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses                  | Permitted | Discretionary |
|---------------------------------|-----------|---------------|
| Garden Suite                    | <b>P</b>  |               |
| Home Based Business (Major)     |           | <b>D</b>      |
| Home Based Business (Minor)     | <b>P</b>  |               |
| Home Occupation                 |           | <b>D</b>      |
| Intensive Agriculture – Class 2 |           | <b>D</b>      |
| Outdoor Storage                 |           | <b>D</b>      |
| Secondary Suite                 | <b>P</b>  |               |
| Shipping Container              |           | <b>D</b>      |
| Other Accessory Uses            |           | <b>D</b>      |

Table 23.3 – Development Regulations

| Regulation                             | Standard   |
|--|--|
| <b>Parcel Area</b>                     |  |
|  | Min: 0.40 ha (1.0 acres)   |
|  | Max: 2.02 ha (5.0 acres)   |
| <b>Dwelling Density</b>                |  |
| <b>Max:</b>                            | 1 dwelling per parcel  |
|  | *More than 1 dwelling may be permitted subject to the conditions set out in section 11.2 |
| <b>Floor Area (Principal Building)</b> |  |
|  | Min: 92.9 m <sup>2</sup> (1000.0 ft <sup>2</sup> )                                       |
| <b>Min. Setbacks (Parcel)</b>          |  |
| Rear:                                  | 7.5 m (24.61 ft)   |
| Side:                                  | 6.0 m (19.69 ft)   |
| Front                                  | 10 m (32.81 ft) from any internal multi-parcel subdivision roadway                       |
|  | 25.0 m (82.02 ft) from any Municipal roadway   |
|  | 40.0 m (131.23 ft) from any highway ROW  |
| <b>Minimum Parcel Frontage</b>         | 30.0 m (98.42 ft)  |

\* In addition to the minimum setbacks, additional development setbacks shall be in accordance with Section 10.2.

### **Mobile Homes and Modular Homes**

24.1.6 Mobile Homes older than 5 years at the time of application shall be prohibited in this district

24.1.7 Mobile Homes and Modular Homes shall adhere to the following architectural controls:

- a) Must include a basement or foundation that are not piles;
- b) Eaves must project a minimum of sixteen (16) inches; and
- c) The face of the eave below the soffit must be incorporate decorative trim boards, faux end beams, and brackets.
- d) Skirting shall be from floor to ground level and shall match or complement the external finish of the building.

### **Recreational Vehicle**

24.1.8 The following regulations apply with respect to the Recreational Vehicle use on parcels within this district:

- a) The permanent or temporary placement of Recreational Vehicles must comply with section 11.2.
- b) No Recreational Vehicles may be permanently placed on a vacant parcel.
- c) On parcels less than 2.5 acres in size:

- i) A maximum of two (2) Recreational Vehicles are permitted to be permanently placed on a parcel if a valid and subsisting development has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to section 3.13.

- d) On Parcels 2.5 acres or more in size:

- i) A maximum of two (2) Recreational Vehicles are permitted to be permanently placed on a parcel if a valid and subsisting development has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to section 3.13.

- e) More than two (2) Recreational Vehicles may be placed on a parcel on a temporary basis for no more than seven (7) days in a calendar month if a valid and subsisting development permit has been issued for a residence on the parcel and the residence has been completed or construction of the residence is ongoing in accordance with the conditions and requirements of the development permit and this Bylaw, including but limited to section 3.13.

### **Additional Regulations**

24.1.9 In addition to the regulations listed above, other regulations in this Bylaw also apply. These include:

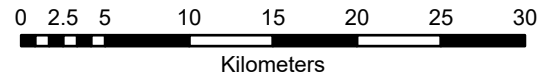
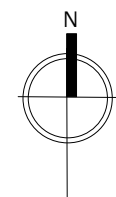
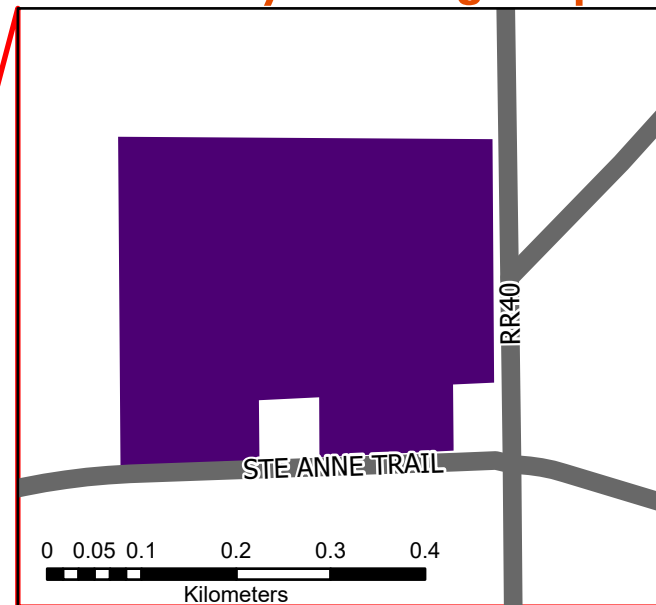
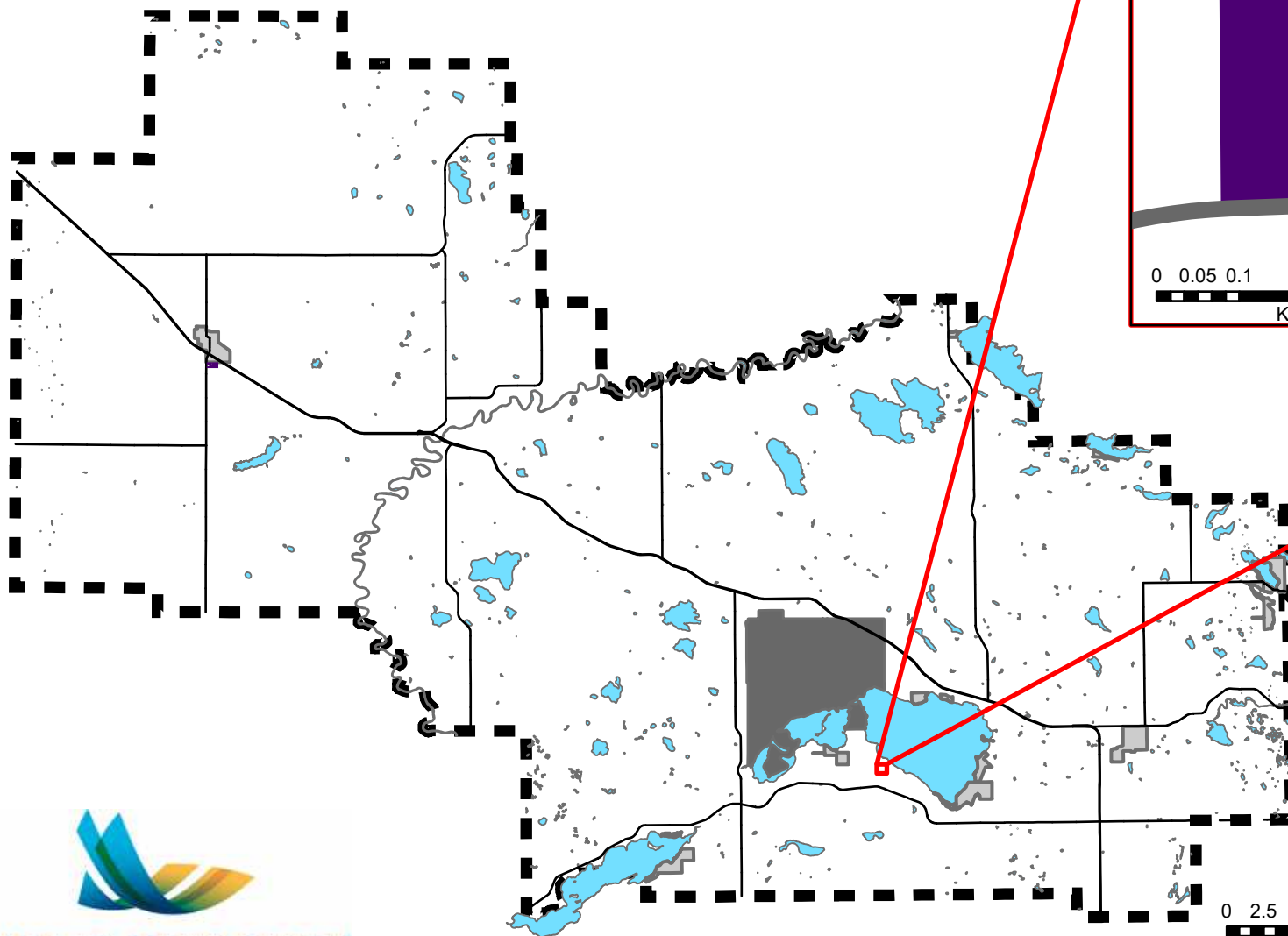
- a) General Development Regulations of Section 10;

- b) Specific Use Regulations of Section 11;
- c) Parking and Loading Standards Section 12;
- d) Landscaping Standards of Section 13; and
- e) Sign Regulations of Section 14.



Lac Ste. Anne County  
Land Use Bylaw

Appendix A  
Lac Ste Anne Metis Community Housing Project



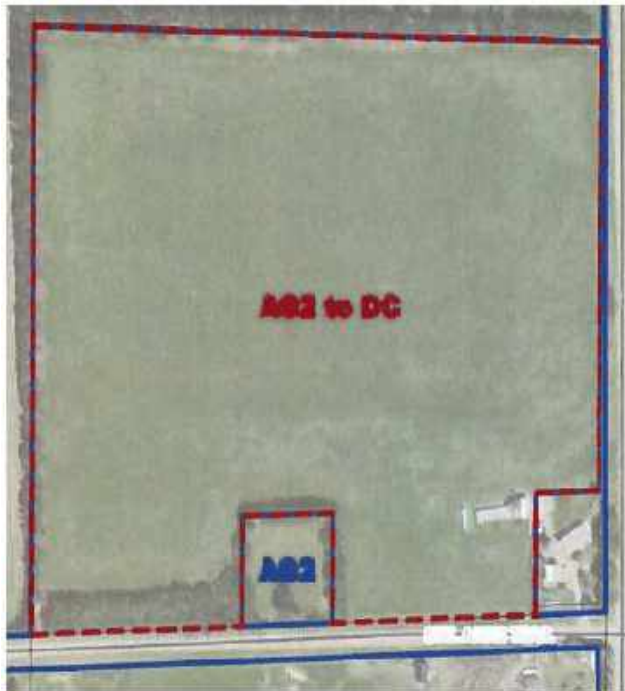
LAC STE. ANNE COUNTY

## 25 DC 21-01

### Lac Ste. Anne Metis Community Housing Project

#### Purpose

- 25.1.1 To accommodate a phased, multiple housing development that enables seniors to age in place. Low to medium density residential uses and community uses are proposed.
- 25.1.2 This district shall apply to the approximately 12.9 hectare (31.78 acre) site legally described as: Plan 7822005, Block 2.



#### Regulations

- 25.1.3 Permitted and discretionary principal uses within this district are outlined in Table 25.1.
- 25.1.4 Permitted and discretionary accessory uses within this district are outlined in Table 25.2.
- 25.1.5 Development regulations for this district are outlined in Table 25.3. Regulations not outlined shall be at the discretion of the Development Authority.

Table 25.1 – Permitted and Discretionary Principal Uses

| Principal Uses          | Permitted | Discretionary |
|-------------------------|-----------|---------------|
| Institutional Use       | <b>P</b>  |               |
| Multi-family Housing    | <b>P</b>  |               |
| Recreational Facility   | <b>P</b>  |               |
| Semi-detached Dwelling  | <b>P</b>  |               |
| Singe Detached Dwelling | <b>P</b>  |               |
| Social Care Facility    | <b>P</b>  |               |
| Group Home              | <b>P</b>  |               |

Table 25.2 – Permitted and Discretionary Accessory Uses

| Accessory Uses                  | Permitted | Discretionary |
|---------------------------------|-----------|---------------|
| Accessory Building              | P         |               |
| Garage                          | P         |               |
| Home Occupation                 | P         |               |
| Intensive Agriculture – Class 2 |           | D             |
| Recreational Vehicle Storage    | P         |               |
| Sign                            | P         |               |
| Temporary Storage               |           | D             |
| Water Reservoir                 | P         |               |

Table 25.3 – Development Regulations

| Regulation                         | Standard   |
|------------------------------------|--|
| <b>Minimum Parcel Area</b>         | 0.061 ha (0.15 ac)   |
| Min Lot Width:                     | 18.3m (60.0 ft)  |
| Min Lot Depth:                     | 35.0m (114.8 ft)   |
| <b>Min. Setbacks (Residential)</b> |  |
| <b>Front:</b>                      | 8.0m (26.2ft) except in the case of attached garages, in which case the front setback may be reduced to 6.1m (20.0ft)  |
| <b>Rear:</b>                       | 8.0m (26.2ft) except in the case of rear attached garages, in which case the rear setback may be reduced to 5.5m (18.0ft). If the rear garage is detached, the setback may be reduced to 2.5m (8.2ft) or greater to the satisfaction of the Development Officer. |
| <b>Side:</b>                       | 2.5m (8.2ft)   |

Table 25.3 – Development Regulations Con't

| Regulation  | Standard   |
|---|--|
| <b>Minimum Parcel</b>   |  |
|   | The minimum separation space between buildings on the same site shall be 2.5m (8.2ft).   |
| <b>Minimum Setbacks</b>   |  |
| (Institutional / Social Care Facility / Recreational Facility Use): | 2.0m (6.6ft) from all property lines   |
| <b>Maximum Height</b>   |  |
|   | Maximum height of all Residential uses shall be 10.0m (33.0ft).  |
|   | Maximum height of the Institutional Use Social Care Facility, Recreational Facility, or an Accessory Building used for boat storage or Intensive Agriculture uses shall be 12.0m (39.4ft). |
| <b>Dwelling Density (Gross) Max:</b>                                |  |
|   | 4 dwellings per hectare (gross)  |
| <b>Gross Floor Area (Residential)</b>                               |  |
| <b>Min:</b>   | The minimum main floor area per dwelling unit ( not including an attached garage) shall be 56.0m <sup>2</sup> (600.0 sq.ft.).  |

### **Additional Regulations**

25.1.6 In addition to the regulations listed above, the following regulations apply:

- a. General Development Regulations of Section 10;
- b. Specific Use Regulations of Section 11;
- c. Parking and Loading Standards of Section 12;
- d. Landscaping Standards of Section 13; and
- e. Sign Regulations of Section 14.

### **General Development Regulations**

25.1.7 Notwithstanding Section 10.1.47 of Land Use Bylaw 22-2017, the number of permanent dwelling units on this parcel shall exceed one. A maximum of twenty-four (24) single and semi-detached permanent dwelling units and two (2), ten-bedroom social care facilities for seniors shall be permitted.

25.1.8 A community administrative building (recreational facility) shall be constructed in Phase 1 in accordance with the enclosed development regulations for recreational facilities.

25.1.9 Two (2) social care facilities of up to a maximum of ten (10) dwelling units per residence may be constructed in Phase 2.

25.1.10 Garages shall be permitted on all the lots and may be attached to the principal dwelling.

25.1.11 Intensive Agriculture – Class 2 shall be limited to the use of the residual portion of the site for a greenhouse(s), nursery, tree farm, and market garden. The use shall be small in scale and arranged on the site to prevent or interfere with residents' rightful use and enjoyment of the site.

### **Accessory Buildings and Uses**

25.1.12 A storage shed may be built on a lot provided:

- a. A minimum side and rear setback of 1.0m (3.0ft) is maintained;
- b. The height of the storage shed does not exceed 4.6m (15.0ft) but may be increased in consultation with and at the discretion of the Development Officer;
- c. There is adequate clearance between the principal and accessory building to the satisfaction of the Development Officer.

25.1.13 An accessory building containing boat storage and an associated and adjacent boat storage yard may be constructed to store residents' boats. Boat storage yards shall be located to the rear or sides of the accessory building and shall be screened from view from any public roadway.

### **Recreational Vehicles**

25.1.14 In addition to the regulations in Section 11 of the Land Use Bylaw 22-2017, the following regulations apply with respect to the Recreational Vehicle use within this district:

- a. Recreational vehicle storage shall be permitted in this DC – Direct Control District;
- b. Notwithstanding Section 11.5.8.a., more than four (4) recreational vehicles up to a maximum of 24 recreational vehicles shall be stored in the designated recreational vehicle storage surface parking area and shall be screened to the satisfaction of the Development Officer; and
- c. Recreational vehicles may be stored or compounded, but not used for camping on this parcel and do not require a development permit.

## **Parking Standards**

25.1.15 In addition to the regulations in Section 12 of the Land Use Bylaw 22-2017, the following regulations apply with respect to the Parking Standards within this district:

- a. Notwithstanding Section 12.1.3, on-street parking or loading is permitted on the roadway as long as it does not interfere with the safe use of the roadway. The road will be designed to the satisfaction of the Development Officer in consultation with the County Engineer.
- b. The minimum number of off-street parking stalls required for each use of building or development shall be as follows:
  - i. Residential Single Detached and Semi-detached Dwelling: One (1) parking space per dwelling;
  - ii. Social Care Facility: One (1) parking space per 4 beds plus one (1) parking space for every 2 staff at maximum staffing level; and
  - iii. Recreational Facility (Community / Administrative Building): A minimum of 2 parking spaces for every 100.0m<sup>2</sup> (1,075.0sq.ft.) of gross floor area.