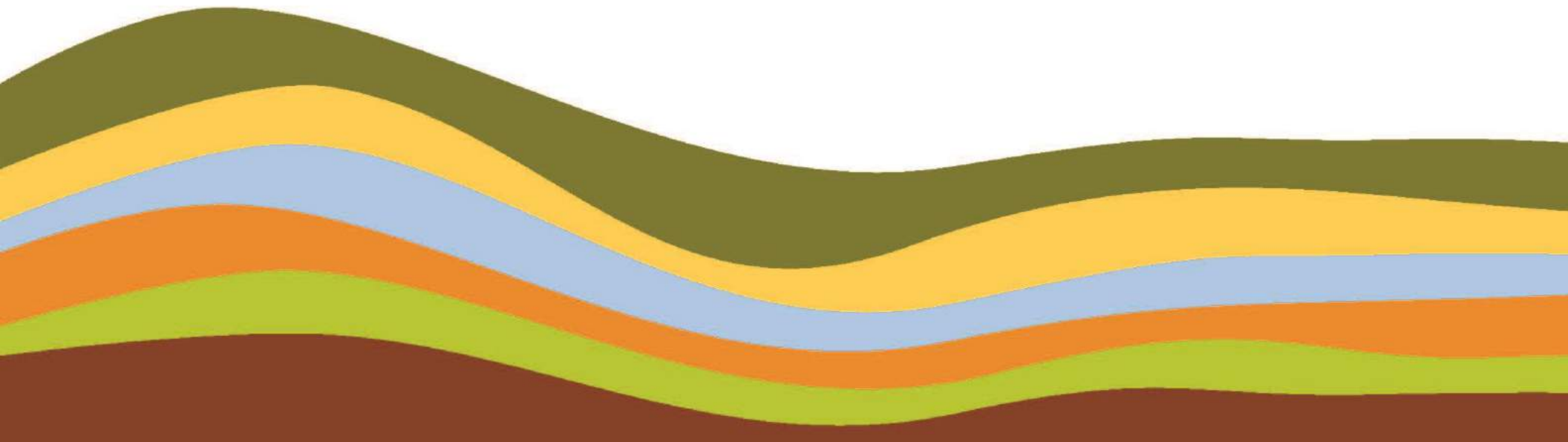

Part V

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 m² (800 ft²).

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 m² (2,960.0 ft²) 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 m² (1,500.0 ft²) 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 m² (591.0 ft²), 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 m² (540 ft²) 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 m² (120 ft²) 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.

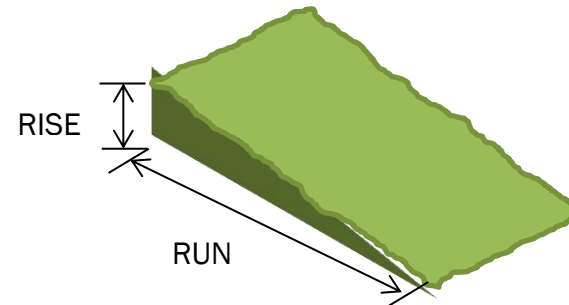
15.1.169 **“Sign”** means anything that serves to indicate the presence or the existence of something, including, but not limited to, a lettered board, a structure, or a trademark displayed, erected, or otherwise developed and used or serving or intended to serve to identify, to advertise, or to give 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.
- 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*.