

COUNTY OF ST. PAUL NO. 19

LAND USE BYLAW

BYLAW NO. 1486

July 17, 2007

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PART 1 - INTRODUCTION

1.1 TITLE

The title of this Bylaw shall be the Land Use Bylaw of the County of St. Paul No. 19.

1.2 PURPOSE

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the County to achieve the orderly and economic development of land, and for that purpose, amongst other things:

- (1) to divide the County into districts;
- (2) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (3) to establish the Development Authority for the County of St. Paul No. 19 and the office of one or more Development Authority Officers;
- (4) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (5) to provide the manner in which notice of the issuance of a development permit is to be given.

1.3 DEFINITIONS

For the purposes of this Bylaw:

- (1) **"accessory"**, when used to describe a use or building, means a use or building naturally and normally subordinate and exclusively devoted to the main use or building situated on the same lot;
- (2) **"Act"** means the Municipal Government Act, R.S.A. 2000, as amended;
- (3) **"adjacent land"** means land that is contiguous to a particular parcel of land and includes:
 - (a) land that would be contiguous if not for a highway, road, or waterbody, and
 - (b) any other land identified in this Bylaw as adjacent for the purpose of satisfying Section 3.3 of this Bylaw;
- (4) **"agricultural land"** means the land upon which an agricultural operation operates;

- (5) **"agricultural operation"** means an agricultural operation as defined in the Agricultural Operation Practices Act, but does not include a confined feeding operation;
- (6) **"agricultural production"** means the production of an agricultural operation. It shall also mean the agricultural product storage, service facilities and farmsteads which relate to the individual farm unit;
- (7) **"agricultural service centre"** means a business which provides non-industrial, agriculturally-oriented services to the rural community. Without restricting the generality of the foregoing, this shall include the retailing, servicing, and/or repairing of agricultural implements and goods such as farm machinery dealers, grain elevators, and fertilizer sales;
- (8) **"amusement establishment, indoor"** means a development providing recreational facilities with table games and/or electronic games, used by patrons for entertainment. Indoor amusement establishments include billiard parlours, electronic games arcades with tables and/or games and bowling alleys, but shall not include gambling machines such as video lottery terminals;
- (9) **"amusement establishment, outdoor"** means a development providing recreational facilities outdoors played by patrons for entertainment. Outdoor amusement establishments include amusement parks, go-cart tracks, and miniature golf courses. However, outdoor amusement establishments do not include drive-in motion picture theatres, carnivals or circuses;
- (10) **"apartment building"** means a dwelling containing three (3) or more dwelling units, but shall not mean medium density housing;
- (11) **"applicant"** means the person applying for a development permit, who shall be the registered owner(s) of the land to be developed or the representative or agent of the owner(s), duly authorized by the owner in writing to make application on behalf of the owner(s) as evidenced on the application form;
- (12) **"basement suite"** means a self-contained dwelling unit, in the basement of a single family dwelling, having a common access with a dwelling unit on the main floor;
- (13) **"bed and breakfast establishment"** means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of three (3) bedrooms, with or without meals, are provided for remuneration to members of the public;
- (14) **"bingo hall"** means a building or a portion of a building where the game of bingo and other similar board games may be played. Bingo halls may include an eating and drinking establishment as an accessory use;

- (15) **"building"** includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge that forms part of a highway or road;
- (16) **"casino"** means a development where gambling occurs through card or similar table games, and may include video lottery terminals or slot machines (a gambling machine establishment) as part of the development. Casinos may include an eating and drinking establishment as an accessory use;
- (17) **"commercial service centre"** means a business establishment involved in the servicing, retailing and repairing of goods to the general public. Without restricting the generality of the foregoing, this includes a service station, general retail establishments, eating and drinking establishments, entertainment establishments, auto sales outlets, and offices;
- (18) **"confined feeding operation"** means a confined feeding operation as defined in the Agricultural Operation Practices Act;
- (19) **"corner lot"** means a lot with boundary lines on two separate roads or highways, or a single road or highway that curves at an angle of 60 degrees or more at the subject lot. For the purposes of this definition, a road or highway shall not include a lane;
- (20) **"Council"** mean the Council of the County of St. Paul No. 19;
- (21) **"country residential use"** means a development comprising a single family dwelling or manufactured home located in the Agriculture (A) or Urban Expansion (UX) District which is situated on a parcel used for residential uses and uses accessory to residential uses. The dwelling may be occupied permanently or seasonally;
- (22) **"day home"** means a provincially licensed facility operated from a residence supplying supervision of a maximum of five (5) children under the age of eleven (11) years or senior citizens over the age of sixty-five (65) years, including any resident children and seniors. A day home may supply an outside recreation space that is both fenced and gated, and shall meet all fire regulations and health regulations;
- (23) **"daycare centre"** means a place that receives for temporary custody more than five (5) children under eleven (11) years of age not of common parentage, and which is not part of a public school or separate school;
- (24) **"development"** means
- (a) an excavation or stockpile and the creation of either of them, or
 - (b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
 - (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or

- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;
- (25) **"development authority"** means the development authority of the County as established by this Bylaw;
- (26) **"development authority officer"** means a person appointed as a development authority officer pursuant to this Bylaw;
- (27) **"development permit"** means a document authorizing a development issued pursuant to this Land Use Bylaw;
- (28) **"discretionary use"** means the use of land or a building provided for in this Land Use Bylaw for which a development permit may be issued upon an application having been made;
- (29) **"domestic pet"** means an animal which is normally kept inside a dwelling. Domestic pets includes, dogs, cats, parrots, and similar-sized animals, but does not include livestock;
- (30) **"double fronting lot"** means a lot which abuts two roads or highways, or a road and a highway, and which is not a corner lot;
- (31) **"duplex"** means a dwelling containing two (2) dwelling units which share a common wall, and which are located either side by side or one above the other, provided that in the case of a dwelling unit located below another, the dwelling unit below is not a basement suite as defined in this Bylaw;
- (32) **"dwelling"** means any building used exclusively for human habitation. This definition shall include single family dwellings, duplexes, row housing, apartment buildings, and manufactured homes. In addition, a dwelling may include a recreational vehicle, but only as it relates to Section 7.2(3) of this Bylaw;
- (33) **"dwelling unit"** means a complete dwelling or self-contained portion of a dwelling, set or suite of rooms which contains sleeping, cooking, accommodation, and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for one (1) household, and which is not, except for a basement suite, separated from direct access to the outside by another separate dwelling unit;
- (34) **"eating and drinking establishment"** means a development where food and/or beverages are prepared and offered for sale to the public, for consumption within the premises, at an accessory outdoor seating area on the site, or off the site. Eating and drinking establishments include neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands, take-out restaurants, and drive-in restaurants. Eating and drinking establishments shall not contain within them an entertainment establishment or a gambling

machine establishment unless otherwise provided for in an approved development permit;

- (35) **"entertainment establishment"** means a development where persons may be entertained by music, theatre, or the like. An entertainment establishment includes theatre, dancing or cabaret entertainment, whether recorded or live. An eating and drinking establishment may contain within it an entertainment establishment, but only if specifically provided for in an approved development permit;
- (36) **"extensive agriculture"** means the use of land or buildings, including the first dwelling or manufactured home, for an agricultural operation, but not including intensive agriculture or a confined feeding operation which requires either a registration or an approval under Part 2 of the Agricultural Operations Practices Act;
- (37) **"extensive recreation"** means a recreational development where the prime reason for the location is to take advantage of natural physical features and to provide for non-facility-oriented recreational activities. Without restricting the generality of the foregoing, this shall include hunting, trail riding, snowmobiling, hiking, cross-country skiing, rustic camping, and similar uses;
- (38) **"family care facility"** means a facility which provides resident service in a dwelling to six (6) or fewer individuals who are not related to the resident household. These individuals may be handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. This category includes foster or boarding homes for children, group homes and family homes;
- (39) **"farm buildings"** means the residences, including one or more dwelling units, and other improvements situated on agricultural land used in connection with farming or an intensive agricultural use;
- (40) **"farmstead"** means that area of land in an agricultural operation on which is situated a habitable dwelling (either a single family dwelling or a manufactured home), barns, shed, or other buildings and other improvements used in connection with an agricultural operation, and situated on a parcel of land used in connection with such agricultural operation. If a farmstead is subdivided from the titled area on which the agricultural operation occurs, the use shall be considered a country residential use;
- (41) **"fragmented parcel"** means a parcel of land that is separated from the balance of a titled area by a natural barrier such as a waterbody or a coulee, or by a physical barrier such as a road or highway, either of which may prohibit reasonable or normal access;
- (42) **"front line"** means the boundary line of a lot lying adjacent to a highway or road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the highway or road shall be considered the front line. For the purposes of lakefront lots or parcels, the front line shall be the boundary line closest to the lake;

- (43) **"front yard"** means a yard extending across the full width of a lot from the front line of the lot to the nearest wall of the main building situated on the lot. For the purposes of lakefront lots, the front line of the lot shall be considered to be closest to the lake;
- (44) **"gambling machine establishment"** means a development where gambling may occur through the use of video lottery terminals or slot machines or other similar machines and devices, but not an establishment where gambling through card games or roulette or games similar to card games or roulette are played (a casino);
- (45) **"general industrial use"** means manufacturing, warehousing, or transshipment establishments which will not become obnoxious to surrounding properties by way of noise, odours, smoke, dust, or fumes;
- (46) **"general retail establishment"** means a development where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationary, second hand goods, and similar goods are bought, rented, and/or sold from within a building. Minor public services, such as postal services and film processing depots may also be provided. General retail establishments do not include developments where gasoline, new or used motor vehicles, alcohol, heavy agricultural and/or industrial equipment are sold or rented;
- (47) **"grid roads"** includes all Government Road Allowances in the County, and also includes all forced roads, other than those identified as minor two-lane highways, major two-lane highways, and multi-lane highways in the County's Municipal Development Plan;
- (48) **"gross floor area"** means the total area of all floors of all buildings on a site above grade within the outside surface of exterior walls or within the glassline of exterior walls and the centreline of fire walls, but not including the floor area of basements, attached garages, sheds, open porches or breezeways, except that all dwelling units in an apartment shall be included in the calculation of gross floor area;
- (49) **"group care facility"** means a facility which provides resident services to seven (7) or more individuals of whom one or more may be related. These individuals may be handicapped, aged, or disabled, and undergoing rehabilitation, and are provided services to meet their needs. This category includes supervised uses such as halfway houses, resident schools, resident facilities, and foster or boarding homes. For the purposes of this Bylaw, this category also includes centres related to drug and/or alcohol rehabilitation, no matter how many individuals are being treated;
- (50) **"group home"** means a building or portion of a building used for the care or rehabilitation of children, adolescents or adults, however, for the purposes of this

Bylaw, a group home does not include a rehabilitation centre related to alcohol and/or drug rehabilitation;

- (51) **"highway"** means a highway or proposed highway that is designated or numbered and is under the management and control of the Province of Alberta pursuant to the Public Highways Development Act;
- (52) **"home occupation"** means any occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use other than a small name plate, not exceeding 0.2 sq. m (2.15 sq. ft.) in area. Within the Agricultural (A) and Urban Expansion (UX) Districts, a home occupation may include the use of any building built specifically for use by that home occupation. For the purposes of this Bylaw, home occupations are divided into two sub-classifications - major home occupations and minor home occupations - with specific regulations for each as indicated in Section 7.20 of Part 7 of this Bylaw. A minor home occupation does not include the employment at the dwelling or accessory buildings of any paid assistant, other than the occupants of the dwelling. A major home occupation does not include the employment at the dwelling or accessory buildings of more than two (2) paid assistants, other than the occupant and the occupant's family;
- (53) **"hotel"** means a development where members of the traveling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is from a common entranceway. A hotel may include eating and drinking establishments, meeting rooms, personal services shops, indoor amusement establishments, and general retail stores no larger than 100 sq. m (1076.9 sq. ft.), but shall not include any entertainment establishment or a gambling machine establishment unless specifically approved by the Development Authority;
- (54) **"household"** means:
- (a) a person, or
 - (b) two (2) or more persons related by blood, marriage, or adoption; or
 - (c) a group of not more than three (3) persons who are not related by blood, marriage, or adoption,
- all living together as a single housekeeping group and using cooking facilities shared in common. A household may also include bona fide servants;
- (55) **"institutional use"** includes but is not limited to hospitals, public offices, educational facilities, churches, libraries and senior citizen housing;
- (56) **"intensive agriculture"** means a commercial agricultural operation which raises crops on a land-intensive basis. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, market gardens, silviculture and sod farms, but not confined feeding operations;
- (57) **"intensive recreation"** means high density recreational activities. Without restricting the generality of the foregoing, this shall include campgrounds, picnic

grounds, marinas, lodges, swimming beaches, boat launches, athletic facilities, riding stables, rodeo grounds, golf courses, and hotels and eating and drinking establishments associated with one or more of the aforementioned uses;

- (58) **"internal local roads"** includes all roads within subdivisions, and all service roads adjacent to major two-lane highways, minor two-lane highways, and multi-lane highways;
- (59) **"kennel"** means a development in which domestic pets are maintained, boarded, trained, cared for, bred, or raised for remuneration or for sale, or the keeping of more than one (1) unsprayed female domestic pet over the age of six (6) months;
- (60) **"lake"** means a body of water, free from large quantities of aquatic vegetation, and characterized by relatively large open water (limnetc) and deep water (profundal) zones compared with the shore (littoral) zone; and, as defined by the Council of the County of St. Paul No. 19;
- (61) **"landfill – class II"** means a landfill for the disposal of waste, not including hazardous waste;
- (62) **"landfill – class III"** means a landfill for the disposal of waste:
 - a. that is solid;
 - b. that, on disposal in a landfill, is not reasonably expected to undergo physical, chemical or biological changes to such an extent as to produce substances that may cause an adverse effect, and includes but is not limited to demolition debris, concrete, asphalt, glass, ceramic materials, scrap metal and dry timber or wood that has not been chemically treated, but does not include hazardous waste;
- (63) **"liquor store"** means development used for the retail sale of any and all types of alcoholic beverages to the public for consumption off premises. This use may include the retail sale of related products such as soft drinks and snack foods;
- (64) **"livestock"** means livestock as defined in the Agricultural Operation Practices Act;
- (65) **"lot"** means
 - (a) a quarter section,
 - (b) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or
 - (c) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision;
- (66) **"main building"** means a building in which is conducted the main or principle use of the lot on which it is erected;
- (67) **"main use"** means the main or principle use of a lot;

- (68) **"major two-lane highway"** means a road or highway identified as a major two-lane highway in the County's Municipal Development Plan;
- (69) **"manufactured home"** means a dwelling consisting of one (1) dwelling unit which is normally constructed off-site and then transported on its own wheels or by other means to its site. Upon arriving at the site for location, apart from incidental operations such as placement on a foundation and connection of utilities, it is ready for year round use as a dwelling for one household. However, a manufactured home may be entire constructed on-site. A manufactured home shall include a dwelling that would be considered to be a single family dwelling if the roof pitch were greater than 1:4, and if the depth of eaves were greater than 45 cm (18 in.), and if the ratio of depth vs. width (or width vs. depth) were less than 2.5:1. If the roof pitch is less than 1:4, or if the depth of eaves is less than 45 cm (18 in.), or if the ratio noted above is more than 2.5:1, the dwelling shall be considered to be a manufactured home;
- (70) **"manufactured home park"** means a parcel of land under single ownership which has been planned and divided into rentable spaces or lots for the long term accommodation of manufactured homes;
- (71) **"manure storage facility"** means a manure storage facility as defined in the Agricultural Operation Practices Act;
- (72) **"may"** is an operative word meaning a choice is available , with no particular direction or guidance intended;
- (73) **"medium density housing"** means a dwelling containing three (3) or more dwelling units, located side by side, with each dwelling unit having its own access to grade;
- (74) **"minor two-lane highway"** means a road or highway identified as a minor two-lane highway in the County's Municipal Development Plan;
- (75) **"motel"** means a development where members of the traveling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is directly from outdoors. A motel may include eating and drinking establishments, meeting rooms, personal services shops, indoor amusement establishments, and general retail stores no larger than 100 sq. m (1076.9 sq. ft.), but shall not include any entertainment establishment or a gambling machine establishment unless specifically approved by the Development Authority;
- (76) **"multi-lane highway"** means a road or highway identified as a multi-lane highway in the County's Municipal Development Plan;
- (77) **"multi-lot country residential subdivision"** means more than three (3) country residential lots within an original quarter section;

- (78) **"municipality"** means the County of St. Paul No. 19;
- (79) **"natural resource extraction industry"** means an industry engaged in the extraction of natural resources such as clay, sand, gravel, coal, or other minerals including petroleum and natural gas, and which may include the processing of these through primary treatment into a raw marketable form;
- (80) **"non-conforming building"** means a building
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;
- (81) **"non-conforming use"** means a lawful specific use
- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw affecting the land or building becomes effective, and
 - (b) that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use Bylaw;
- (82) **"off-site levy"** means an off-site levy established by the municipality's Off-Site Levy Bylaw passed pursuant to the Act;
- (83) **"offices"** means a development where government, professional, management, administrative, consulting, and/or financial services may be provided. Offices include the offices of lawyers, accountants, engineers, architects, realtors, insurance firms; clerical, secretarial, employment and telephone answering and similar office support services; banks, credit unions, loan offices and similar financial institutions; the offices of governmental and public agencies;
- (84) **"open space"** means land and water areas which are retained in an essentially undeveloped state and often serve one or more of the following uses: conservation of resources; ecological protection; recreation purposes; historic or scenic purposes; enhancement of community values and safety; maintenance of future land use options;
- (85) **"owner"** means
- (a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
 - (b) in the case of any other land, the person shown as the owner of land on the County's assessment role prepared under the Act;
- (86) **"parcel of land"** means the aggregate of one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;

- (87) **"permitted use"** means the use of land or a building provided for in a land use Bylaw for which a development permit shall be issued upon application having been made, provided that all of the regulations of this Bylaw, and all of the matters left to the discretion or the satisfaction of the Development Authority, have been satisfied to the satisfaction of the Development Authority;
- (88) **"personal service shop"** means a development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to persons. Personal service shops include barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments, laundromats, and health services;
- (89) **"public utility"** means a public utility, as defined in the Act;
- (90) **"rear line"** means the boundary line of a lot lying opposite to the front line of the lot;
- (91) **"rear yard"** means a yard extending across the full width of a lot from the nearest wall of the main building situated on the lot, to the rear line of the lot;
- (92) **"recreational trailer park"** means a parcel of land on which are located or are intended to be located more than one recreational vehicle. A recreational trailer park may include a campground;
- (93) **"recreational vehicle"** means a vehicular type unit primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motive power or is mounted or drawn by another vehicle. The base entities are travel trailer, camping trailer, truck camper, fifth wheel, and motor home.
- (94) **"resort commercial"** means a commercial development where the primary reason for locating is to take advantage of a lake or other recreational amenities. Development may include uses such as a service station, boat launching facilities, marina, eating and drinking establishments, recreational trailer parks, hotels or motels, and general retail establishments;
- (95) **"rural industrial park"** is a development consisting of two or more lots designed and approved for industrial uses for which communal water and/or sewer service is not required;
- (96) **"rural industry"** means an industry involving:
- (a) the initial processing or storage of farm, forestry or mineral products which because of odour, noise or inflammable material require large tracts of land for environmental protection, or
 - (b) warehousing or storage of farm, forestry or mineral material, goods and processing or transportation equipment, or
 - (c) natural resources processing industries whose location is tied to the resource, or

- (d) provision of large scale transportation and vehicle service facilities involved in the transportation of farm, forestry or mineral products.
- (97) "**setback**" means the separation distance that a building or development must be from the boundary line of a lot;
- (98) "**shall**" is an operative word which means the action is obligatory;
- (99) "**shoreline**" means the line of the bed and shore of the body of water;
- (100) "**should**" is an operative word which means that, in order to achieve local goals and objectives it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances;
- (101) "**side line**" means the boundary line of a lot lying between a front line and a rear line of a lot. In the case of a corner lot, the longer of the two boundary lines adjacent to the highway or road shall be considered a side line.
- (102) "**side yard**" means a yard extending from the front yard of a lot to the rear yard of the lot and lying between the side line of the lot and the nearest wall of the main building;
- (103) "**single family dwelling**" means a dwelling consisting of one (1) dwelling unit. A single family dwelling is a dwelling which is normally constructed on-site. However, a single family dwelling may be constructed in pieces off-site, or even in one piece, with the piece(s) being transported to the site for assembly on-site. A single family dwelling shall include a dwelling that would be considered to be a manufactured home if the roof pitch were less than 1:4, or if the depth of eaves were less than 45 cm (18 in.), or if the ratio of depth vs. width (or width vs. depth) were more than 2.5:1. If the roof pitch is more than 1:4, and if the depth of eaves is more than 45 cm (18 in.), and if the ratio noted above is less than 2.5:1, the dwelling shall be considered to be a single family dwelling;
- (104) "**stall**" means an area of land upon which a manufactured home is to be located within a manufactured home park or upon which a recreational vehicle is to be located within a recreational vehicle park;
- (105) "**subdivision authority**" means a subdivision authority established and appointed pursuant to County Bylaw and the Act;
- (106) "**subdivision and development appeal board**" means a subdivision and development appeal board established and appointed pursuant to County Bylaw and the Act;
- (107) "**surveillance suite**" means a single family dwelling or a manufactured home which is located on the same lot as a commercial or industrial use and is clearly accessory to that commercial or industrial use, as it is the dwelling of the owner/operator/caretaker/supervisor of the commercial or industrial establishment;

- (108) **"transfer station"** means a development where garbage, refuse, and domestic or industrial waste, whether dry or wet, however exclusive of liquid industrial waste, is deposited by individuals and temporarily stored pending transfer to either dry or wet waste disposal sites. For the purposes of this Bylaw, all classes of transfer station as identified by Alberta Environment and Provincial regulations respecting transfer stations and class III landfills shall be included within this definition;
- (109) **"undeveloped lot"** means a lot which does not contain a residence, building or structure;
- (110) **"veterinary clinic"** means a development where domestic pets and/or livestock are cared for and medically treated. Veterinary clinics primarily involve out-patient care and minor medical procedures involving hospitalisation for fewer than four (4) days. All animals shall be kept within an enclosed building. Veterinary clinics do not include kennels, except that veterinary clinics may include a facility for the boarding of animals; however, that facility will be clearly accessory to the care function;
- (111) **"yard"** means a part of a lot upon or over which no main building is erected;

and all other words and expressions have the meanings respectively assigned to them in the Act.

1.4 Metric and Imperial Measurements

Within this Bylaw, both Metric and Imperial measures are normally provided, the Imperial measures within brackets. However, the Imperial measures are approximations, and are provided only for information, and in order to provide some comparison for persons who are unfamiliar with Metric measures.

PART 2 - GENERAL ADMINISTRATIVE PROCEDURES

2.1 DEVELOPMENT APPROVAL AUTHORITIES

- (1) The Development Authority for the County of St. Paul No. 19 is hereby established.
- (2) The Development Authority shall be:
 - (a) the Development Authority Officer, and
 - (b) only within the Linear Parcel Direct Control (LPDC) District, the Council, with their duties and responsibilities as described elsewhere in this Bylaw.
- (3) If the Development Authority Officer is to be making the decision on a development permit application, the term "Development Authority", when used in this Bylaw, shall be the Development Authority Officer.
- (4) If the Council is to be making the decision on a development permit application, the term "Development Authority", when used in this Bylaw, shall be the Council.
- (5) The position of designated officer for the limited purpose of exercising the powers, duties and functions of a Development Authority Officer for the County is hereby established.
- (6) The Development Authority Officer shall be appointed by resolution of the Council.
- (7) The Development Authority Officer:
 - (a) shall keep and maintain for the inspection of the public during office hours a copy of this Bylaw and all amendments thereto and ensure that copies of same are available to the public at a reasonable charge;
 - (b) shall make available for inspection by the public during office hours a register of all applications for development permits and the decisions made thereon;
 - (c) shall collect fees according to the governing Land Use Bylaw Fee Schedule as amended from time to time by resolution of County Council;
 - (d) shall be declared to be the designated officer for the purposes of Section 542 of the Act; and
 - (e) may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by it.
- (8) The Council shall be authorized to decide upon all development permit applications referred to it by the Development Authority Officer and to issue such orders that it sees fit.
- (9) The Subdivision and Development Appeal Board as established by County Bylaw shall be authorized to decide upon all development permit applications as provided for by this Bylaw and the Act.

2.2 CONTROL OF DEVELOPMENT

- (1) No development other than that designated in Section 2.3 shall be undertaken within the County unless an application for it has been approved and a development permit has been issued.

2.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following development shall not require a development permit:

- (1) The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation that would require a building permit under the Alberta Safety Codes Act.
- (2) The completion of a building which was lawfully under construction at the date of the first publication of the notice required by the Act, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of the first publication of the notice.
- (3) The use of any such buildings as referred to in subsection (2) for the purpose for which construction was commenced.
- (4) The use of land for an agricultural operation, or the construction of a building other than a dwelling to be developed as an accessory use for an agricultural operation on land situated in any Land Use District, provided that the accessory use or building conforms to the minimum setback requirements specified in this Bylaw. Notwithstanding this Subsection, a development permit must be issued prior to the development, expansion, structural alteration, or substantial renovation of any dwelling.
- (5) The erection, construction, or maintenance, improvement or alteration of gates, fences or walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than 1 m (3.3 ft.) in height in front yards and less than 2 m (6.6 ft.) in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences or walls or other means of enclosure;
- (6) All types of fences and windbreaks in the Agricultural (A) or Urban Expansion (UX) Districts which conform to the requirements of this Bylaw regarding setbacks from roads and highways.
- (7) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw.

- (8) The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.
- (9) The operation of aggregate extraction and crushing equipment (gravel pits) and related activities where classified as a permitted use.
- (10) Pavement making operations and related activities where classified as a permitted use.
- (11) Development within a basement which does not change or add to the uses within a dwelling.
- (12) All buildings, other than fences described in Subsections 2.3(5) above, which are less than 13.4 sq. m (144.2 sq. ft.) in area and which conform with all regulations within this Bylaw for accessory uses.
- (13) The demolition or removal of any building or structure for which erection a development permit would not be required pursuant to subsections (4) through (11) above, both inclusive.

2.4 NON-CONFORMING BUILDINGS AND USES

- (1) 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 this Bylaw.
- (2) 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 thereto or therein.
- (3) A non-conforming use of part of a lot may not be exceeded or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed upon the lot while the non-conforming use continues.
- (4) 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 the routine maintenance of the building, if the Development Authority considers it necessary, or
 - (c) in accordance with the powers possessed by the Development Authority pursuant to the Act and Section 3.2(4) of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- (5) If a non-conforming building is damaged or destroyed to the extent of more than seventy-five percent (75%) of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.

- (6) The use of land or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

PART 3 - DEVELOPMENT APPLICATION PROCESS

3.1 APPLICATION FOR DEVELOPMENT

- (1) An application for a development permit shall be completed and submitted to the Development Authority Officer in writing, in the form required by the Development Authority Officer, and shall be accompanied by:
 - (a) a site plan in metric showing the legal description; the front, rear, and side yards, if any; any provision for off-street loading and vehicle parking; and access and egress points to the site;
 - (b) the location and dimensions of all existing and proposed buildings, structures, or uses on the property;
 - (c) a statement of the proposed uses; and
 - (d) a statement of ownership of the land and the interest of the applicant therein.
- (2) The Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include floor plans, elevations and sections of any proposed buildings; drainage, grading and landscaping plans; and, in the case of the placement of an already constructed or partially constructed building on a parcel of land, information relating to the age and condition of the building and its compatibility with the District in which it is to be located. In addition, such additional information may include assessment by a registered professional engineer of any potential flooding or subsidence hazard that may, in the sole opinion of the Development Authority, affect the subject site.
- (3) Each application for a development permit shall be accompanied by a fee as established by Council.
- (4) All applications for development permits on sites adjacent to another municipality shall be submitted to the other municipality for comments prior to rendering a decision. The Development Authority shall not be bound by the recommendation of the other municipality.
- (5) The Development Authority may make a decision on an application for a development permit notwithstanding that any information required or requested has not been submitted.
- (6) In the case where an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal to the Subdivision and Development Appeal Board, the submission of another application for a permit on the same property and for the same or similar use of the land by the same or any other applicant need not be accepted by the Development Authority Officer for at least six (6) months after the date of the previous refusal.

3.2 DECISION PROCESS

- (1) The Development Authority Officer:
 - (a) shall refer with his recommendations to the Council for its consideration and decision any development permit application within the Linear Parcel Direct Control (LPDC) District; and
 - (b) shall consider and decide upon all other development permit applications.
- (2) In making a decision, the Development Authority may approve the application unconditionally, approve the application subject to those conditions considered appropriate, approve the application permanently or for a limited period of time, or refuse the application.
- (3) The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement to construct or pay for the construction of roads, pedestrian walkways or parking areas which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development, to install or pay for the installation of public utilities other than telecommunications systems or works, to pay an off-site levy, and/or to give security to ensure that the terms of the agreement noted herein are carried out.
- (4) In approving an application for a development permit, the Development Authority may impose the condition that the approved development be allowed to operate for a limited period of time, which shall be specified on the permit, and that upon the expiry of such time the use allowed shall be discontinued and any buildings that were erected as a result of the development permit shall be removed, and the site restored to its original condition prior to the issuance of the development permit.
- (5) In the case where a proposed specific use of land or a building is not provided for in any District in the Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for a particular District.
- (6) The Development Authority may approve an application for a development permit even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Development Authority:
 - (a) the proposed development would not:
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
 - (b) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- (7) An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made by the Development Authority within forty (40) days after receipt of the application by the

Development Authority. The person claiming to be affected may appeal in writing as provided for in this Bylaw as though he has received a refusal at the end of the forty (40) day period specified in this subsection.

- (8) If the development authorized by a permit is not commenced within twelve (12) months from the date of its issue, or completed within twelve (12) months of commencement, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority.
- (9) A Development Authority may suspend or revoke a development permit:
 - (a) at any time, where the permit was issued on the basis of incorrect information, fraud, non-disclosure, or misrepresentation on the part of the applicant; or
 - (b) within fourteen (14) days of issue of the permit, where the permit was issued in error.

3.3 DEVELOPMENT ON RESERVE LANDS

- (1) Permanent development may be allowed to exist on Environmental and other Reserve Lands adjacent to lakes and other waterbodies only if it serves the interests of the general public.
- (2) Development permits may be issued on Environmental and other Reserve Lands for:
 - (a) the winter storage of docks or boat hoists, or to accommodate similar seasonal storage requirements
 - (b) developments such as landings, walkways, stairs, retaining walls or similar private structures if, in the opinion of the Development Authority, the development does not pose a hazard to public safety, impede year round public access, or unduly interfere with the use and enjoyment of neighbouring properties; and
 - (c) signs to provide direction, information, or advertising for adjacent businesses or commercial developments.
- (3) The approval of all development permits on Environmental and other Reserve Lands shall be subject to the following conditions, in addition to any others that the Development Authority may deem reasonable or necessary:
 - (a) the applicant shall indemnify the County from liability for the development; and
 - (b) the permit may be revoked at any time if, in the sole opinion of the Development Authority, the development poses a hazard to public safety, impedes public access, or interferes with the use and enjoyment of neighbouring properties.

3.4 DEVELOPMENT PERMITS AND NOTICES

- (1) A permit granted pursuant to this Bylaw for a permitted use where the use or construction conforms to all of the regulations of this Bylaw and where the

regulations are not to be determined at the discretion of the Development Authority shall come into effect on the date it is issued.

- (2) All permits granted pursuant to this Bylaw that are for a discretionary use, or for a permitted use where the use or construction does not conform to all of the regulations of this Bylaw or where the regulations are to be determined at the discretion of the Development Authority does not come into effect until fifteen (15) days after the date a decision or development permit is publicized as described in Subsection (4). Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (3) Where an appeal is made pursuant to Section 4.1 of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit modified or nullified thereby.
- (4) When approval of a permit described in subsection (2) above has been given, the Development Authority shall:
 - (a) immediately post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - (b) immediately mail a notice in writing to all owners of adjacent land and other owners of land who in the opinion of the Development officer may be affected; and/or
 - (c) immediately publish a notice in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.
- (5) When approval of a permit described in subsection (1) above has been given, notification as described in subsection (4) above may be done, at the sole discretion of the Development Authority.
- (6) A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (7) When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

PART 4 - DEVELOPMENT APPEAL PROCESS

4.1 APPEAL PROCEDURE

- (1) The Subdivision and Development Appeal Board shall hear and make a decision on an appeal where a Development Authority:
 - (a) refuses or fails to issue a development permit to a person within forty (40) days of receipt of the application, or
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under PART 6 of this Bylaw,and the person applying for the permit or affected by the order, or any other person affected by an order, decision or development permit of a Development Authority appeals to the Subdivision and Development Appeal Board.
- (2) Notwithstanding subsection (1) above, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
- (3) Notwithstanding subsection (1) above, no appeal lies in respect of the issuance of a development permit within the Linear Parcel Direct Control (LPDC) District that was made by the Council.
- (4) An appeal shall be made by serving a written notice of appeal, containing reasons, and submitting the applicable fee to the Secretary of the Subdivision and Development appeal Board within fourteen (14) days after
 - (a) the date the order, decision or permit issued by the Development Authority was publicized in accordance with this Bylaw; or
 - (b) the forty (40) day period referred to in Section 3.2(7) of this Bylaw has expired.
- (5) Where a notice of appeal against the issuance of a development permit or a condition attached thereto is filed with the Secretary of the Subdivision and Development Appeal Board, the development permit shall be suspended and ceases to be in force or effect pending the outcome of the appeal.

4.2 APPEAL HEARING

- (1) Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold an appeal hearing respecting the appeal.
- (2) The Subdivision and Development Appeal Board shall give at least five (5) days notice in writing of the appeal hearing to:
 - (a) the appellant;
 - (b) the Development Authority from whose order, decision or development permit the appeal is made;
 - (c) those adjacent land owners who were notified under this Bylaw and any other person who, in the opinion of the Subdivision and Development Appeal Board, are affected by the order, decision or permit; and

- (d) such other persons as the Subdivision and Development Appeal Board specifies.
- (3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:
 - (a) the application for the development permit, its refusal and the appeal therefrom; or
 - (b) the order of the Development Authority, as the case may be.
- (4) At the appeal hearing referred to in subsection (1), the Subdivision and Development Appeal Board shall hear:
 - (a) the appellant or any other person acting on his behalf;
 - (b) the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;
 - (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and
 - (d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his behalf.

4.3 APPEAL DECISION

- (1) The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the appeal hearing.
- (2) If the decision of the Development Authority to approve a development permit application is reversed by the Subdivision and Development Appeal Board, the development permit shall be null and void.
- (3) If the decision of the Development Authority to refuse a development permit application is reversed by the Subdivision and Development Appeal Board, the Development Authority Officer shall forthwith issue the development permit in accordance with the decision of the Subdivision and Development Appeal Board.
- (4) If the decision of the Development Authority to approve a development permit is varied by the Development Appeal Board, the Development Authority Officer shall forthwith issue the development permit in accordance with the decision of the Subdivision and Development Appeal Board.
- (5) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:
 - (a) to a judge of the Court of Appeal; and

- (b) within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

PART 5 - BYLAW AMENDMENT PROCESS

5.1 APPLICATION FOR AMENDMENT

- (1) A person may apply to have this Bylaw amended by applying in writing, furnishing reasons in support of the application and paying the fee therefore required.
- (2) Council may at any time initiate an amendment to this Bylaw by directing the Development Authority Officer to initiate an amendment therefore:
- (3) All applications for amendment to the Land Use Bylaw shall be made to the Council and shall be accompanied by the following, namely:
 - (a) an application fee according to the governing Land Use Bylaw fee schedule as amended from time to time by resolution of Council shall be submitted for each application, but if the proposed amendment is adopted by Council, Council may determine that the whole or part of the application fee may be returned to the applicant;
 - (b) a title search for the land affected or other documents satisfactory to the Development Authority Officer indicating the applicant's interest in the said land;
 - (c) drawings drawn on standard drafting material to the satisfaction of the Development Authority Officer, which shall be fully dimensioned, accurately figured, explicit and complete; and
 - (d) any other information deemed necessary by the Development Authority Officer.
- (4) Notwithstanding Subsection (3)(a) above, Council may waive payment of an application fee or any part thereof.
- (5) During deliberation on the Bylaw amendment application, Council may refer the application to such agencies as it considers necessary for comment.
- (6) Council may request such information as it deems necessary to reach a decision on the proposed amendment.

5.2 PUBLIC HEARING PROCESS

- (1) At the discretion of Council, first reading of a proposed amendment may be considered after the Public Hearing process, and Council may require that the applicant pay a fee for advertising according to the governing Land Use Bylaw advertising fee schedule as amended from time to time by resolution of County Council.
- (2) All amendments to this Bylaw shall be made by Council, by Bylaw, and in conformity with the requirements of the Act with regard to the holding of a Public Hearing.

PART 6 - ENFORCEMENT AND ADMINISTRATION

6.1 CONTRAVENTION AND PENALTIES

- (1) Where a Development Authority finds that a development or use of land or buildings is not in accordance with
 - (a) the Act or the regulations made thereunder, or
 - (b) a development permit or subdivision approval, or
 - (c) this Bylaw,the Development Authority may, by notice in writing, order the owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to
 - (i) stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or
 - (ii) demolish, remove or replace the development, and/or
 - (iii) take such other measures as are specified in the noticeso that the development or use of the land or buildings is in accordance with the Act, the regulations made thereunder, a development permit, subdivision approval or this Bylaw, as the case may be.
- (2) Where a person fails or refuses to comply with an order directed to him under subsection (1) or an order of the Subdivision and Development Appeal Board within the time specified, the Development Authority may, in accordance with Section 542 of the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- (3) Where the Development Authority carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.
- (4) A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable upon summary conviction to a fine not exceeding \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment, pursuant to Section 566 of the Act.
- (5) A Development Authority may suspend or revoke a development permit which has not been complied with, following notification, stating the reasons for such action.
- (6) In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.
- (7) Violation Tickets

- (a) The Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.
- (b) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the County.
- (c) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence and \$100.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
- (d) The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
- (e) If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- (f) If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

PART 7 - LAND USE PROVISIONS

The following provisions are applicable to the development of land situated in any Land Use District.

7.1 SUITABILITY FOR DEVELOPMENT

- (1) Where the development of land involves a subdivision of land, no development permit shall be issued until the application has received tentative approval from the Subdivision Authority.
- (2) The Development Authority shall not approve an application for a development permit unless, in its opinion, the land that is the subject of the application for a development permit is suited for the proposed development having regard to:
 - (a) topography;
 - (b) soil characteristics;
 - (c) the collection and disposal of storm water from the land;
 - (d) potential for flooding, subsidence, or erosion;
 - (e) accessibility to a constructed road or highway;
 - (f) availability and adequacy of a potable water supply to or from the land;
 - (g) adequacy of a sewage disposal system and the disposal of solid waste;
 - (h) depth of water table below the surface level of the land; and
 - (i) such other matters of concern to the Development Authority.
- (3) Notwithstanding that a proposed development conforms in all respects with this Land Use Bylaw, where the application is for development on lands that are or may be subject to flooding or subsidence, the Development Authority shall not issue a development permit unless the applicant can demonstrate that preventive engineering and construction measures can be instituted to make the site suitable for the proposed development.

7.2 NUMBER OF DWELLING UNITS ON A LOT

- (1) The number of dwelling units allowed on any parcel of land shall not exceed one (1) except at the sole discretion of the Development Authority, and if the second dwelling unit is proposed to be constructed or located on a lot of 4 ha (9.9 ac.) or more.
- (2) The Development Authority may issue a development permit to a person that would allow the construction or location of more than one dwelling unit on a lot if the second or additional dwelling unit:
 - (a) is to be occupied by a person who is engaged on a full-time basis for at least 6 months each year in an agricultural pursuit;
 - (b) is contained in a building that, or in buildings each of which, is designed for or divided into 2 or more dwelling units;
 - (c) is a manufactured home as defined in this Bylaw and located within a park for manufactured homes; or

- (d) is a building, as defined in the Condominium Property Act, that is the subject of a condominium plan to be registered in a Land Titles Office under that Act.
- (3) Provided that the parcel meets the standard for the District in which it is located, a second or additional dwelling unit may be allowed at the discretion of the Development Authority on a lot in the Country Residential Two (CR2) or General Urban (U) District. Such a second or additional dwelling unit may only be located within a manufactured home or a recreational vehicle, and the development or use must be temporary and not permanent in nature.

7.3 EXISTING SUBSTANDARD LOTS

Development on existing substandard lots may be allowed by the Development Authority. Compliance with the Regulations approved pursuant to the Alberta Safety Codes Act shall be required.

7.4 LANDSCAPING

- (1) Trees, hedges, shrubbery and other kinds of flora, walls, fences, screens and other forms of enclosure are allowed within the required minimum front and side yards of a corner lot provided that none of these are more than 1.2 m (4 ft.) in height above ground level within that triangular portion of the lot within 15 m (49.2 ft.) of the point of intersection.
- (2) The Development Authority may require as a condition of issuing a development permit that the applicant retain particular trees or clumps of trees, hedges or shrubbery on the land that is the subject of an application for a development permit and may also require that the applicant provide additional planting or landscaping on the land.
- (3) The Development Authority may require as a condition of issuing a development permit that the applicant provide suitable screening or the enclosure of uses involving the outdoor storage of goods, vehicles, machinery, building materials, waste materials or other kinds of objects.
- (4) A development permit is required before the commencement or continuation of the commercial removal of top soil, and such development 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 top soil to the Soil Conservation Officer acting under the Soil Conservation Act, for approval prior to rendering its decision.

7.5 PROTECTION FROM HAZARDS

- (1) The Development Authority shall not approve an application for a development permit for a development which includes the installation of an anhydrous ammonia or liquefied petroleum gas (AA or LPG) or storage tank with a water capacity exceeding 9000 litres (1982.4 gal.) unless the location of the storage tank on the lot to be developed is at least 122 m (400.3 ft.) or such greater distance as may be required from assembly, institutional, residential or commercial buildings.
- (2) AA or LPG containers with a water capacity of less than 9000 litres (1982.4 gal.) shall be located in accordance with regulations under the Alberta Fire Code.
- (3) Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Alberta Fire Code.
- (4) Setbacks from pipelines and other utility corridors shall be at the discretion of the Development Authority and be in accordance with the appropriate Provincial Regulations or Acts.

7.6 SOUR GAS FACILITIES

- (1) No development shall be permitted within 100 m (328 ft.) of a Level 1 sour gas facility (consisting of a well) as determined by the Alberta Energy and Utilities Board (AEUB).
- (2) In the case of a Level 2 sour gas facility as determined by the AEUB:
 - (a) no permanent dwelling shall be permitted within 100 m (328 ft.) of the facility;
 - (b) no rural public facility shall be permitted within 500 m (1640.4 ft.) of the facility.
- (3) In the case of a Level 3 or 4 sour gas facility as determined by the AEUB:
 - (a) no permanent dwelling shall be permitted within 100 m (328 ft.) of the facility;
 - (b) no country residential development at a density of more than 8 dwellings per quarter section shall be permitted within 500 m (1640.4 ft.) of the facility;
 - (c) no rural public facility shall be permitted within 1500 m (4921.2 ft.) of the facility.

7.7 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

- (1) No person shall keep or allow in the Country Residential One (CR1) District, in the Country Residential Two (CR2) District, or in the Country Residential Three (CR3) District or in any residential area within the General Urban (U) District, or in any other residential or recreational area:
 - (a) any dismantled or wrecked vehicle, whether or not it is in running order, for more than 30 successive days;

- (b) any object, chattel, or other use of land which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the District;
- (c) any excavation, storage or piling up of materials required during construction unless all necessary safety measures are undertaken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

7.8 KEEPING OF ANIMALS

- (1) No fur bearing animals, fowl or livestock other than domestic pets may be kept on a parcel of less than 1.2 ha (2.97 ac.), except that horses, on the basis of one for each 1.2 ha (2.97 ac.) of lot size, shall be allowed without a development permit.

7.9 KENNELS

- (1) Kennels shall only be allowed where indicated as a discretionary or a permitted use within a District.
- (2) When considering a development permit for a kennel, the Development Authority shall have careful consideration of adjacent properties and uses and the potential impact of a kennel on the use and enjoyment of adjacent properties and uses. If the kennel is approved, the Development Authority may require as a condition of approval that the kennel operator take specific action, including action on an ongoing basis, to mitigate any negative impact that the kennel may have on adjacent properties and that, if the action is not taken or does not succeed in its purpose (the mitigation of negative impact), to require that the kennel cease to operate and be entirely removed from the subject site.

7.10 SIGNS

- (1) All signs of a commercial, directional or informative nature erected on land or affixed to any exterior surface of any building or structure shall require a development permit and shall be subject to the following requirements:
 - (a) No signs shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
 - (b) No signs shall be erected on or affixed to public property without the prior consent of the appropriate public body.
 - (c) No signs shall resemble or conflict with a traffic sign, nor shall any sign be a traffic hazard. No sign shall be in contravention of a County traffic speed bylaw or in contravention of any other County bylaw.
 - (d) All signs shall be kept in a safe, clean and tidy condition, and may, by order of the Development Authority, be required to be renovated or removed.

- (e) No signs other than those specified under Subsection (2) below shall be permitted in the Country Residential One (CR1), Country Residential Two (CR2) District, or Country Residential Three (3) District.
 - (f) No signs shall be permitted within 800 m (2624.6 ft.) of a highway unless the prior approval of Alberta Transportation has been received.
 - (g) Oil companies will be allowed to erect signs with the approval of the County to restrict their own oil field truck traffic to prevent the deterioration of County roads. These signs, once approved by the County, will be exempt from the requirement that development permits be obtained.
- (2) Notwithstanding Subsection (1) above, the following signs do not require a development permit, provided that they are not illuminated and that any necessary permits have been obtained from Alberta Transportation:
- (a) signs, not to exceed 1.0 sq. m (10.76 sq. ft.) in area, for the purpose of identification, direction and warning, or relating to a business, institution or club;
 - (b) temporary signs, not to exceed 2.0 sq. m (21.5 sq. ft.) in area, to be removed by the advertiser within 15 days of the completion of the event or works;
 - (c) signs in relation to public or quasi-public bodies.

7.11 DEVELOPMENT SETBACKS

- (1) Where land is located within 0.8 km (0.5 miles) of a highway, setbacks from the highway shall be as required by Alberta Transportation.
- (2) The minimum distance setback for a dug-out shall be 30 m (98.4 ft.) from the centre line of a road other than a secondary road, from which the minimum distance setback shall be 40 m (131.2 ft.) from the centre line.
- (3) Notwithstanding the above, all land uses shall conform to the minimum yard requirements specified in this Bylaw.
- (4) Notwithstanding any other provisions of this Bylaw, where land is situated adjacent to or includes the bed and shore or the bank of any river, stream, creek, lake or other waterbody, no building or other structure shall be allowed within 23 m (75.6 ft.), or such greater distance as may be required by the Development Authority, of either the bed and shore or the line of the top of the bank.

7.12 SUBDIVISION OF LAND

- (1) For the purposes of this Bylaw, an unsubdivided quarter section shall include those quarter sections where a separate title exists for a public utility or institutional use.
- (2) Development agreements shall be required as a condition of approval for subdivision of land within the County.

7.13 ACCESSORY BUILDINGS IN THE GENERAL URBAN (U), COUNTRY RESIDENTIAL ONE (CR1), COUNTRY RESIDENTIAL TWO (CR2), AND COUNTRY RESIDENTIAL THREE (CR3) DISTRICTS (FIGURE 1)

- (1) An accessory building shall not be used as a dwelling.
- (2) The siting of a detached garage or other accessory building shall be in accordance with those figures shown on Figure 1.
- (3) The siting of an accessory building on an irregular shaped parcel shall be as approved by the Development Authority.
- (4) An accessory building shall not be located closer than 2.1 m (7 ft.) to a main building.
- (5) The height of an accessory building shall not exceed 4.5 m (14.75 ft.) unless approved by the Development Authority.
- (6) Where a structure is attached to the main 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 main building and is not an accessory building.

7.14 SINGLE LOT SUBDIVISIONS FOR COUNTRY RESIDENTIAL DEVELOPMENT (including Farmstead Separations, Fragmented Parcels, and Manufactured Homes)

(Bylaw No. 1499 dated Oct. 9, 2007 Incorporated below – Items 1-6)

- (1) In the Agriculture (A) and Urban Expansion (UX) Districts, four (4) parcels for country residential use may be subdivided out of each quarter section provided the quarter section is a minimum of 60 ha (148 ac) in size and provided, further, that the total area of such parcels does not exceed 8 ha (20 ac). If the quarter section is less than 60 ha (148 ac) in size but more than 45 ha (111 ac) in size, the total area of such parcels may not exceed 6 ha (15 ac). If the quarter section is less than 45 ha (111 ac) in size but more than 30 ha (74 ac) in size, the total area of such parcels may not exceed 4 ha (10 ac). If the quarter section is less than 30 ha (74 ac) in size, the total area of such parcel may not exceed 2 ha (5 ac). Such country residential parcels may include any combination of farmsteads and vacant parcels, and may include one (1) fragmented parcel. However, if a quarter section has been subdivided into two (2) halves, only one (1) country residential parcel may be subdivided from each half.
- (2) If the quarter section in the A or UX District is less than 60 ha (148 ac) in size but more than 45 ha (111 ac.) in size, a maximum of three (3) parcels for country residential use may be subdivided from that quarter section. If the quarter section in the A or UX District is less than 45 ha (111 ac) in size but more than 30 ha (74 ac) in size, a maximum of two (2) parcels for country residential use may be subdivided from that quarter section. If the quarter section in the A or UX

District is less than 30 ha (74 ac) in size but more than 15 ha (37 ac) in size, a maximum of one (1) parcel for country residential use may be subdivided from that quarter section. If the quarter section is less than 15 ha (37 ac) in size, no single lot separation may be allowed.

- (3) The development of more than the number of country residential parcels in a quarter section indicated in subsections (1) and (2) above shall be considered to be multi-lot country residential development and shall not be allowed within the Agriculture (A) or Urban Expansion (UX) Districts. Rather, an appropriate amendment to this Bylaw shall be required, normally to a Country Residential District.
- (4) A fragmented parcel, as defined in this bylaw, less than 8 ha (20 ac) in size, shall be considered a parcel for country residential use for the purposes of Subsection (1) above. Subdivision of fragmented parcels larger than 8 ha (20 ac) in area shall be considered to be agricultural parcels.
- (5) A country residential use parcel shall not be less than 0.4 ha (1 ac) in size and not more than 8 ha (20 ac) in size. However, the total area of all single lot country residential use parcels on a quarter Section, including the area of any fragmented parcel which is used for country residential purposes, shall not exceed the number of hectares indicated in section 2.11 above. The use of more land within one quarter section for country residential use shall be considered multi-lot country residential development, even if it is for only one lot, and will require amendment to the Land Use Bylaw before such development can be approved by the County.
- (6) In the case of a fragmented parcel used or intended to be used as a country residential site, the adequacy of the parcel shall be determined by the Subdivision Authority. Fragmented parcels which do not have a building site which would meet the yard and setback requirements of this Bylaw, which building site is readily accessible from a constructed road or highway, shall not be approved by the Subdivision Authority.
- (7) Where parcels which have been registered for use as country residences prior to the passage of this Bylaw are non-conforming in terms of size, the Development Authority may consider the approval of a development permit application.
- (8) Development for country residential purposes, whether for single family dwellings or for manufactured home units, shall be prohibited:
 - (a) on sites where adequate year-round access is not available by either a paved or graveled all-weather road in good condition;
 - (b) on sites where necessary services are not provided at the sole expense of the developer; or
 - (c) on sites on which adequate storm water drainage is not provided.

- (9) The Subdivision Authority shall consider the minimum distance separation between dwellings and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act as a guide for evaluating all single lot subdivisions for country residential development in proximity to confined feeding operations.
- (10) Where there is an existing sewage disposal system or dwelling on a single lot country residential parcel about to be subdivided, the Subdivision Authority shall require certification that the system is operating in accordance with Provincial regulations prior to giving final approval to the subdivision.

7.15 RECREATION

- (1) A site plan detailing the protection of existing treed areas and site topography may be required prior to issuance of a permit for recreational development.
- (2) Spaces for day use, picnicking, camping and similar activities shall be suitably organized, clearly marked, and constructed to the satisfaction of the Development Authority.

7.16 RECREATIONAL TRAILER PARKS

- (1) All internal roads are to be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6 m (20 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.65 m (12 ft.) usable top.
- (2) Stall size shall have a minimum of 13.5 m (49 ft.) width and a minimum of 273 sq. m (2938.5 sq. ft.) in area.
- (3) The developer shall provide an adequate on-site water supply.
- (4) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction over this type of development.
- (5) The development agreement may require the developer to construct, upgrade, or pay to construct or upgrade the necessary County roads to access the development.
- (6) The developer shall designate an area equivalent to ten percent (10%) of the total recreational trailer park area as a playground. This area is to be clearly marked and free from all traffic hazards.
- (7) All stalls shall maintain a minimum set back of 30 m (98.4 ft.) from the shoreline of any body of water or lake.

- (8) If the development is adjacent to a lake, the Developer shall provide reasonable and adequate lake access.

7.17 RECREATIONAL VEHICLES

- (1) No recreational vehicle, whether located within a recreational trailer park or on a lot, may have associated with it any more than two (2) accessory structures, buildings, or other appurtenances, in addition to fences, benches, fire pits, picnic tables, a small shed with a maximum size of 10 sq. m (107.6 sq. ft.), and a screened or roofed patio around or beside the recreational vehicle.
- (2) No structure accessory to a recreational vehicle shall be used as sleeping quarters.
- (3) Except for a recreational vehicle on a lot, which may have an appurtenant garage for the storage of vehicles or boats, the total gross floor area or ground area covered by all accessory structures, buildings or other appurtenances (other than those indicated in Subsection 1. above) shall not exceed the total gross floor area of the recreational vehicle.
- (4) Recreational vehicles may only be allowed within recreational trailer parks or in Districts where specifically indicated in this Bylaw.
- (5) Unless specifically indicated in an approved development permit or in any specific Land Use District, only one recreational vehicles may be allowed on any lot.

7.18 SERVICE STATIONS AND GAS BARS

- (1) Service stations and gas bars shall be located in such a manner that:
 - (a) No entrance or exit thereto for motor vehicles shall be within 60 m (197 ft.) of an entrance to or exit from firehall, public or private school, playground, library, church, hospital, children's or senior citizen's home, or other public or quasi-public institutions;
 - (b) No part of a service station or gas station building or of any pump or other accessory shall be within 6 m (19.5 ft.) of a side or rear property line;
 - (c) Service stations shall have a front yard of not less than 12 m (39.5 ft.) and no fuel pump shall be located closer than 6 m (19.5 ft.) to the front property line; and
 - (d) Storage tanks shall be set back from adjacent buildings in accordance with the Alberta Safety Codes Act and regulations made thereunder, and the Alberta Fire Code.
- (2) Site Area and Coverage
 - (a) The minimum site areas shall be 740 sq. m (7965.5 sq. ft.) and the maximum building coverage shall be 25% of the site area. For service stations including car wash, the minimum site area shall be 1115 sq. m (12,002 sq. ft.).

- (b) Where a service station forms part of an auto dealership development, the minimum site area and maximum building coverage may be varied at the discretion of the Development Authority.
- (3) Site and Building Requirements
 - (a) All parts of the site to which vehicles may have access shall be surfaced and drained to the satisfaction of the Development Authority.
 - (b) No activity may be carried on which constitutes an undue nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.
 - (c) The site of the buildings shall be maintained in a clean and tidy condition and free from all rubbish and debris.

7.19 INTENSIVE AGRICULTURAL AND HORTICULTURAL USES

- (1) Applications for intensive agriculture development shall be referred to the Agricultural Services Board for comment advising on the feasibility of the proposed use suitability of the site.
- (2) All development proposals shall be considered and decided upon by the Development Authority individually based upon their individual merit and consideration should be given to such items as:
 - (a) site selection;
 - (b) waste disposal;
 - (c) first owner priority; and
 - (d) distance from roads and watercourses.

7.20 CONFINED FEEDING OPERATIONS AND MANURE STORAGE FACILITIES

Confined feeding operations and manure storage facilities for which an approval, a registration, or an authorization is required pursuant to the Agricultural Operation Practices Act are not regulated by this Bylaw but by that Act.

7.21 HOME OCCUPATIONS

- (1) All development permits issued for home occupations shall be revocable at any time by the development authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.
- (2) A minor home occupation shall comply with the following regulations:
 - (a) No offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot on which the minor home occupation is located shall be produced by the home occupation.
 - (b) There shall be no exterior signage, display or advertisement other than a business identification sign which shall not exceed 1 sq. m (10.8 sq. ft.) in size.

- (c) A minor home occupation shall not occupy more than 30% of the gross floor area of the principal dwelling.
 - (d) Except in the Agriculture (A) and Urban Expansion (UX) Districts, there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the minor home occupation allowed on the site. Storage related to the minor home occupation shall be allowed in either the dwelling or accessory buildings.
 - (e) Up to four (4) business visits per day are allowed.
 - (f) Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.
 - (g) A minor home occupation shall not employ any person on-site other than the occupants of the dwelling.
- (3) In addition to the requirements of Subsection (2) above, a major home occupation shall comply with the following regulations:
- (a) The number of non-resident employees working on-site shall not exceed two (2) on-site, non-occupant employees.
 - (b) Up to 8 business visits per day are allowed in the Agriculture (A) and Urban Expansion (UX) Districts. In all other Districts, up to 4 business visits per day are allowed.
 - (c) No more than one commercial vehicle up to a size of a tandem truck, to be used in conjunction with the major home occupation, shall be parked or maintained on the site in a Country Residential One (CR1) or a General Urban (U) District. The parking space for the commercial vehicle shall be adequately screened and sited behind the principal building to the satisfaction of the Development Authority.
 - (d) Not more than four (4) commercial vehicles, each with one accessory trailer, to be used in conjunction with the major home occupation, shall be parked or maintained on a site in the Agriculture (A) and Urban Expansion (UX) Districts.
 - (e) Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as long as such alterations comply with this Bylaw and the Alberta Safety Codes Act and the regulations made thereunder.
- (4) All home occupations shall comply with the following requirements:
- (a) In addition to a development permit application, each application for a minor home occupation or a major home occupation shall be accompanied by a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.
 - (b) When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.
 - (e) Home occupations shall not involve:
 - (i) activities that use or store hazardous material in quantities exceeding those found in a normal household; or

- (ii) any use that would, in the opinion of the development authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
- (5) A permit issued for a home occupation is valid for one year or longer as determined by the Development Authority. It is the obligation of the developer to seek renewal of a development permit prior to the expiry of the time period for which the initial permit was issued. The Development Authority shall consider the renewal on its merits.
- (6) A stop order may be issued at any time if, in the opinion of the Development Authority, the operator of the home occupation has violated any provisions of this Bylaw or conditions of the approval of the development permit and complaints based on the operation of the home occupation have been received.

7.22 RURAL INDUSTRIES

- (1) An application for the establishment of an industrial use shall be considered by the Development Authority who may request advisory comment from the following authorities whose interest or jurisdiction may be affected:
 - (a) any Provincial government agency
 - (b) Regional Health Authority.
- (2) In addition to the other requirements of this Bylaw, each development permit application for industrial development shall be accompanied by the following information:
 - (a) type of Industry,
 - (b) number of employees,
 - (c) estimated water demand and anticipated source,
 - (d) type of effluent and method of treatment,
 - (e) transportation routes to be used (rail and road),
 - (f) reason for specific location,
 - (g) any accessory works required (pipeline, railway, spurs, etc.)
 - (h) anticipated residence location of employees,and/or any other information as may be reasonably required by the Development Authority.
- (3) All site regulations and requirement shall be based upon the type of industrial development proposed, and shall be at the discretion of the Development Authority.

7.23 NATURAL RESOURCE EXTRACTION INDUSTRIES

- (1) Where not required to do so by the Province, the proponent of a natural resource extraction industry may, at the discretion of the Development Authority, be required to submit a reclamation plan to the County for its approval before a development permit is issued.

- (2) An application for a development permit for the excavation, stripping or grading of land that is proposed without any other development on the same land, shall include with the application, the following information:
 - (a) location and area of the site where the excavation is to take place;
 - (b) the type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the site;
 - (c) the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
 - (d) identification of potential for outdoor noise and the discharge of substances into the air; and,
 - (e) the condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the site.
- (3) A development permit shall not be issued for a sand, gravel, clay, coal, limestone, gypsum, granite, salt or a mineral extraction operation until any necessary reclamation plan and permit/license is approved by the Provincial Government.
- (4) Where not required to do so by the Province, the proponent of a natural resource extraction industry may, at the discretion of the Development Authority, be required to post with the County security in the form of an irrevocable letter of credit to ensure that reclamation will be completed.
- (5) A disturbed area shall be reclaimed to:
 - (a) at least its former capability for agriculture; or
 - (b) any other use, which Council feels, will be beneficial to the County
- (6) At the time of application, the proponent of a new or expanding natural resource extraction industry shall identify all municipal servicing costs associated with the development.
- (7) The following conditions of approval may be included when processing an application for a natural resource extraction industry:
 - (a) limitation of hours of operation;
 - (b) requirement to enter into a Road Use Agreement with the County for the provision of dust control and maintenance/upgrading of roads used in direct relation to the operation;
 - (c) posting of adequate signage, including company name and emergency telephone numbers, to warn of possible site or operational hazards and dangers;
 - (d) the provision of a reclamation plan; and,
 - (e) methods of minimizing noise in relation to the activities of the operation.

7.24 MANUFACTURED HOMES

- (1) Manufactures homes shall satisfy the Z240 Standard of the Canadian Standards Association.

- (2) A manufactured home shall be skirted from the floor level to the ground level which shall match the existing external finish of the manufactured home.
- (3) No accessory buildings or use other than a parking space shall be located in the front yard of a manufactured home.
- (4) The storage of any furniture, domestic equipment or seasonally used equipment shall be occur in a covered storage building, or shall be screened either individually on the stall or lot or communally. The storage area or building shall conform to the local building, fire, electrical and plumbing codes.
- (5) The following regulations apply to manufactured homes in subdivisions:
 - (a) The hitch and wheels are to be removed from the manufactured home.
 - (b) All manufactured homes shall be firmly placed on a foundation or base.
 - (c) The property shall be grassed and landscaped within one year from the date of issue of the development permit.
 - (d) Minimum lot area and width may be less in the case of existing registered substandard lots, with the approval of the Development Authority.
- (6) All accessory structures, such as patios, porches, additions and skirting , shall be:
 - (a) factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured homes;
 - (b) considered as part of the main building; and
 - (c) erected only after obtaining a development permit.

7.25 MANUFACTURED HOME PARKS

- (1) A development permit shall not be issued for a manufactured home park until written comments are received from appropriate authorities indicating that the proposed sewage disposal system has been approved.
- (2) Where a sewage lagoon is required for the development of a manufactured home park, the construction of a chain link or wire fence may be required as a safety precaution.
- (3) Manufactured homes shall be located a minimum of 7.5 m (24.6 ft.) from the boundary of a manufactured home park site with a road or highway and 4.5 m (14.8 ft.) from adjacent parcels. The setback strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
- (4) All roads in a manufactured home park shall be surfaced, and well drained, and maintained to the satisfaction of the Development Authority. Minimum driving surface width shall be 7.3 m (24 ft.) and minimum right-of-way width shall be 10 m (32.8 ft.).
- (5) All parks shall be provided with safe, convenient, all-season pedestrian access of at least 1.0 m (3.3 ft.) in width for intended use between individual manufactured homes, the park streets, and all community facilities provided for park residents.

- (6) Visitor parking space shall be provided at a ratio of at least one (1) space for every two (2) manufactured homes and shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.
- (7) The design of manufactured home parks shall be to the satisfaction of the Development Authority.
- (8) All municipal utilities shall be provided underground to stalls in a manufactured home park.
- (9) In a manufactured home park, 5% of the gross site area shall be devoted to recreational use.
- (10) All areas of a manufactured home park not occupied by manufactured homes and their additions, internal roads, footpaths, 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 deemed necessary by the Development Authority around laundry yards, refuse collection points and playgrounds.
- (11) No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well being of the park residents and for the management and maintenance of the park.
- (12) Manufactured home park facilities shall be arranged to create a homelike atmosphere. This objective is achieved by variations in street pattern, block shapes and location of manufactured home stands.
- (13) Each manufactured home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (14). Street lighting in a manufactured home park shall be the same standard as that in a conventional residential neighborhood or to the satisfaction of the Development Authority.
- (15) Signs
 - (a) Only one (1) main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a manufactured 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.
 - (b) Directional signs within the manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.

- (16) Manufactured homes shall be separated from each other by at least 6 m (19.7 ft.) side-to-side and 3.0 m (9.8 ft.) from either front or rear stall line provided further that any porch or addition to the manufactured home is regarded as part of the manufactured home for the purpose of spacing. Notwithstanding the above, the minimum side yard requirements shall be 2 m (6.5 ft.).
- (17) The minimum dimensions for a manufactured home stall shall be 15 m (49 ft.) by 30 m (98.4 ft.) and the minimum size for a manufactured home stall shall be 465 sq. m (5112.9 sq. ft.).
- (18) The minimum site area shall be 2.0 ha (4.94 ac.).
- (19) The maximum permissible density for a manufactured home park shall be 15 manufactured home stalls per gross developable hectare (6.07/ ac.) of the area being developed at each stage of the development.
- (20) Refuse Collection and Screening:
 - (a) The park operator must provide a central collection area for garbage within the park, located in an area satisfactory to the Development Authority. The operator is also responsible for regularly transferring the garbage from the park to a waste disposal site.
 - (b) The central collection area must also be maintained to the satisfaction of the Development Authority.
- (21) All utilities shall be provided to each stall at the developer's expense.
- (22) A central area of a minimum of 14.0 sq. m (150.7 sq. ft.) of space for each manufactured home shall be provided for the storage of recreation vehicles, boats, trailers, etc.

7.26 OFF-STREET LOADING

- (1) Off-street loading facilities shall be required for all developments other than single family dwellings, manufactured homes, duplexes, day homes, and major and minor home occupations within the Industrial/Commercial (IC) District and the General Urban (U) District.

- (2) Loading Facilities

When required by this Bylaw or by an approved development permit, a development shall:

- (a) provide off-street loading spaces, each having dimensions of not less than 3 m (10 ft.) in width, 7.5 m (24.5 ft.) in length, and 4.2 m (13.75 ft.) in height;

- (b) provide vehicular ingress to, and egress from, a street or lane to all off-street loading facilities such that no backing or turning movements of vehicles going to or from the site cause interference with traffic in the abutting streets or lanes;
 - (c) provide that off-street loading facilities are sited at an elevation or elevations convenient to a major floor level in the building or to a utility elevator serving each major floor level; and
 - (d) provide that off-street loading facilities are so graded and drained as to dispose of all storm water runoff. In no case shall drainage be allowed to cross sidewalks.
- (3) Number of Off-Street Loading Spaces
- (a) In a retail, industrial warehouse or similar development, the minimum required number of off-street loading spaces shall be as follows:
 - (i) in developments of less than 460 sq. m (4951.5 sq. ft.) of gross floor area, one (1) space,
 - (ii) in developments between 460 sq. m (4951.5 sq. ft.) and 2300 sq. m (24,758 sq. ft.) of gross floor area, two (2) spaces,
 - (iii) in developments where there is more than 2300 sq. m (24758 sq. ft.) of gross floor area, one (1) space for each additional 2300 sq. m (24,758 sq. ft.) or fraction thereof.
 - (b) In an office building, place of public assembly, public convalescent home, institution, club or lodge, public utility, school, or for any other use, for each 2300 sq. m (24,758 sq. ft.) of gross floor area or fraction thereof, the minimum required number of off-street loading spaces shall be one (1).

7.27 OFF-STREET PARKING

- (1) Off-street parking facilities shall be required for all developments within the three Country Residential (CR) Districts, the Industrial/Commercial (IC) District and the General Urban (U) District.
- (2) An off-street parking area or accessory off-street parking area:
 - (a) shall not be located within 1.0 m (3.28 ft.) of a lot line;
 - (b) shall be constructed so that adequate access to and exit from each parking space is to be provided at all times by means of maneuvering aisles designed to the satisfaction of the Development Authority;
 - (c) shall have necessary access located and constructed to the satisfaction of the Development Authority; and
 - (d) shall be adequately signed so as to direct access to it.
- (3) Dimensions
 - (a) All parking areas shall conform to the following requirements:

Minimum Parking Standards (in m (ft.))

- | | | | | | |
|-----|-----|-----|-----|-----|-----|
| (a) | (b) | (c) | (d) | (e) | (f) |
|-----|-----|-----|-----|-----|-----|

Parking Angle in Degrees	Width of Space	Depth of Space Perpendicular to Maneuvering Aisle	Width of Space Parallel to Maneuvering Aisle	Overall Depth	Width of Maneuvering Aisle (m)
0	2.7 (9)	2.7 (9)	7.0 (23)	9.1 (30)	One Way 3.6 (12)
30	2.7 (9)	5.2 (17)	5.5 (18)	14.0 (46)	One Way 3.6 (12)
45	2.7 (9)	5.8 (19)	4.0 (13)	15.2 (50)	One Way 3.6 (12)
60	2.7 (9)	6.1 (20)	3.1 (10)	18.2 (59)	One Way 6.0 (19.5)
90	2.7 (9)	6.1 (20)	2.7 (9)	19.5 (64.5)	One Way 7.3 (24)

(See figure above for diagram showing definitions of column headings)

- (b) In the General Urban (U) District, the Development Officer may require some parking spaces provided to be a minimum width of 3.0 m (10 ft.) and a minimum depth of 20 m (65.5 ft.), specifically designed for large trucks. Maneuvering aisles and accesses will be sized appropriately to permit vehicular access to these spaces.
- (4) Surfacing and Drainage
- (a) Every off-street parking space provided, and the access thereto, shall be hard surfaced if the access is from a street or lane which is hard surfaced; parking areas must be paved or of gravel mixture as approved by the Development Authority.
 - (b) Each parking area shall be so graded and drained as to dispose of all storm water runoff. In no case shall drainage be allowed to cross a sidewalk unless permitted otherwise by the Development Authority.
- (5) Required Number of Off-Street Parking Spaces

The minimum number of off-street parking spaces required for each building or use shall be as in the following table. In the case of use not specifically mentioned, the required number of off-street parking spaces shall be the same as for a similar use as determined by the Development Authority. Where a development falls within more than one class, the required number of spaces shall be the sum of the requirements for each of the development classes.

The Development Authority may allow an applicant to provide a lesser number of spaces if it can be shown that the standard is not applicable to the project.

<u>Use of Building or Development</u>	<u>Minimum No. of Parking Spaces</u>
<u>Residential</u> Dwellings	2 per dwelling unit
<u>Commercial</u> General retail establishments	1 per 28 m ² (301 sq. ft.) of gross floor area plus one space per two employees on maximum shift
Personal service shops, and offices	1 per 46 m ² (495 sq. ft.) of gross leasable floor area plus one space per two employees

	on maximum shift
Eating and drinking establishments, entertainment establishments	1 per 4 seating spaces plus 1 space per 2 employees on maximum shift
Hotels, motels	1 per sleeping unit plus 1 space per 2 employees on maximum shift
<u>Places of Public Assembly</u>	
Auditoriums, churches, halls, clubs, theatres, and other amusement or recreation places	To the satisfaction of the Development Authority
<u>Schools</u>	
Public, separate or private elementary and jr. high schools	1 per employee on maximum shift plus 5
Public or separate sr. high schools	1 per employee on maximum shift, plus 1 for every 4 students, plus whatever number required as a result of any auditorium or gym
<u>Industrial</u>	
Any industrial use or public utility building	1 per 2 employees on maximum shift provided that this standard may be varied by the Development Authority
<u>Hospitals and Similar Uses</u>	
Hospitals, sanitariums, convalescent homes, etc.	1 per 93 m ² (1001 sq. ft.) of gross floor area, or 1 per 4 beds plus 1 for every 2 employees on maximum shift, whichever is greater

7.28 BED AND BREAKFAST ESTABLISHMENTS

- (1) A bed and breakfast establishment shall comply with the following regulations:
 - (a) A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved, and shall have a maximum of three (3) revenue-generating bedrooms.
 - (b) Cooking facilities shall not be located within the sleeping units.
 - (c) In addition to any other parking requirements of this Bylaw, one (1) additional parking space shall be provided for each sleeping unit.
 - (d) A bed and breakfast establishment shall comply with all of the requirements for a major home occupation described elsewhere in this Bylaw.

7.29 HISTORICAL AND ARCHEOLOGICAL SITES

Historical sites or archeological sites identified pursuant to the Alberta Historical Resources Act shall be protected in accordance with the guidelines and regulations established by Alberta Community Development.

7.30 ABOVE-GROUND FUEL STORAGE TANKS

The Development Authority may require that a fuel storage tank over 100 litres (22.0 gal.) in size be placed underground in the Country Residential and General Urban Districts if the proposed tank is to be located close to residential uses.

7.31 BARBED WIRE AND PAGE WIRE FENCING

Except in the Agriculture and Industrial/Commercial Districts, barbed and page wire fences shall not be permitted, except at the sole discretion of the Development Authority.

7.32 ACCESSORY BUILDINGS

All accessory buildings shall be set back a minimum of 1.5 m (4.92 ft.) from rear and side lines and no accessory buildings shall be allowed within front yards.

PART 8 - LAND USE DISTRICTS - USES AND REGULATIONS

8.1 ESTABLISHMENT OF LAND USE DISTRICTS

(1) For the purposes of this Bylaw the County of St. Paul No. 19 is divided into the following districts:

- Agriculture (A) District
- Country Residential One (CR1) District
- Country Residential Two (CR2) District
- Country Residential Three (CR3) District
- Industrial/Commercial (IC) District
- General Urban (U) District
- Urban Expansion (UX) District
- Landfill (L) District
- Linear Parcel Direct Control (LPDC) District

(2) The boundaries of the districts listed in this Bylaw are as delineated in PART 10, LAND USE DISTRICT MAP.

(3) Where uncertainty exists as to the boundaries of districts as delineated in the LAND USE DISTRICT MAP, the following rules shall apply:

Rule 1 Where a boundary is shown as following a street, lane, or canal, it shall be deemed to follow the centre line thereof.

Rule 2 Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

Rule 3 In circumstances not cover by Rules 1 and 2, the location of the district boundary shall be determined:

- (a) where dimensions are set out on the LAND USE DISTRICT MAP, by the dimensions so set, or
 - (b) where no dimensions are set out on the LAND USE DISTRICT MAP with respect to such boundary, by measurement of and use of the scale shown on the LAND USE DISTRICT MAP.
- (4) Where the application of the above rules does not determined the exact location of the boundary of a district, the Council, either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to the measurements and directions as the circumstances may require.
- (5) The Development Authority Officer shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

8.2 AGRICULTURE (A) DISTRICT

1. PURPOSE

The primary purpose of the Agriculture District is to preserve agriculturally productive land and encourage the development of those agricultural activities associated with farming. The District also provides for the development of non-agricultural uses based on the potential capability, suitability and environmental compatibility of the land to support the use.

2. PERMITTED USES

- (1) Extensive Agriculture
- (2) Minor Home Occupations
- (3) Transfer Stations
- (4) Buildings and Uses Accessory to Permitted Uses

3. DISCRETIONARY USES (Refer to appropriate Land Use Provisions)

- (1) Agricultural Service Centres
- (2) Bed and Breakfast Establishments
- (3) Day Homes
- (4) Extensive Recreation
- (5) Family Care Facilities
- (6) Farmstead Separations
- (7) Group Care Facilities
- (8) Group Homes

- (9) Institutional and Public Uses
- (10) Intensive Agriculture
- (11) Intensive Recreation
- (12) Kennels
- (13) Major Home Occupations
- (14) Manufactured Home Parks
- (15) Natural Resource Extraction Industries
- (16) Rural Industries
- (17) Single Lot Country Residential Development
- (18) Veterinary Clinics
- (19) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses
- (20) Buildings and Uses Accessory to Discretionary Uses

4. REGULATIONS

- (1) Minimum Lot Size – Permitted Uses
 - (a) For permitted agricultural uses, 25.0 ha (61.8 ac.), except where the lot is subject to the following exemptions:
 - (i) where the lot is fragmented by a natural or man-made barrier;
 - (ii) where roadway and/or railroad plans have been removed from the lot;
 - (iii) where subdivisions for discretionary uses have been allowed;
 - (iv) the remainder of a lot where a single residential lot subdivision has occurred.
- (2) Maximum Lot Size – Permitted Uses
 - (a) For Transfer Stations – 8 ha (20 ac.)
- (3) Minimum Lot Size - Discretionary Uses
 - (a) single lot country residential development and farmstead separations – minimum lot size not less than 0.4 ha (1.0 ac.);
 - (b) all other discretionary uses as regulated by the land use provisions;
 - (c) if not specified, to be determined by the Development Authority.
- (4) Minimum Floor Area - Discretionary Uses
 - (a) as required by the Development Authority
- (5) Minimum Required Yards
 - (a) Minimum Required Front Yard
 - (i) Internal Local Road – 12.1 m (39.7 ft.) from the boundary of the right-of-way,
 - (ii) Grid Road – 24.4 m (80 ft.) from the boundary of the right-of-way,
 - (iii) Major and Minor Two-Lane Highways – 70 m (230 ft.) from the centre line or 40 m (131.2 ft.) from the boundary of the right-of-way, whichever is greater.

- (b) Minimum Required Side Yards – a minimum ten percent (10%) of mean parcel width or 12 m (39.4 ft.), whichever is the lesser, except in the case of a Corner Lot, where the minimum required side yard from the side line adjacent to the road or highway shall be as required for the front yard.
- (c) Minimum Required Rear Yard – a minimum ten percent (10%) of mean parcel depth, or as determined by the Development Authority.

Note: Where there is an intersection or sharp curve, Figures 1 through 7 shall apply.

(5) Kennels

Notwithstanding any other provision of this Bylaw to the contrary, kennels shall only be developed in accordance with approved development permits which require that the kennels be located, developed and operated in such a manner as to mitigate any potential detrimental effect on adjacent properties.

(6) Special Regulations

- (a) Notwithstanding any other provision of this Bylaw to the contrary, Block A, Plan 3224NY (which is within SE 6-57-8-W4) may be subdivided into two lots.
- (b) Notwithstanding any other provision of this Bylaw to the contrary, SW 11-58-11-W4 may be subdivided as follows:
 - (i) 2.34 ha (5.78 ac.) parcel for country residential uses,
 - (ii) 24.36 ha (60.19 ac.) parcel for extensive agriculture uses,
and
 - (iii) 31.6 ha (78.09 ac.) parcel for extensive agriculture uses.

8.3 COUNTRY RESIDENTIAL ONE (CR1) DISTRICT

1. PURPOSE

The general purpose of this District is to provide for specific areas where multi-lot country residential development may take place within various parts of the County. Most, though not all of those areas, are not adjacent to the lakes in the County.

2. PERMITTED USES

- (1) Single family dwellings
- (2) Minor Home Occupations
- (3) Buildings and Uses Accessory to Permitted Uses

3. DISCRETIONARY USES (Refer to appropriate Land Use Provisions)

- (1) Bed and Breakfast Establishments
- (2) Day Homes
- (3) Extensive Agriculture
- (4) Extensive Recreation
- (5) Family Care Facilities
- (6) Institutional Buildings and Uses
- (7) Major Home Occupations
- (8) Manufactured Homes
- (9) Public Utility Buildings and Installations
- (10) Other uses which, in the opinion of the Development Authority, are similar to the above listed Permitted or Discretionary Uses
- (11) Buildings and Uses Accessory to Discretionary Uses

4. REGULATIONS

- (1) Minimum Lot Size:
 - (a) Permitted uses – In the case of a development permit, 0.4 ha (1.0 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.4 ha (1.0 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.
 - (b) Discretionary uses
 - (i) Extensive Agriculture – as required in Section 9.2.4(1) of this Bylaw
 - (ii) All other uses – as required by the Development Authority
- (2) Minimum Required Yards:
 - (a) Front and corner
 - (i) Internal Local Road – 7.6 m (24.9 ft.) from the boundary of the right-of-way,
 - (ii) Grid Road – 24.4 m (80 ft.) from the boundary of the right-of-way,

- (iii) Major and Minor Two-Lane Highways – 70 m (230 ft.) from the centre line or 40 m (131.2 ft.) from the boundary of the right-of-way, whichever is greater.
 - (b) Side – 6.1 m (20 ft.) each;
 - (c) Rear - 7.6 m (24.9 ft.).

- (3) Minimum Floor Area
 - (a) Single family dwellings and manufactured homes – 74.3 sq. m (800 sq. ft.)

- (4) Maximum Building Height
 - (a) Dwelling units - 7.6 m (25 ft.) or 2 storeys, whichever is shorter
 - (b) Accessory buildings - 4.6 m (15 ft.)

- (5) Recreational Vehicles
 - (a) No development permit shall be required for the placement of any number of recreational vehicles on a lot if those recreational vehicles are mobile (that is, licensed, insured, and with its wheels intact), are on site for seven (7) days or fewer, and have no accessory buildings or structures, such as parking pads, porches, associated with any of them.
 - (b) A development permit shall be required for the placement of a recreational vehicle on a lot if that recreational vehicle is not mobile, is on site for more than seven (7) days, or has any accessory buildings or structures associated with it. A development permit shall be required for the placement of any such accessory structures on a lot. The issuance of such a development permit shall be considered entirely discretionary.
 - (c) Notwithstanding Subsections (a) and (b) above, no development permit shall be required for the placement of one (1) recreational vehicle on a lot for any time period, provide that that recreational vehicle remains mobile, and has no accessory buildings or structures associated with it.
 - (d) All recreational vehicles shall have such sewage disposal facilities as may be required by Provincial or Health Regulations and/or guidelines.
 - (e) If a recreational vehicle is developed so as to become a part of a building, such as by the removal of its wheels or the addition of a building or structure onto it which encloses or immobilizes the recreational vehicle, the recreational vehicle will then be regarded as a semi-permanent or permanent dwelling and be subject to Provincial or Health regulations and/or guidelines.

- (6) The resubdivision of lots in the CR1 District into smaller parcels will only be allowed:
 - (a) if the subdivision was initially designed to allow for such resubdivision, or
 - (b) if the subdivision currently has a mixture of lot sizes, and if all other regulations of this Land Use Bylaw are satisfied.

8.4 COUNTRY RESIDENTIAL TWO (CR2) DISTRICT

1. PURPOSE

The general purpose of this District is to provide for specific areas where multi-lot country residential development may take place within various parts of the County. Most, though not all of those areas, are adjacent to the lakes in the County.

2. PERMITTED USES

- (1) Single family dwellings
- (2) Minor Home Occupations
- (3) Buildings and Uses Accessory to Permitted Uses

3. DISCRETIONARY USES (Refer to appropriate Land Use Provisions)

- (1) Bed and Breakfast Establishments
- (2) Day Homes
- (3) Extensive Recreation
- (4) Institutional Buildings and Uses
- (5) Intensive Recreation
- (6) Major Home Occupations
- (7) Manufactured Homes
- (8) Public Utility Buildings and Installations
- (9) Resort Commercial Uses
- (10) Other uses which, in the opinion of the Development Authority, are similar to the above listed Permitted or Discretionary Uses
- (11) Buildings and Uses Accessory to Discretionary Uses

4. REGULATIONS

- (1) Minimum Lot Size:
 - (a) Permitted uses within 122 m (400 ft.) of a lake – In the case of a development permit, 0.2 ha (0.5 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.2 ha (0.5 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.
 - (b) Permitted uses more than 122 m (400 ft.) from a lake – In the case of a development permit, 0.4 ha (1 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.4 ha (1 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.
 - (c) Discretionary uses – as required by the Development Authority

- (2) Minimum Required Yards:

- (a) Front and corner
 - (i) Internal Local Road – 7.6 m (24.9 ft.) from the boundary of the right-of-way,
 - (ii) Grid Road – 24.4 m (80 ft.) from the boundary of the right-of-way,
 - (iii) Major and Minor Two-Lane Highways – 70 m (230 ft.) from the centre line or 40 m (131.2 ft.) from the boundary of the right-of-way, whichever is greater.
 - (b) Side – 6.1 m (20 ft.) each;
 - (c) Rear - 7.6 m (24.9 ft.).
- (3) Minimum Floor Area
- (a) Single family dwellings and manufactured homes – 74.3 sq. m (800 sq. ft.)
- (4) Maximum Building Height
- (a) Dwelling units - 7.6 m (25 ft.) or 2 storeys, whichever is shorter
 - (b) Accessory buildings - 4.6 m (15 ft.)
- (5) Recreational Vehicles
- (a) No development permit shall be required for the placement of any number of recreational vehicles on a lot if those recreational vehicles are mobile (that is, licensed, insured, and with its wheels intact), are on site for seven (7) days or fewer, and have no accessory buildings or structures, such as parking pads, porches, associated with any of them.
 - (b) A development permit shall be required for the placement of a recreational vehicle on a lot if that recreational vehicle is not mobile, is on site for more than seven (7) days, or has any accessory buildings or structures associated with it. A development permit shall be required for the placement of any such accessory structures on a lot. The issuance of such a development permit shall be considered entirely discretionary.
 - (c) Notwithstanding Subsections (a) and (b) above, no development permit shall be required for the placement of one (1) recreational vehicle on a lot for any time period, provide that that recreational vehicle remains mobile, and has no accessory buildings or structures associated with it.
 - (d) All recreational vehicles shall have such sewage disposal facilities as may be required by Provincial or Health Regulations and/or guidelines.
 - (e) If a recreational vehicle is developed so as to become a part of a building, such as by the removal of its wheels or the addition of a building or structure onto it which encloses or immobilizes the recreational vehicle, the recreational vehicle will then be regarded as a semi-permanent or permanent dwelling and be subject to Provincial or Health regulations and/or guidelines.
- (6) Intensive Recreation and Resort Commercial Developments

Intensive recreation developments and resort commercial developments shall be developed only with careful consideration of the impacts such development may have on the residential and recreational amenity of adjacent residential uses, and shall be developed with appropriate buffers and conditions, as established and required by the Development Authority, to mitigate any negative impacts. No intensive recreation or resort commercial development shall have any more than a total of twenty-five (25) units, either recreational vehicle stalls or hotel or motel units, for rental or use.

- (7) The resubdivision of lots in the CR2 District into smaller parcels will only be allowed:
 - (a) if the subdivision was initially designed to allow for such resubdivision, or
 - (b) if the subdivision currently has a mixture of lot sizes, and if all other regulations of this Land Use Bylaw are satisfied.

8.5 COUNTRY RESIDENTIAL THREE (CR3) DISTRICT

1. PURPOSE

The general purpose of this District is to provide for specific areas where multi-lot country residential development may take place under substantial development restrictions within various parts of the County. Most, though not all of those areas, are adjacent to the lakes in the County. Neither manufactured homes nor the occupancy of recreational vehicles shall be allowed in this District.

2. PERMITTED USES

- (1) Single family dwellings
- (2) Minor Home Occupations
- (3) Buildings and Uses Accessory to Permitted Uses

3. DISCRETIONARY USES (Refer to appropriate Land Use Provisions)

- (1) Day Homes
- (2) Extensive Recreation
- (3) Institutional Buildings and Uses
- (4) Major Home Occupations
- (5) Public Utility Buildings and Installations
- (6) Other uses which, in the opinion of the Development Authority, are similar to the above listed Permitted or Discretionary Uses
- (7) Buildings and Uses Accessory to Discretionary Uses

4. REGULATIONS

- (1) Minimum Lot Size:
 - (a) Permitted uses within 122 m (400 ft.) of a lake – In the case of a development permit, 0.2 ha (0.5 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.2 ha (0.5 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.
 - (b) Permitted uses more than 122 m (400 ft.) from a lake – In the case of a development permit, 0.4 ha (1 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.4 ha (1 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.
 - (c) Discretionary uses – as required by the Development Authority
- (2) Minimum Required Yards:
 - (a) Front and corner
 - (i) Internal Local Road – 7.6 m (24.9 ft.) from the boundary of the right-of-way,
 - (ii) Grid Road – 24.4 m (80 ft.) from the boundary of the right-of-way,

- (iii) Major and Minor Two-Lane Highways – 70 m (230 ft.) from the centre line or 40 m (131.2 ft.) from the boundary of the right-of-way, whichever is greater.
 - (b) Side – 6.1 m (20 ft.) each;
 - (c) Rear - 7.6 m (24.9 ft.).
- (3) Minimum Floor Area
 - (a) Single family dwellings and manufactured homes – 111.5 sq. m (1200 sq. ft.)
- (4) Maximum Building Height
 - (a) Dwelling units - 7.6 m (25 ft.) or 2 storeys, whichever is shorter
 - (b) Accessory buildings - 4.6 m (15 ft.)
- (5) Recreational Vehicles

Notwithstanding any other provision of this Bylaw to the contrary, no occupied recreational vehicle may be located on any lot in the CR3 District.
- (6) Use of Reserve Land – See Section 3.3 of this Bylaw
- (7) The resubdivision of lots in the CR3 District into smaller parcels will only be allowed:
 - (a) if the subdivision was initially designed to allow for such resubdivision, or
 - (b) if the subdivision currently has a mixture of lot sizes, and if all other regulations of this Land Use Bylaw are satisfied.

8.6 INDUSTRIAL/COMMERCIAL (IC) DISTRICT

1. PURPOSE

The primary purpose of the Industrial/Commercial District is to provide for the development of industrial and commercial enterprises which generally are compatible with one another.

2. PERMITTED USES

None

3. DISCRETIONARY USES (Refer to appropriate Land Use Provisions)

- (1) Agricultural Service Centres
- (2) Amusement Establishments, Indoor
- (3) Amusement Establishments, Outdoor
- (4) Auto Wrecking Plants, Storage or Auto Replacement Parts Outlets
- (5) Bingo Halls
- (6) Commercial Service Centres
- (7) Eating and Drinking Establishments
- (8) Gambling Machine Establishments
- (9) General Industrial Uses
- (10) Hotels
- (11) Institutional or Public Uses
- (12) Intensive Agriculture
- (13) Liquor Stores
- (14) Motels
- (15) Natural Resource Extraction Industries
- (16) Personal Service Shops
- (17) Rural Industries
- (18) Surveillance Suites
- (19) Veterinary Clinics
- (20) Other uses which, in the opinion of the Development Authority, are similar to the above listed Permitted or Discretionary Uses
- (21) Buildings and Uses Accessory to Discretionary Uses

4. REGULATIONS

- (1) The maximum and minimum lot size shall be as determined by the Development Authority.
- (2) Minimum Required Yards
 - (a) Minimum Required Front Yard
 - (i) Internal Local Road – 12.1 m (39.7 ft.) from the boundary of the right-of-way,
 - (ii) Grid Road – 24.4 m (80 ft.) from the boundary of the right-of-way,

- (iii) Major and Minor Two-Lane Highways – 70 m (230 ft.) from the centre line or 40 m (131.2 ft.) from the boundary of the right-of-way, whichever is greater.
- (b) Minimum Required Side Yards – a minimum ten percent (10%) of mean parcel width or 12 m (39.4 ft.), whichever is the lesser, except in the case of a Corner Lot, where the minimum required side yard from the side line adjacent to the road or highway shall be as required for the front yard.
- (c) Minimum Required Rear Yard – a minimum ten percent (10%) of mean parcel depth, or as determined by the Development Authority.

8.7 GENERAL URBAN (U) DISTRICT

1. PURPOSE

The purpose of the General Urban District is to provide for the continued viability and orderly infilling of urban type development in the District.

2. PERMITTED USES

- (1) Single Family Dwellings
- (2) Minor Home Occupations
- (3) Buildings and Uses Accessory to Permitted Uses

3. DISCRETIONARY USES (Refer to appropriate Land Use Provisions)

- (1) Amusement Establishments, Indoor
- (2) Apartment Buildings
- (3) Bed and Breakfast Establishments
- (4) Day Homes
- (5) Duplexes
- (6) Extensive Recreation
- (7) Family Care Facilities
- (8) Group Homes
- (9) Hotels
- (10) Intensive Recreation
- (11) Major Home Occupations
- (12) Manufactured Home Parks
- (13) Manufactured Homes
- (14) Medium Density Housing
- (15) Motels
- (16) Uses listed as Permitted or Discretionary Uses in the Industrial/ Commercial (IC) District, but not Auto Wrecking Plants or Natural Resource Extraction Industries
- (17) Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses
- (18) Buildings and Uses Accessory to Discretionary Uses

4. REGULATIONS

- (1) Relating to Single Family Dwellings and Manufactured Homes

- (a) Minimum Lot Sizes

	Minimum Width (m)	Minimum Length (m)	Minimum Area (sq. m)

unserviced	30 m (98.4 ft.)	40 m (131 ft.)	2000 (21,528 sq. ft.)
both services	15 m (49 ft.)	30 m (98.4 ft.)	464 (4994 sq. ft)

sewage only	22.5 m (74 ft.)	40 m (131 ft.)	925 (9957 sq. ft)
water only	30 m (98.4 ft.)	40 m (131 ft.)	1375 (14,801 sq. ft.)

- (b) Minimum Required Yards
 - (i) Front – 7.6 m (24.9 ft.),
 - (ii) Rear Yard – 7.6 m (24.9 ft.),
 - (i) Side Yard – 1.5 m (4.9 ft.) each,
- Corner lot – 4.5 m (14.75 ft.) abutting road or highway

- (2) Relating to All Other Uses – at the discretion of the Development Authority

8.8 URBAN EXPANSION (UX) DISTRICT

1. PURPOSE

The purpose of the Urban Expansion District is to limit the development of land situated around selected Towns, Villages, and hamlets.

2. PERMITTED USES

- (1) Extensive Agriculture
- (2) Minor Home Occupations
- (3) Transfer Stations
- (4) Buildings and Uses Accessory to Permitted Uses

3. DISCRETIONARY USES (Refer to appropriate Land Use Provisions)

- (1) Agricultural Service Centres
- (2) Bed and Breakfast Establishments
- (3) Day Homes
- (4) Extensive Recreation
- (5) Family Care Facilities
- (6) Farmstead Separations
- (7) Group Care Facilities
- (8) Institutional and Public Uses
- (9) Intensive Agriculture
- (10) Major Home Occupations
- (11) Single Lot Country Residential Development
- (12) Veterinary Clinics
- (13) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses
- (14) Buildings and Uses Accessory to Discretionary Uses

4. REGULATIONS

- (1) Minimum Lot Size – Permitted Uses
 - (a) For permitted agricultural uses, 64.0 ha (158.0 ac.) more or less except where the lot is subject to the following exemptions:
 - (i) where the lot is fragmented by a natural or man-made barrier;
 - (ii) where roadway and/or railroad plans have been removed from the lot;
 - (iii) where subdivisions for discretionary uses have been allowed;
 - (iv) the remainder of a lot where a single residential lot subdivision has occurred;

- (v) where a minimum of 80% of the quarter section is comprised of land with a Farmland Assessment Ratio of less than 30%, a minimum of 25 ha (61.8 ac.) more or less.
- (b) For Transfer Stations – 0.8 ha (2 ac.)
- (2) Minimum Lot Size - Discretionary Uses
 - (a) single lot country residential development and farmstead separations – minimum lot size not less than 0.4 ha (1.0 ac.);
 - (b) all other discretionary uses as regulated by the land use provisions;
 - (c) if not specified, to be determined by the Development Authority.
- (3) Minimum Floor Area - Discretionary Uses
 - (a) as required by the Development Authority
- (4) Minimum Required Yards
 - (a) Minimum Required Front Yard
 - (i) Internal Local Road – 12.1 m (39.7 ft.) from the boundary of the right-of-way,
 - (ii) Grid Road – 24.4 m (80 ft.) from the boundary of the right-of-way,
 - (iii) Major and Minor Two-Lane Highways – 70 m (230 ft.) from the centre line or 40 m (131.2 ft.) from the boundary of the right-of-way, whichever is greater.
 - (b) Minimum Required Side Yards – a minimum ten percent (10%) of mean parcel width or 12 m (39.4 ft.), whichever is the lesser, except in the case of a Corner Lot, where the minimum required side yard from the side line adjacent to the road or highway shall be as required for the front yard.
 - (c) Minimum Required Rear Yard – a minimum ten percent (10%) of mean parcel depth, or as determined by the Development Authority.

Note: Where there is an intersection or sharp curve, Figures 1 through 7 shall apply.

8.9 LINEAR PARCEL DIRECT CONTROL (LPDC) DISTRICT

1. PURPOSE

The purpose of the Linear Parcel Direct Control District is to give the County of St. Paul No. 19 Council the authority to decide upon uses that relate to linear parcels of land, as these lands can affect agriculture and a large number of residents.

2. PERMITTED USES

- (1) Railway and railway-related uses
- (2) Any use and development Council considers appropriate

3. REGULATIONS

All regulations shall be at the discretion of Council, having regard to the other provisions of this Bylaw.

4. PROCEDURE FOR THE CONSIDERATION OF DEVELOPMENT PERMITS

- (1) Prior to making on a decision on an application for a development permit in the LPDC District, Council shall:
 - (a) cause a notice to be issued by the Development Authority Officer in the same manner as indicated for approved development permits for discretionary uses in Section 3.4(4) of Part 3 of this Bylaw, and
 - (b) hear any persons that may claim to be affected by the proposed development.
- (2) Council may then act as Development Authority for the development permit application.
- (3) When the County of St. Paul No. 19 is, itself, the applicant for development, prior to making a decision on an application for a development permit, the Council should seek comments from other agencies such as the planning advisor, regional health authority, and/or applicable provincial government departments.
- (4) Pursuant to Section 641(4)(a) of the Act, no appeal to the Subdivision and Development Appeal Board lies in respect of the issuance of a development permit within the Linear Parcel Direct Control (LPDC) District that was made by the Council.

8.10 LANDFILL (L) DISTRICT

1. PURPOSE

The purpose of the Landfill District is to allow for development and operation of a Provincially-approved regional landfill site within the County and to regulate it consistent with the Alberta Environmental Protection and Enhancement Act, and the applicable regulations under that Act.

2. PERMITTED USES

- (1) Class II Landfills
- (2) Class III Landfills
- (3) Transfer Stations
- (4) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted Uses
- (5) Buildings and uses accessory to permitted uses

3. REGULATIONS

- (1) Any development permit within the L District shall only be approved subject to obtaining any necessary Provincial or Health Authority approvals.
- (2) All relevant provincial authorizations shall be in place prior to commencement of operation.

PART 9 – ADOPTION

9.1 ADOPTION

- (1) Bylaw No. 1442, as amended, is hereby repealed.
- (2) This Bylaw comes into effect on the date of it being finally passed.

READ A FIRST TIME THIS 10th DAY OF April, 2007.

READ A SECOND TIME THIS 17th DAY OF July, 2007.

READ A THIRD TIME AND FINALLY PASSED THIS 17th DAY OF July, 2007.

(Original Signed by Reeve R. Bouchard)
REEVE

(Original Signed by CAO K. Heyman)
CHIEF ADMINISTRATIVE OFFICER