

WESTLOCK COUNTY LAND USE BYLAW

BYLAW NO. 04-2016

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GUIDE TO USING WESTLOCK COUNTY LAND USE BYLAW

The Land Use Bylaw establishes the regulations on how land can be developed (that is, how land can be used and buildings can be either constructed or moved) in Westlock County. Regulations vary depending on the location and types of development. Other Bylaws or regulations of the County, Province or Federal Government must also be followed.

There are several parts of the Land Use Bylaw that need to be examined to understand how it works. Firstly, the Land Use Bylaw maps divide the County into various Land Use Districts. Secondly, the text of the Land Use Bylaw details the uses that are allowed in each District. Thirdly, the text provides additional regulations that apply to certain uses and/or within certain Districts. The following steps may assist the user:

1. Locate the subject property on the Land Use District maps. These maps divide the County into various Land Use Districts. Each Land Use District has a designation such as “AG” for AGRICULTURE or “CR” for COUNTRY RESIDENTIAL. Take note of which Land Use District the subject property is located in. Also note if the subject property is affected by an Area Structure Plan which may modify some of the uses and regulations of the Land Use Bylaw or impose additional regulations. **PLEASE NOTE: Land Use Districts are often referred to as “Zones” or “Zoning.” In order to conform to the language of the Municipal Government Act, this document uses the terms “District” and “Districting.”**
2. Check the table of contents and locate the Land Use District you are interested in. Each Land Use District is listed starting in Section 8. In each Land Use District, you will find a list of permitted and discretionary uses, subdivision regulations, development regulations and other miscellaneous regulations. This determines how and what can be developed in any given Land Use District. There are definitions in Section 1.7 and 1.8 that should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.
3. Review the table of contents to see if there are any general regulations that apply to the situation or use in question. For example, Section 5 describes the enforcement procedure, Section 6.1 contains general regulations about accessory buildings and Section 7.12 contains general regulations about Home Occupations, just to name a few.
4. Discuss your proposal/concern with Planning and Development staff. County staff are well trained and eager to assist you with your development/subdivision or general inquiry issues and to explain procedures. They can also assist with other situations such as enforcement or a Land Use Bylaw amendment.

NOTE: THIS PAGE IS INTENDED ONLY TO ASSIST USERS AND DOES NOT FORM PART OF THIS BYLAW.

1 | General Administrative Procedures

1.1 Title

The title of this Bylaw shall be the Westlock County Land Use Bylaw.

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 a method of making decisions on applications for development permits including the issuing of development permits;
- (4) to provide the manner in which notice of the issuance of a development permit is to be given;
- (5) to establish the number of dwelling units permitted on a lot;
- (6) to implement the policies of the statutory plans of Westlock County;
- (7) to establish supplementary regulations governing certain specific land uses; and
- (8) to establish the procedures for making amendments to this Bylaw.

1.3 Scope

No development shall be permitted within the boundaries of Westlock County except in conformity with the provisions of this Bylaw.

1.4 Metric & Imperial Measurements

Whenever measurements are presented in this Bylaw, metric values are used and shall take precedence. Imperial equivalents, provided in parenthesis, are approximate and intended for information only.

1.5 Compliance with Other Legislation

In addition to the requirements of this Bylaw, an applicant must comply with any Federal, Provincial or Municipal legislation including requirements of a Development Permit or Agreement.

The applicant/landowner must also comply with the conditions of any easement or covenant which affects the development or subdivision.

1.6 Repeal

This Bylaw comes into force on receiving Third and Final reading by Council and repeals **Land Use Bylaw 19-2003** and any resolutions made thereunder or amendments thereto, which shall cease to have effect on the day this Bylaw comes into force.

1.7 Definitions

For the purposes of this Bylaw:

"Abattoirs" means premises where livestock or game is slaughtered and the meat is cut, cured, smoked, aged, wrapped or frozen for distribution.

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

"Accessory building" means a building separate and subordinate to the main building and use which is incidental to the main building and is located on the same parcel of land. An accessory building to a residential use means a garage, carport, shed, storage buildings, hobby greenhouse, sundeck, patio, permanently installed private swimming pool or hot tub, and similar buildings. Where an accessory development is attached to the main building on a lot by a roof or an open or enclosed structure, except carports where vehicular access to the rear yard is not obstructed, said accessory development is part of the main building and not an accessory building and shall, unless otherwise specified in this Bylaw, adhere to the yard and other requirements for main buildings.

"Accessory use" means a use customarily incidental and subordinate to the main use or building and is located on the same parcel of land with such main use or building.

"Act" means the Municipal Government Act, R.S.A. 2000, as amended.

"Activities Designation Regulation" means the Activities Designation Regulation, Alta. Reg. 276/2003, as amended.

"Adjacent land" means land that is contiguous to a particular parcel of land and includes land that would be contiguous if not for a highway, road, river or stream (see Figure 1).



Figure 1: Adjacent land examples in rural and hamlet/multi-lot residential areas

"Adult entertainment" means an establishment which provides live entertainment for its patrons, which includes the display of nudity.

"Adult use" means any of the following: Adult Bookstore, Adult Motion Picture Theatre, Adult Paraphernalia Store, Adult Video Store, and Live Nudity Establishment or any other business or establishment characterized by an emphasis depicting, describing or related to sexual conduct or excitement. For the purposes of this definition, an adult use is any use or combination of uses which either have greater than twenty-five percent (25%) of the subject establishment's inventory stock; or twenty-five percent (25%) of the subject premises' gross floor area, or 18.6 m² (200 sq. ft.), whichever is greater, devoted to materials for sale or rent distinguished by or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement.

"Agricultural capability" means soil capability for agriculture as identified on the Farmland Assessment sheets filed with Westlock County; and/or as identified on the Canada Land Inventory maps.

"Agricultural industry" means an industrial activity involving the processing, cleaning, packing or storage of the results from agricultural production. Agricultural industry includes, but is not restricted to, seed cleaning and/or processing plants, and grain elevators, but does not include the manufacture of processed foods resulting from agricultural production or abattoirs.

"Agricultural operation" means an agricultural operation as defined in the Agricultural Operation Practices Act.

"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.

"Agri-industrial" means a large-scale facility such as a weigh scale, grain handling facility or seed cleaning plant and associated indoor and outdoor material and truck storage facilities which are utilized by the farm exclusively to process products from the farm operation.

"Airport" means a location from which aircraft flight operations take place, regardless of whether they involve cargo or passengers or neither, and may include any area of land or water, including the frozen surfaces thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, and includes any building, installation or equipment in connection therewith.

"Airport commercial use" see **"Commercial use, airport"**

"Amusement establishment, Indoor" means a development providing recreational facilities with table games and/or electronic games played by patrons for entertainment. Indoor amusement establishments include billiard parlours and electronic games arcades with tables and/or games and bowling alleys.

"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.

"Animal breeding and/or boarding facility" means an establishment for the keeping, breeding, housing, exercising, training, and/or raising of three (3) or more animals over six months in age, that are not livestock for profit or gain, but shall not apply to the keeping of animals in a veterinary clinic for the purpose of observation and/or recovery necessary to veterinary treatment.

"Animal hospital" means a building used by veterinarians primarily for the purposes of the consultation, diagnosis and office treatment of household pets, but shall not include long-term board facilities for animals nor kennels.

"Apartment" see **"Dwelling, apartment"**.

"Auctioneering establishment" means a development specifically intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment. Auctioneering establishments do not include flea markets.

"Automotive and equipment repair shop" means a development where automobiles, motorcycles, snowmobiles and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Automotive and equipment repair shops include transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops, but not body repair or paint shops.

"Automotive and recreational vehicle sales/rentals establishment" means a development where new or used automobiles, trucks, motorcycles, snowmobiles, tent trailers, boats, travel trailers, or similar recreational vehicles or craft are sold or rented, together with incidental maintenance services and sale of parts. Automotive and recreational vehicle sales/rental establishments include automobile, recreational vehicle, and motorcycle dealerships and rental agencies.

"Auto wrecker" means a use where the primary activity is the storage and wrecking of vehicles, usually for parts or scrap metal re-sale.

"Bare land condominium" means a condominium development containing Bare land condominium units, created specifically through subdivision and registered as a condominium plan in accordance with the Condominium Property Act, RSA 2000, c. 22.

"Bare land condominium unit" means a bare land unit as defined in the Condominium Property Act, RSA 2000, c. 22.

"Basement" means the portion of a development which is wholly or partially below grade, having above grade no more than 1.8 m (6.0 ft.) of its clear height lying below the finished level of the floor directly above.

"Bed and Breakfast Establishment" means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of two (2) bedrooms, with or without meals, are provided for remuneration to members of the public. A bed and breakfast establishment shall not include a boarding house.

1 | general administrative procedures

"Berm" means a landscaped earthen mound that is utilized to attenuate the noise and visual effects of adjacent land uses and/or direct ground water flows as part of an engineered storm water management system.

"Bioreactor landfill" means a landfill that uses air or additional materials enhance microbial processes to rapidly transform and degrade organic waste.

"Boarding house" means a building or portion thereof where meals are served for a remuneration involving no more than three (3) persons, exclusive of the occupant and immediate family. For the purposes of this Bylaw, boarding houses shall not include an eating or drinking establishment, a drive-in restaurant, a refreshment stand, or other similar use.

"Buffer" means berms, fencing and planting for the purpose of screening noise, views, dust, sprays and uses between properties where off-site impacts may occur.

"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.

"Building area" means the greatest horizontal area of a building above grade within the glassline of exterior walls, or within the glassline of exterior walls and the centerline of fire walls.

"Building height" means the vertical distance between the established grade (see definition for "established grade" on pg. 14) and the highest point of a building, excluding a stairway entrance, an elevator housing, a mechanical skylight, ventilating fan, chimney, steeple, fire wall, parapet wall, flagpole or similar device not structurally essential to the building (see figure).

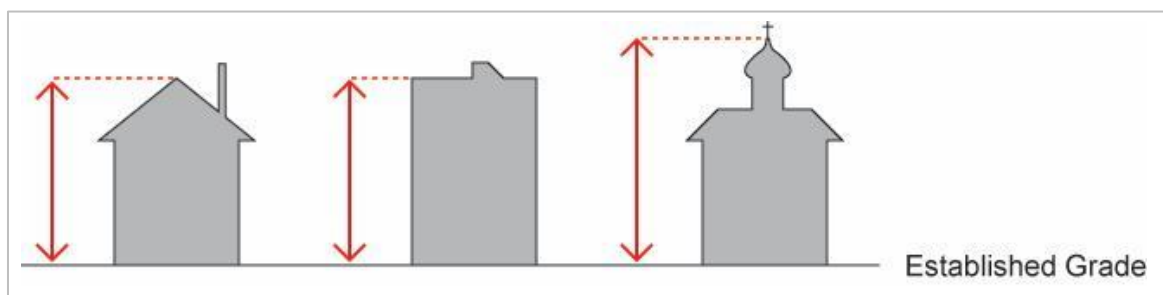


Figure 2: Building Height

"Bulk fuel storage and sales" means lands, buildings and structures for the storage and distribution of fuels and oils including retail sales and key lock operations.

"Business support services establishment" means a development providing support services to businesses. Business support services establishments are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; or the sale, rental, repair or servicing of office equipment, furniture and machines. Business support services establishments include printing establishments, film processing establishments, janitorial firms, and office equipment sales and repair establishments.

"Campground, basic" means a development where tents are erected and/or recreational vehicles are parked for the purpose of overnight or short term accommodation. A campground includes any building, structure, tent, vehicle or enclosure accessory to the main use that is located on the land and used as an integral part of the campground such as washhouses, gazebos, picnic shelters, etc.

"Campground, recreational vehicle" see **"Recreational vehicle campground"**

"Campsite" means an area of land designed to accommodate, and intended to be rented for, a tent or recreational vehicle or cabin.

"Canada Lands Inventory (CLI)" means the maps created by the federal government which indicate the capability of land for various activities such as agriculture, recreation, wildlife habitat, etc.

"Caretaker/security residence" means a dwelling unit on a parcel of land which is incidental and contained within a main building, or one manufactured home which is incidental to the main use, provided that the dwelling unit is specifically used in conjunction with the protection of private property.

"Carport" means a roofed structure used for storing or parking not more than two (2) vehicles and which has not less than forty percent (40%) of its total perimeter open and unobstructed.

"Carrier" means a company or applicant that provides wireless commercial or essential institutional communications services.

"Cemetery" means development of land for the interment or entombment of the deceased, and may include, at the discretion of the Development Authority, crematoriums, mausoleums and memorial parks or a religious assembly, and one attached or separate manse.

"Class I compost facility" means a Class I Compost Facility as defined in the Activities Designation Regulation and excludes the processing of hazardous waste or hazardous recyclables as those terms are defined in the Waste Control Regulation.

"Class II compost facility" means a Class II Compost Facility as defined in the Activities Designation Regulation and excludes the processing of hazardous waste or hazardous recyclables as those terms are defined in the Waste Control Regulation.

"Class II landfill" means a Class II Landfill as defined in the Waste Control Regulation except, for the purposes of this Bylaw, for a bioreactor landfill as defined in this Bylaw, and further excludes the processing of hazardous recyclables as those terms are defined in the Waste Control Regulation. Without limiting the foregoing, a Class II landfill may include all, or some of the following:

- (a) a Cell or Cells,
- (b) site perimeter fencing,
- (c) lockable gates for site entrance and exit,
- (d) signage,
- (e) facilities for vehicle and waste weighing and auditing,
- (f) moveable wind screening,
- (g) litter-catching fencing,
- (h) soil stockpiling,
- (i) landscaped berming,
- (j) facilities for managing the sound, odour, and appearance of landfill operation,
- (k) equipment for waste spreading and compacting, as well as equipment for excavating and placing Cover,
- (l) Wheel Wash Facility,
- (m) facilities for monitoring and managing Leachate, Landfill gas, groundwater and surface water,
- (n) buildings and roads necessary for the operation and maintenance of, or customarily incidental and subordinate to, a Class II Landfill approved, or conditionally approved, by Alberta Environment and Sustainable Resource Development.

"Co-location" means locating on a site and tower with other Wireless Communications Operators.

"Clustered farm dwellings" means one or more duplexes or multiple family dwellings which are located on a farm unit of at least 127.5 ha (320 ac) in size where the dwellings shall be occupied by persons who are employed full time (for at least six (6) months of each year) in agriculture or intensive agriculture and where all of the dwellings are constructed or located on the same farmstead site.

"Commercial use" means a business through which products, services, or entertainment are available to consumers, whether the general public or other commercial establishments,

and does not include the manufacturing of products. Commercial use shall include: business support services establishments, drive-in businesses, drive-in restaurants, general retail stores, greenhouses, health services, hotels, office uses, personal service shops, and resorts.

"Commercial use, airport" means a commercial use which provides services to the facilities and users of the airport and includes, but is not limited to, food establishments.

"Commercial use, rural" means an establishment which retails or distributes goods or services relating to farming or other agricultural activities, but which does not include the processing of raw materials or operation of an industry.

"Commercial use, secondary" means a commercial use that is secondary or subordinate to the primary use on the site.

"Confined feeding operation" means a confined feeding operation as defined in the Agricultural Operation Practices Act.

"Contractor service, Limited" means a development where electrical, plumbing, heating, painting and similar contractor services are provided, primarily to individual households, and where goods normally associated with the contractor service may be stored and sold, where all materials are kept within an enclosed building, and where there are no accessory manufacturing activities or parking or storage of more than four (4) vehicles.

"Contractor service, General" means a development where building, concrete, landscaping, electrical, excavation, drilling, heating, plumbing, paving, road, oil field, pipeline, or similar services of a construction or services nature are provided, which have on-site storage of materials, construction equipment, or vehicles normally associated with the contractor service, and which is not a limited contractor service. Any sales, display, office or technical support service areas shall be accessory to the main use only.

"Corner lot" see **"Lot, Corner"**

"Council" means the Council of Westlock County.

"Country residential use" means a single detached dwelling which is situated on a parcel of land used solely for residential purposes and accessory uses. The single detached dwelling may be occupied permanently or seasonally.

"Coverage" means the sum of the ground floor areas of all buildings on a lot divided by the area of the lot.

"Crime Prevention Through Environmental Design" is an approach to design that incorporates elements of design and effective use of the built environment to reduce fear and incidence of crime, and improve the quality of life of residents.

"Date of issue" means the date on which the notice of a decision of the Development Authority is published, or five (5) working days after such a notice is mailed.

"Day care facility" means a provincially licensed development providing daytime personal care, maintenance and supervision to seven (7) or more children under the age of eleven (11) years, by persons unrelated to the children by blood or marriage, but does not include overnight accommodation. Day care facilities include day care centres, day nurseries, kindergartens, nursery school, play schools and after-school or baby-sitting programs which satisfy this definition. Day care facilities shall not include a day home, a family care facility, a group care facility, or a school operated by a School Division.

"Day home" means a provincially licensed child care facility operated from a dwelling supplying supervision to a maximum of six (6) children under the age of eleven (11) years or senior citizens, including any resident children and seniors, for periods of more than three (3) but no more than fourteen (14) consecutive hours. A day home may supply an outside recreation space that is both fenced and gated, and shall meet all fire regulations and health regulations.

"Day-use and picnic area" means an area in a park, conservancy or recreation area for picnicking and other daytime activities.

"Deck" means any open structure attached to a building having a height greater than 0.6 m (2.0 ft.) above grade, and thereby requiring stairs and railings as outlined in regulations approved under the Safety Codes Act. A deck shall not have walls higher than 1.25 m (4.1 ft.) or a roof.

"Density" means a measure of the average number of persons or dwelling units per unit of area.

"Density bonus" means a zoning tool that permits developers to build more housing units, taller buildings, or more floor space than normally allowed, in exchange for provision of a defined public benefit, such as reducing the footprint of the development to conserve land of greater ecological or agricultural value, or including a specified number or percentage of affordable units within the development.

"Developer" means an owner, agent or any person, firm or company required to obtain or having obtained a development permit.

"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;

and without restricting the generality of the foregoing, includes:

- (i) in the case of a lot used for residential purposes, alterations made to a building or an additional building on the lot whether or not the building is a dwelling or part of a dwelling unit,
- (ii) in the case of a lot used for other than residential purposes, alterations or additions made to a building on the lot or a use of the lot which would increase either the capacity of the building or the intensity of use of the lot,
- (iii) the display of advertisements or signs on the exterior of a building or on any land,
- (iv) the deposit of earth, debris, waste materials, refuse, or any other material on any land, including land already being used for that purpose, or if the natural topography or drainage is altered,
- (v) any increase in the number of households occupying and living in any building or on any site, and any construction or alterations or additions which would provide for an increase in the number of households which could occupy and live in any building or on any site, including any increase in the number of dwelling units in a building or on a site,
- (vi) the placing of refuse or waste material on any land,
- (vii) the use of land for the storage or repair of motor vehicles or other machinery or equipment,
- (viii) the continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw comes into effect,
- (ix) the demolition or removal of a building,
- (x) the placement of an already constructed or a partially constructed building on a parcel of land,
- (xi) the use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks, or any other type of portable building whatsoever, whether or not the same has been placed or affixed to the land in any way,
- (xii) the removal of topsoil from land,
- (xiii) the recommencement of the use to which land or a building has been previously put if that use has been discontinued for a period of more than six (6) months, or
- (xiv) the use of land for storage purposes or for the repair of equipment, vehicles or other kinds of machinery.

"Development agreement" means a negotiated agreement between the municipality and the owner/developer, entered into at the time of subdivision and/or development which identifies the development responsibilities of each party.

"Development Authority" means the development authority of the County as established by the County's Development Authority Bylaw.

"Development Officer" means the Development Officer of the County as established by the County's Development Authority Bylaw.

"Development permit" means a document authorizing a development issued pursuant to this Land Use Bylaw.

"Discontinued" means the time at which, in the opinion of the Development Authority, substantial construction activity or use, whether conforming or not conforming to this Bylaw, has ceased.

"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 and subject to the enabling conditions for each discretionary use being satisfied.

"Domestic pets" means animals which are not livestock as defined in the Agricultural Operation Practices Act and which are often kept within a dwelling unit. Such animals include dogs, cats, and similar animals.

"Drinking establishment" means a development possessing a Class A Minors Prohibited liquor license, where the sale and consumption of liquor on-site are open to the public and where alcohol, rather than food, is the predominant item consumed. A drinking establishment does not include an entertainment establishment.

"Drive-in business" means a development which serves customers traveling in motor vehicles driven onto the site where such business is carried on, where normally the customer either remains in the vehicle for service, or parks the vehicle for a short period for the purpose of doing business at the premises. Drive-in businesses include service stations, gas bars, drive-in restaurants, drive-through vehicle service establishments such as lubrication shops, recycling depots, and car washes, but does not include bulk fuel storage and sales establishments.

"Drive-in restaurant" means an eating and drinking establishment which is designed as a drive-in business. Drive-in restaurants may have one or more of the following features: car attendant services, drive-through food pickup services, or parking primarily intended to allow for the on-site consumption of food within a motor vehicle.

"Duplex" see **"Dwelling, duplex"**.

"Dwelling" means any building used exclusively for human habitation. This definition shall include single detached dwellings, duplexes, semi-detached dwellings, row housing, apartments, and manufactured homes.

"Dwelling, apartment" means a dwelling containing three or more dwelling units, but shall not mean row housing.

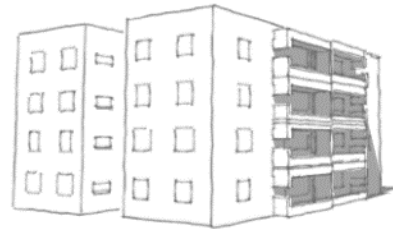


Figure 3: Apartment

"Dwelling, duplex" means a dwelling containing two (2) dwelling units which share a common wall, and located side by side or one above the other.



Figure 4: Duplex

"Dwelling, row housing" means a building consisting of at least three dwelling units with each unit having direct access to the outside grade, but shall not mean apartment.



Figure 5: Row Housing

"Dwelling, single detached" means a building consisting of one (1) dwelling unit. A single detached dwelling is a dwelling which is normally constructed on-site. However, a single detached 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, and thus may be a modular dwelling.

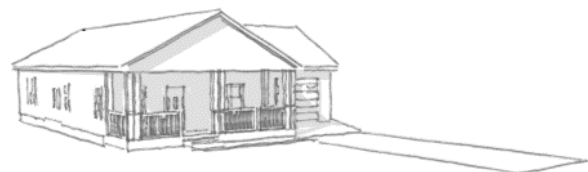


Figure 6: Single Detached Dwelling

"Dwelling unit" means a complete dwelling or self-contained portion of a dwelling, set or suite of rooms which contains sleeping, cooking and separated or shared toilet facilities,

1 | general administrative procedures

intended for domestic use, and used or intended to be used permanently, semi-permanently, or seasonally as a residence for one (1) household, and which, except for a secondary suite, is not separated from direct access to the outside by another separate dwelling unit.

"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. An eating and drinking establishment does not include either a drinking establishment or an entertainment establishment unless otherwise provided for in an approved development permit.

"Entertainment establishment" means a development where persons are 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.

"Equipment rental establishment" means a development where tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items are rented and serviced. Equipment rental establishments do not include developments where motor vehicles or industrial equipment are rented or serviced.

"Established grade" means the average of the highest (A) and lowest (B) elevation of finished surface of the ground where it meets the exterior main walls of a building or the average elevation of the finished grade of the ground immediately surrounding a structure, exclusive in both case of any artificial embankment or entrenchment (see figure).

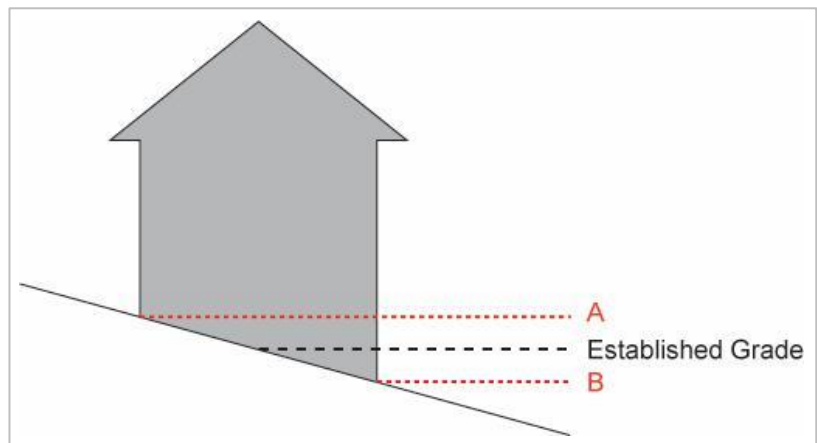


Figure 7: Established grade

"Excavation" means any breaking of ground, except common household gardening and ground care.

"Extensive agriculture" means the use of land or buildings, including one dwelling, 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.

"Extensive recreation" means a development where the prime reason for location is to take advantage of natural features including the availability of large areas of land to provide for non-facility oriented recreational activities. In the context of a large area of land, that is, anything over 32 ha (79.1 ac.), extensive recreation may include such activities as hunting, trail riding, snowmobiling, hiking and other similar uses. In the context of a smaller area of land, that is, anything under 32 ha (79.1 ac), extensive recreation may include the provision of opportunities for viewing nature, fishing, relaxation, and rest, and may or may not include a site where only one or two recreational vehicles or campsites may be located, and/or one cottage, single detached dwelling or manufactured home.

"Exterior wall" means the outermost point of a building projection, including, but not limited to, bay windows, oval windows, chimneys and verandas, but not including roof overhangs less than 0.6 m (2.0 ft.).

"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 are physically handicapped, aged, or disabled, and in need of adult supervision for those reasons and are provided service and supervision in accordance with their individual needs. This category includes foster or boarding homes for children, but not group homes.

"Farmstead" means a habitable dwelling unit, together with improvements which are either accessory to the dwelling unit and/or used in connection with the raising or production of crops or livestock, and situated on a parcel of land used in connection with such agricultural operations.

"Farm gate sign" means a sign located at the entrance to a farm which provides information about the farm company or the farm family.

"Fence" means a vertical physical barrier constructed to try to reduce sound or visual intrusion or to limit unauthorized access.

"Floor area" means the total area of all floors of a building 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 floor area.

"Fragmented parcel" means a parcel of land or a part of a parcel of land that is separated from the balance of a titled parcel by a natural barrier such as a river or a coulee which

prohibits reasonable or normal access, or by a physical barrier such as a highway, road or railroad.

"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. In the case of a lot immediately adjacent to a lake or to a Reserve parcel adjacent to a lake, the lot line nearest the lake shall be considered the front line, and the lot line adjacent to the road or highway shall be considered the rear line.

"Front yard" means a yard extending across the full width of a parcel of land from the front line of the lot to the nearest exterior wall of the main building situated on the parcel of land.

"Fur farm" means any land, building, or premises used for the keeping, breeding, or rearing of furbearing livestock.

"Garage" means a building to be used for the storage of vehicles such as a passenger car, a truck with a gross vehicle weight of two (2) tonnes or less, a recreational vehicle, a boat, or similar chattels.

"Garage suite" see **"Suite, garage"**.

"Guest house" see **"Suite, guest house"**.

"General retail establishment" means a development where, among other goods, 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, except for any and all types of alcoholic beverages. Minor public services, such as postal services and film processing depots may also be provided.

"Government services" means a development where municipal, provincial, or federal government services are provided directly to the public. Government services do not include protective and emergency services, major and minor utility services, and public education facilities. Government services may include government administration offices, courthouses, postal distribution offices, manpower and employment offices and social services offices.

"Greenhouse" means a commercial establishment, with or without a building, where vegetables, flowers and other plants are grown for sale as plants, and which may include a market garden, plant nursery or hydroponics or aquaponics operation.

"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 are physically

handicapped, aged, or disabled, and in need of adult supervision for those reasons and are provided service and supervision in accordance with their individual needs. This category includes foster or boarding homes for children, but not group homes.

"Group home" means a building or portion of a building used for the care or rehabilitation of adults or children which is not predominantly related to age or a physical disability or the care or rehabilitation of the aged or the physically disabled. Group homes include halfway houses, addiction rehabilitation centres, care which is an alternative to legal incarceration, or treatment for mental illness or mental instability.

"Gross" means all the land within a given boundary.

"Guest house" means an accessory building to a single detached dwelling, which contains a dwelling unit or part of a dwelling unit which is used solely by members of the family or by temporary guests of the family occupying the single detached dwelling.

"Guest ranch" means a development accessory to an agricultural development, where temporary sleeping accommodations, up to a maximum of ten (10) sleeping units, with or without meals, are provided for remuneration to members of the public. A guest ranch shall not include a boarding house.

"Hard surfaced" means the treatment of a roadway or trail with compaction and asphalt, gravel or other hard surfacing material.

"Hamlet" refers to the unincorporated communities of Busby, Dapp, Fawcett, Jarvie, Nestow, Pibroch, Pickardville, Tawatinaw and Vimy.

"Health service" means a development where physical or mental health services are provided on an out-patient or on an in-patient basis. If the services are provided on an in-patient basis, health service may include room and board for the sick, injured, or infirm, and may also include accessory staff residences. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Health services include medical, chiropractic, and dental offices, health clinics and counseling services, hospitals, sanitariums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, supportive living facilities, and detoxification centres.

"Heavy industrial use" see **"Industrial use, Heavy"**

"Heavy truck and equipment storage" means the on-lot storage, inside a single accessory building, of heavy trucks and equipment owned and operated by a resident or residents of the single detached dwelling or manufactured home situated on the same lot.

"Hedge" means a fence or boundary formed by closely growing bushes or shrubs.

"Higher capability agricultural land" means a quarter section with at least sixty percent (60%) of its area rated as Canada Land Inventory 1 to 4 for agriculture.

"Highway" means a controlled highway as defined in the Public Highways Development Act, R.S.A. 2000.

"Highway commercial use" means a commercial use intended to serve the motoring public and includes, but is not limited to, service or gas stations, drive-in restaurants, and motels.

"Home occupation" means any occupation, trade profession, or craft carried on by an occupant of a dwelling as a use secondary to the residential use of the building, and which does not change the character of or have any exterior evidence of such secondary use other than a sign as allowed in this Bylaw. 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 this Bylaw. A minor home occupation does not include any business which would normally attract more than five (5) clients per week, or the employment at the dwelling or accessory buildings of any paid assistant, other than the occupants of the dwelling. A major home occupation may include a business which would normally attract more than five (5) clients per week, but 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.

"Hotel" means a building containing rentable units, occupied or equipped to be occupied as a temporary abode for tourists or transients, which also may contain a general retail establishment, a drinking establishment, or an eating and drinking establishment; however, a hotel shall not include an entertainment establishment unless specifically provided for in an approved development permit. A hotel shall not include a work camp.

"Household" means:

- (a) a person, or
- (b) two (2) or more persons related by blood, marriage, a common law relationship, or adoption, or
- (c) a group of not more than five (5) 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, up to two (2) boarders or lodgers, or up to four (4) foster children.

"Household repair service" means a development where goods, equipment and appliances normally found within a dwelling unit may be repaired. Household repair services include radio, television, appliance and electronics repair shops, and furniture refinishing and

upholstery shops, but not personal service shops. Household repair services do not have any outdoor storage.

"Indoor amusement establishment" see **"Amusement establishment, indoor"**.

"Indoor recreation facility" means a development for sports and active recreation within an enclosed building. Indoor recreation facilities include such facilities as ice arenas, gymnasiums, curling rinks, swimming pools, and similar, though smaller, facilities. As well, indoor recreation facilities may also include meeting rooms and eating and drinking establishments as accessory uses.

"Industrial use, Forest-based" means an industrial operation that manufactures or produces forest products and generally includes lumber manufacturing facilities, oriented strand board plants, pulp mills and sawmills.

"Industrial use, Heavy" means an industrial development which may not be able to co-exist compatibly in proximity to other uses or population concentrations due to: the potential for an adverse environmental impact beyond the immediate site of the industrial use; the potential for significant toxic or noxious by-products such as air or water-borne emissions; or the potential to emit significant noise, smoke, dust, odour, vibration, etc., which may be offensive or hazardous to human health, safety or well-being. Heavy Industrial uses also include: the storage of toxic, flammable or explosive products in significant quantities; rendering plants, petro-chemical industrial establishments, and alfalfa processing plants or large-scale outdoor storage that is unsightly or visually offensive.

"Industrial use, Light" means a development which, in the opinion of the Development Authority, may be able to co-exist compatibly in proximity to other uses or population concentrations. Light industry is usually less capital intensive than heavy industry, and is more consumer-oriented than business-oriented. Light industries require only a small amount of raw materials, area and power. For further clarification it means where:

- (a) raw materials are processed, and/or
- (b) semi-finished or finished goods, products or equipment are manufactured and/or assembled, and/or
- (c) materials, goods and equipment normally associated with industrial or commercial business are cleaned, serviced, repaired, salvaged, and/or tested, and/or
- (d) goods and equipment associated with personal or household use are cleaned, serviced, and/or repaired, and/or
- (e) materials, goods and equipment are stored and/or transhipped, and/or
- (f) materials, goods and equipment are distributed and/or sold to institutions and/or industrial and commercial businesses for their direct use and/or to general retail establishments and/or other retail establishments for resale to individual customers, and/or

(g) personnel are trained in general industrial operations, in such a manner, in the opinion of the Development Authority, that an adverse environmental impact is not created beyond the immediate site of the general industrial use, which does not produce significant toxic or noxious by-products, and which is compatible with other industrial and commercial uses in a concentrated setting. General industrial uses include motor vehicle body and paint shops, but do not include the preparation of food and/or beverages for direct sale to the public.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory and subordinate to the general industrial use activities identified above. The floor area devoted to such accessory activities shall not exceed a total of thirty-three percent (33%) of the total floor area of the building or buildings devoted to the general industrial use, except that this restriction shall not apply where, in the opinion of the Development Authority, a significant portion of the industrial activity naturally and normally takes place out of doors.

"Industrial use, Rural" means uses which may require relatively large areas of land, that may be considered unsuitable to be located in an urban area, and which may provide services to the rural area. Notwithstanding the generality of the foregoing, rural industries shall include sawmills, fertilizer plants, auction marts, grain elevators, commercial seed cleaning plants and other agricultural processing oriented facilities..

"Industrial vehicle and equipment sales/rentals establishment" means a development where new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield, and mining construction, manufacturing, assembling, and processing operations and/or agricultural operations are sold or rented, together with incidental maintenance services and sale of parts. Industrial vehicle and equipment sales/rental establishments do not include truck and recreational vehicle sales/rental establishments or automotive and minor recreational vehicles sales/rental establishments.

"Institutional use" includes but is not limited to hospitals, public offices, educational facilities, religious assemblies, libraries and senior citizen housing.

"Intensive agriculture" means an agricultural operation which operates on an intensive basis. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, hydroponic and aquaponic operations, but not confined feeding operations.

"Intensive recreation" means high density recreational activities such as picnic grounds, fishing lodges, beach areas, marinas, riding stables, race tracks, sports fields, golf courses, arenas, swimming pools, tennis courts and other similar activities.

"Internal road" means a street that is primarily used to gain access to the property bordering it.

"Kennel" see **"Animal breeding and/or boarding facility"**.

"Landfill" means a disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards. A landfill shall be owned by either a municipal corporation or agency or by a municipally-owned corporation or agency.

"Landfill gas" means a mixture of gases generated by the microbial decomposition of, and chemical reactions between, wastes within a Cell.

"Landscaping" means lawns, trees, shrubs, ornamental plantings, fences, walks, or other structures and materials used in modern landscape architecture.

"Lane" means a right-of-way on which motorized vehicles are normally allowed to operate which is 10 m (32.8 ft.) or less in width.

"Lattice tower" means a non-solid structure made up of vertical, horizontal and diagonal members assembled in triangular or square faced sections that can be stacked to obtain height. The structure can stand by itself (self-supporting), on a foundation, or it may be of the type requiring supporting assistance of cables (guyed tower).

"Library and cultural exhibit" means a development where literary, artistic, municipal and/or similar reference materials in the form of books, manuscripts, recordings and films are stored, collected, available, and distributed for public use, viewing, or enjoyment; or a development where works or objects of historical, scientific or artistic value are collected, preserved and exhibited to the public. Libraries and cultural exhibits includes libraries, museums, and art galleries.

"Liquor sales and storage establishment" means a development or a part of a 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 sales of related products such as soft drinks and snack foods.

"Livestock" means livestock as defined in the Agricultural Operation Practices Act.

"Livestock sales yard" means any enclosed area of land, with or without accessory buildings or structures, upon which livestock is collected for sale or for market distribution.

"Living quarters" means the developed area within a dwelling but does not include basement, garage or carport, patio, or atrium.

"Lot" means
(a) a quarter section,

- (b) a river lot, lake lot, or settlement lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a Land Titles Office,
- (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 other than by reference to a legal subdivision, or
- (d) 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.

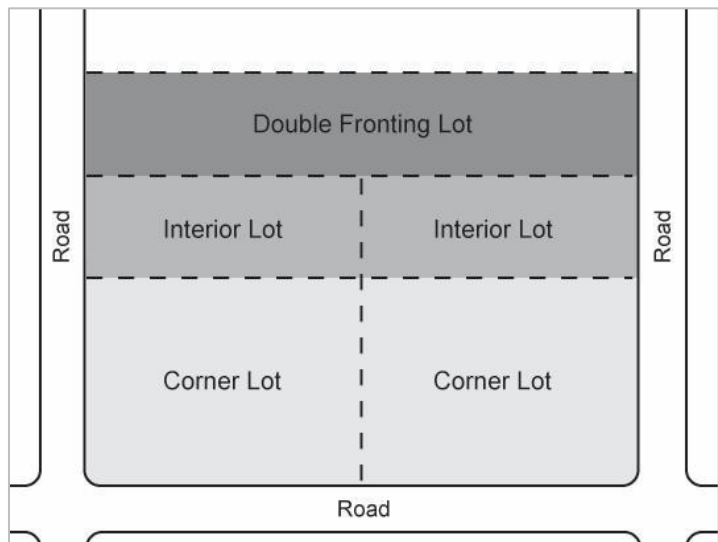


Figure 8: Lot Definitions

"Lot, Corner" means a lot with boundary lines on two separate roads or highways or a single road or highway that curves at an angle of sixty (60) degrees or more at the subject lot. For the purposes of this definition, a road or highway shall not include a lane (see Figure 4).

"Lot coverage" means the percentage of a lot covered by all buildings on the lot.

"Lot, Double fronting" means a lot which abuts two roads (except alleys as defined in the Traffic Safety Act, R.S.A. 2000, as amended), which are parallel or nearly parallel where abutting the lot, but does not include a Corner Lot (see Figure 8).

"Lot, Interior" means a lot which abuts a road only on the front line (see Figure 4).

"Lot, Lake front" means a lot which is either adjacent to a water body or, except for a Reserve Lot, is adjacent to a water body (see Figure 5)

"Lot width" means the length of a line parallel to the front line or, in a lot with a curved front line,

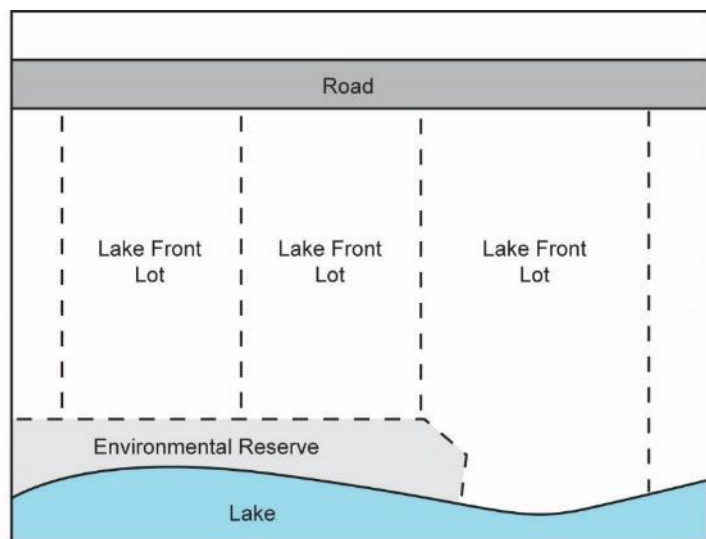


Figure 9: Illustration of Lake Front Lot

perpendicular to a line running between the mid-point of the front line and the mid-point of the rear line, measured at a distance from the front line equal to the minimum required front yard.

"Lower capability agricultural land" means a quarter section with less than 20 ha (49.4 ac) with a farmland assessment productivity rating of 30% or better or less than 80 % of its land area rated CLI Class 4 or better.

"Main building" means a building in which is conducted the main or principle use of the site on which it is erected.

"Main use" means the primary purpose or purposes for which a building or lot is used.

"Maintenance" means the upkeep of the physical form of any building which does not require a permit pursuant to the Safety Codes Act. Maintenance will include painting, replacing flooring, replacing roofing materials, but will not include any activity that will increase the habitable floor area of any dwelling unit or the internal volume of any building.

"Major home occupation" see "home occupation"

"Manufactured home" means a single detached dwelling, manufactured in full compliance with both the Canadian Standards Association (CSA) Z-240 MH National Mobile Home Standard and the Alberta Building Code (ABC), bearing a prominently displaced CSA Z240MH Mobile Home label AND an Alberta Municipal Affairs label that certifies compliance to the ABC. Notwithstanding the requirement regarding labels, should a building not have a label, it can still be considered a manufactured home for the purposes of this Bylaw should the inspection and upgrading procedures outlined in **Section 7.15** of this Bylaw be followed. A manufactured home is normally constructed off-site and then transported 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 entirely constructed on-site.

"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, on which three or more occupied manufactured homes are located or are permitted to be located without regard to whether a fee or charge is paid or made, and shall include any building, structure, vehicle or enclosure used or intended for use as a part of the equipment of such manufactured home park, except that manufactured home parks shall not include work camps.

"Manure storage facility" means a manure storage facility as defined in the Agricultural Operation Practices Act.

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

"Minor home occupation" see **"Home occupation"**

"Mobile home" see **"Manufactured home"**

"Modular dwelling" means a single detached dwelling constructed in large sections, away from the home site, and under controlled conditions. It does not refer to a type of dwelling but rather to a method of construction, and includes manufactured homes, mobile homes and single detached dwellings.

"Motel" means a development where members of the travelling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, and where access to each of the rentable units is individually available from grade, either at grade or via stairways. A motel may include minor eating and drinking establishments and convenience retail stores, but shall not include a liquor store, an entertainment establishment, or an establishment where there is a dance floor. A motel shall not include a work camp.

"Municipal Planning Commission" means the Municipal Planning Commission appointed pursuant to the County's Municipal Planning Commission Bylaw and the Act.

"Municipality" means Westlock County.

"Must" is an operative word, which means, similarly to the word shall, that an action is imperative or mandatory.

"Natural area" means an area of land and/or water especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means. Areas such as groomed parks, recreational areas for sports, and schoolyards are not included in this definition.

"Natural recreation use" means an area for a natural recreational development conducted on a single site where the prime reason for location is to take advantage of natural physical features including the availability of large areas of land to provide an area for walking trails and a wilderness retreat with the exclusion of off-highway vehicles.

"Natural resource extraction industry" means an industry engaged in the extraction of natural resources such as trees, clay, sand and gravel, limestone, shale, coal, and other minerals including petroleum and natural gas and which may include bringing these together with other elements such as power or water into integrated processes for the purpose of primary treatment into a marketable form.

"Net" means the total area of land within a given boundary that is available for development excluding: roads, public utility areas or lots, and reserves.

"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 this land use bylaw becomes effective does not, or when constructed will not, comply with this Land Use Bylaw.

"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 this land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with this Land Use Bylaw.

"Nuisance" means any act or deed, or omission, or thing, which is or could reasonably be expected to be annoying, or troublesome, or destructive or harmful, or inconvenient, or injurious to another person and/or their property, or anything troublesome or bothersome to other people for which complaints are received either by the Municipality's office or the Royal Canadian Mounted Police, whether or not such act or deed or omission or thing constitutes a nuisance at common law.

"Obnoxious" means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, may, in the opinion of the Development Authority, create noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become a nuisance, or which adversely affects the amenities of the neighbourhood, or which may interfere with the normal enjoyment of any land or building.

"Occupancy" means the use or intended use of a building or part thereof for the shelter or support of persons or property.

"Occupant" means any person occupying or having control over the condition of any property and the activities conducted on any property, be such person the owner, lessee, tenant or agent of the owner or whether such person resides thereon or conducts a business thereon.

"Off-highway vehicle" means any motorized mode of transportation built for cross-country travel on land, water, snow, ice, marsh or swamp land or other natural terrain and, when designed for such travel and without limiting the generality of the foregoing includes:

- (a) 4-wheel vehicles;
- (b) Low pressure tire vehicles;
- (c) Motorcycles and related 2-wheel vehicles;
- (d) Amphibious machines;
- (e) All-terrain vehicles;
- (f) Miniature motor vehicles;
- (g) Snow vehicles;
- (h) Mini-bikes; and
- (i) Any other means of transportation that is propelled by any power other than muscular power or wind; but does not include: motor boats or any other vehicle exempt from being an off-highway vehicle by regulation.

"Off-street" means, when used as an adjective, that the defined thing is not located on a road or highway, but rather a lot, and, further, that it is not directly accessory to a particular use or development on a lot.

"Offensive" means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become hazardous or injurious to health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land or building.

"Office use" means a development where government, professional, management, administrative, consulting, and financial services may be provided. Office uses include the offices of lawyers, accountants, engineers, architects, and realtors. Office uses also include 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.

"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.

"Outdoor amusement establishment" see **"Amusement establishment, outdoor"**.

"Outdoor storage" means a development where, in the opinion of the Development Authority, goods, materials, or equipment are or may be placed outside of a building on a more or less permanent or continuous basis.

"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 municipality's assessment role prepared under the Act.

"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.

"Park model" means a type of recreational vehicle; however, for the purposes of this Bylaw, park models are not allowed in any District within this Land Use Bylaw unless either recreational vehicles or recreational vehicle parks are listed as a permitted or a discretionary use within the District, and, further, that a park model has been specifically identified and approved by the Development Authority within an approved development permit. As well, park models shall not be used as dwellings within the municipality. There are a number of types of park models. Currently, two types described below are recognized by the recreational vehicle industry.

- (a) Park Model Trailer 102 is a unit designed to be towed by a heavy-duty tow vehicle (auto, van, pick-up truck, etc.) but is of restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 m (8.5 ft.). These units are designed for infrequent towing, and are not normally fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode it normally must be connected to the local utilities. This style is normally built on a single chassis mounted on wheels. It usually has one or more slide-outs, but when in set-up mode the gross trailer area normally does not exceed 37.2 m² (400 sq. ft.). It conforms to the CSA Z-240 Standard for recreational vehicles.
- (b) Park Model Recreational Unit is a unit built on a single chassis mounted on wheels, which may be removed and returned to the factory. The unit is designed to facilitate occasional relocation, with living quarters for a temporary residence or seasonal use, and normally must be connected to those utilities necessary for the operation of installed fixtures and appliances. It normally has a floor area, including lofts, not exceeding 50 m² (540 sq. ft.) in the set-up mode and has a width greater than 2.6 m (8.5 ft.) in the transit mode. Park Model recreational units almost always require a special tow vehicle and a special permit to move on the road as the width of the unit is greater than 2.6 m (8.5 ft.). It conforms to the CSA Z-241 Standard for recreational vehicles.

"Parking area" means the area set aside for the storage and/or parking of vehicles. Components of parking areas include parking spaces, loading spaces, aisles, entrances and exits to the parking area, and traffic islands where they are part of the parking area. A parking area may be within a building.

"Parking lot" means a parking area which is located on a lot and not accessory to a particular use or development.

"Parking space" means an area set aside for the parking of one (1) vehicle.

"Passive solar energy" means the use of building constituents such as walls, floors, roofs, windows, exterior building elements and landscaping to control heat generated by the sun. Solar heating designs try to trap and store thermal energy from sunlight directly, while passive cooling minimizes the effects of solar radiation through shading or generating air flows with convection ventilation.

"Patio" means any developed surface adjacent to a building on a site which is less than 0.6 m (2.0 ft.) above ground level.

"Permitted use" means the use of land or a building provided for in this 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.

"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, and Laundromats.

"Private camp" means social or recreational activities of members of a religious, philanthropic, athletic, business or non-profit organization or their guests, with or without on-site campsites or dwelling units, but generally with an outdoor emphasis. Private camps may include facilities for eating, drinking and assembly purposes associated with the camp.

"Private club" means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, with neither on-site dwellings nor hotel or motel rentable units. Private clubs may include eating and drinking establishments and rooms for assembly.

"Protective and emergency services" means a development where the administration of the protection of persons and property from injury, harm or damage takes place, and where the equipment necessary for such activities is stored, maintained, and supplied. Protective

and emergency services include police stations, detention centres, fire stations, and accessory training facilities.

"Public education facility" means a development where educational, training, or instruction occurs under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Division. Public education facilities include the administration offices, storage, and maintenance operations of the School Division. Public education facilities include public and separate schools, community colleges, universities, technical and vocational schools, and private academies or "charter schools", and their administrative offices and maintenance facilities.

"Public or quasi-public building" means a building which is owned or leased by a department or agency of the federal or provincial government, or the Municipality for purposes of public administration and services and shall also include a building for the purpose of assembly, instruction, culture or enlightenment, or for community activities.

"Public or quasi-public use" means a use by a department or agency of the federal or provincial government, or the Municipality, for public administration and services and shall also include uses for the purpose of assembly, instruction, culture or enlightenment, or for community related activities.

"Public park" means a development designed or reserved for active or passive recreational use, including all natural and man-made open space and landscaping, facilities, playing fields, and buildings that are consistent with the general purposes of recreation, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the public park. Public parks include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and similar outdoor sports fields.

"Public-serving recreation area" means a campground, day use area, picnic site, lodge, hiking and skiing trail and other similar uses as developed by either private or public interests.

"Public utility" means a public utility as defined in the Act, except that it shall not include landfills.

"Public utility building" means a building in which the proprietor of a public utility, as defined in the Act, maintains its office or offices and/or maintains or stores any equipment used in connection with the public utility.

"Rear line" means the boundary line of a lot lying opposite to the front line of the lot and/or farthest from a highway or road.

"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.

"Recreation, active" means outdoor recreational activities, such as organized sports, playground activities, and the use of motorized vehicles, that require extensive facilities or development or that have a considerable environmental impact on the recreational site.

"Recreation camp" means a development that contains accommodation facilities and is used wholly or partly for recreational purposes, and without limitation, includes trail riding ranches and guest ranches, rural experience camps, survival training camps, fishing and hunting camps, religious camps and camps for disabled persons.

"Recreation, outdoor motorized vehicle" means a development or facility for primarily vehicular and/or motorized sports activities conducted outdoors on both land and water. Typical uses include sport recreational vehicle facilities such as motor bike, snowmobile, and/or motor vehicle race courses and boating facilities.

"Recreation, passive" means outdoor recreational activities, such as nature observation, hiking and canoeing or kayaking, that require a minimum of facilities or development and that have minimal environmental impact on the recreational site.

"Recreational use" means lands used for recreational activities, for profit or not, which are primarily conducted outdoors and which utilize tracts of land and may or may not require facilities or structures. Typical uses include, but are not limited to, cross-country ski trails, walking or cycling paths, ski hills, sports fields, playgrounds, private camps, archery and golf courses, and which may include limited commercial uses incidental to the primary use. Outdoor recreation does not include outdoor motorized vehicle recreation.

"Recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motor or is mounted or drawn by another vehicle. Recreational vehicles include travel trailers, tent trailers, camping trailers, truck campers, 5th wheels, or motor homes, but not manufactured homes, a park model, a garage package, or a cabin on any sort of transportation device such as skids or wheels up to a maximum interior space of 75 m² (807.3 sq. ft.). Any vehicle larger than 75 m² (807.3 sq. ft.) in interior space shall be considered to be a manufactured home for the purposes of this Bylaw.

"Recreational vehicle campground" means a development on which three or more recreational vehicles are harboured, without regard to whether a fee or charge is paid or made, and shall include any building, recreation amenity, structure, tent, vehicle or

enclosure used or intended for use as part of the equipment of such recreational vehicle campground.

"Recreational vehicle storage" means a development which provides fenced or indoor, secure, on-site storage of more than three (3) recreational vehicles.

"Recreational vehicle work camp" means a development on which three or more recreational vehicles are harboured, without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such recreational vehicle work camp.

"Recycling depot" means a development where bottles, cans, newspapers, and similar non-hazardous household goods are bought, sold, and temporarily stored for reuse and where all storage is contained within an enclosed building or an enclosed compound.

"Recycling facility" means a site where recyclable waste is processed. These facilities usually handle such materials as metals, plastics, paper, cardboard, wood, and organic waste and excludes the processing of hazardous recyclables as defined in the Waste Control Regulation.

"Religious assembly" means a development where worship and related religious, philanthropic, and social activities occur. Accessory developments include rectories, manses, classrooms, and dormitories. Religious assembly includes churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

"Relocated building" means a building that was constructed off-site in one piece or in pieces and relocated to another site but does not include manufactured or modular homes.

"Renovation" means an addition to, deletion from, or change to any building which does not require a permit other than a plumbing permit or an electrical permit pursuant to the Safety Codes Act.

"Rentable unit" means a separate unit of a hotel or motel used or intended to be used for the temporary accommodation of one or more persons.

"Rental cabin" means a one-room structure (not including a washroom, bathroom, or toilet) intended for short term occupancy, often rented for a short period of time to the traveling or vacationing public.

"Residential cluster conservation design" means a site planning approach that is an alternative to conventional subdivision development whereby residential properties are grouped or clustered together on a site in order to preserve open space for recreation, agriculture or ecological conservation purposes;

"Residential use" includes the occupation and use of land and buildings by and as dwellings, whether on a seasonal or year-round basis.

"Resource extraction" see **"Natural resource extraction industry."**

"RF Technology" means technology operating in the electromagnetic radiating frequency bands.

"Road" means a right-of-way on which motorized vehicles are normally allowed to operate, or a road as defined in the Act, but does not include either a controlled highway or a lane.

"Roadway" means a rural road, and internal road, or a controlled highway, but does not include a lane.

"Roof" means the top of any enclosure, above or within the vertical walls of a building.

"Row housing" see **"Dwelling, Row housing"**

"Rural commercial use" see **"Commercial use, Rural"**

"Rural industrial use" see **"Industrial use, Rural"**

"Rural industrial park" means a subdivision of land for rural industrial purposes containing parcels for rural industrial use, grouped around an internal road system intended to specifically serve the parcel.

"Rural road" means a Government Road Allowance or a forced road.

"Safety Codes Act" means

"Sea can" means a container, including a sea/land/rail shipping container, which is used as a storage vault. A sea can shall only be allowed on a lot and used as an accessory building to a main building or use. A sea can shall not be used for a dwelling or any part of a dwelling; and, notwithstanding any other provision of this Bylaw to the contrary, not attached, in any way, to a main building. **Note:** buildings made out of sea can materials may be permitted if the end use building satisfies current Building and Safety Code requirements for the use and a development permit for the end use has been approved by the Development Authority.

"Secondary suite" see **"Suite, secondary"**.

"Service station" means a development where gasoline, lubricating oils, and other automotive fluids and accessories for motor vehicles are bought and sold. Service stations may also include facilities for the servicing or repairing of motor vehicles, and a towing

service dispatch point, but not including body repair or paint shops. Service stations which do not include any facilities for servicing or repairing of motor vehicles are often referred to as gas bars.

"Setback" means, depending on the context of the term, the minimum horizontal distance between buildings or a lot boundary and buildings.

"Shall" is an operative word which means the action is obligatory.

"Shed" means an accessory building to be used for storage.

"Shipping container" see **"Sea can"**.

"Shop" means a building to be used for light industrial purposes or the storage of vehicles larger than that allowed in a garage.

"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.

"Show home" means a dwelling unit which is used temporarily for the purpose of illustrating to the public the type and character of dwelling units to be constructed in other parts of the municipality. Show homes may contain offices for the sale of other lots or dwelling units in the municipality and must be located within a dwelling which is either a permitted or a discretionary use in the District in which they are located.

"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.

"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.

"Sign" means any visual medium, including its structure and other component parts, used on a permanent or temporary basis to convey information, to advertise, or to attract attention to a product, service, place, activity, person, institution or business. Without limiting the generality of the foregoing, signs shall include banners, placards, and painted messages, but not national flags, interior window displays of merchandise, or signs painted on or attached to a licensed motor vehicle.

"Sign area" means the total face area of a sign intended for the letters or graphics of the message. In the case of a double-faced sign, only half of the area of each sign face shall be used in calculating sign area.

"Sign, A-frame" means a type of sign commonly referred to as "sandwich boards", composed of two hinged or otherwise joined boards which leans on the ground.



Figure 10: A-frame Sign

"Sign, canopy" means a sign which is part of or attached to the outside edge of a canopy but which does not extend below the bottom edge or surface of the canopy.



Figure 11: Canopy Sign

"Sign, fascia" means a sign attached to or placed flat against an exterior vertical surface of a building, and projects no more than 0.3 m (12.0") from the surface of the building, and does not project above the roof or parapet. Fascia signs are also called wall signs.



Figure 12: Fascia Sign

"Sign, freestanding" means a sign supported by one or more uprights, braces or pylons, and stands independently of another structure.

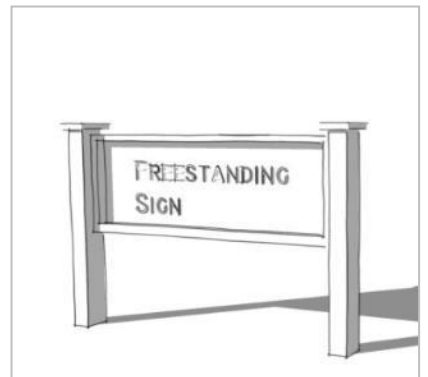


Figure 13: Freestanding Sign

"Sign, inflatable" means a sign made of flexible material or fabric that is made to take on a three-dimensional shape (to blow up like a balloon) when filled with a sufficient volume of air or gas. Commonly used as a temporary sign for special events or promotions.



Figure 14: Inflatable Sign

"Sign, off-site" means a sign that advertises goods, products, services or facilities not available on the site where the sign is located, and which may also direct persons to another location.

"Sign, projecting" means a sign affixed to a building or part thereof and extending beyond the building by more than 0.3 m (1.0 ft.). This does not include a sign attached to the ground.



Figure 15: Projecting Sign

"Sign, roof" means a sign erected upon, against or directly above the roof of a building or the top of a parapet wall.



Figure 16: Roof Sign

"Sign, temporary/portable" means a sign on a standard or column fixed to its own self-contained base and capable of being moved manually.

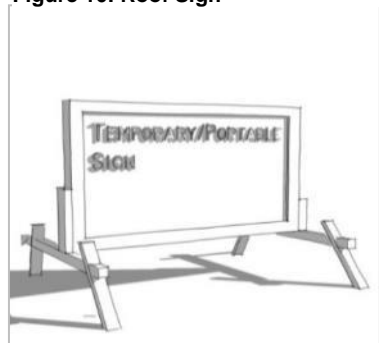


Figure 17: Temporary/Portable Sign

"Sign, under-canopy" means a sign which is attached to the bottom surface or edge of a canopy.



Figure 18: Under-Canopy Sign

"Similar use" means a use which, in the opinion of the Development Authority, closely resembles another specified use with respect to the type of activity, structure and its compatibility with the surrounding environment.

"Single detached dwelling" see **"Dwelling, single detached"**.

"Sludge treatment facility" means a facility where sludge is dewatered to separate liquids from solids or solidified by adding other solids; and, for the purposes of this definition, "sludge" means accumulated, free settling wet solid material.

"Small radio communications facilities" means a development that is intended for transmitting or receiving radio communications signals from devices such as ham radios, fleet dispatch systems, or private communications systems. Typical small radio communications towers are short, usually no more than 3 m (9.8 ft.) taller than the adjacent buildings.

"Soils containing hydrocarbons facility" means a site used or to be used for the land treatment of soil containing hydrocarbons, as defined in the Environmental Protection and the Code of Practice for Land Treatment of Soils Containing Hydrocarbons (September, 2008), for the purpose of enabling treated soils to be reused or disposed of within a Class II Landfill.

"Solar array" means multiple solar panels used in conjunction to produce electricity.

"Solar energy conversion system" means the complete system required to convert solar rays into useable electricity for private use, including solar panels, mounting equipment and additional required conversion electronics.

"Solar panel, free standing" means a device which is used to convert energy contained within the sun's rays into electricity, which is not mounted or attached to any other structure for support.

"Solar panel, roof mounted" means a device which is used to convert energy contained within the sun's rays into electricity, which is located, mounted, or attached to the roof of a structure.

"Stall" means an area of land upon which a manufactured home is to be located, and which is reserved for the exclusive use of the residents of that particular manufactured home, located within a manufactured home park.

"Storey" means the space between one floor of a multi-storey building and the next floor above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement shall not be considered a storey.

"Structural alterations" means the addition to, deletion from, or change to any building which requires a permit other than a plumbing permit or an electrical permit pursuant to the Safety Codes Act.

"Subdivision and Development Appeal Board" means a Subdivision and Development Appeal Board appointed pursuant to County's Subdivision and Development Appeal Board Bylaw and the Act.

"Subdivision Authority" means the Subdivision Authority established pursuant to the Act through the municipality's Subdivision Authority Bylaw.

"Substandard lot" means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the District in which the lot is located.

"Suite, garage" means a self-contained dwelling unit located above a detached garage which is located in a rear yard and which is accessory to a single detached dwelling. Garage suites have an entrance which is separated from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the building.

"Suite, guest house" means a temporary, portable detached dwelling unit that is subservient to an existing dwelling on the site, but does not include a park model. Guest houses can only be located on a lot containing an existing single detached dwelling or manufactured home.

"Suite, in-law" means an additional dwelling unit intended for the sole occupancy of one (1) or two (2) adult persons, which has access to the adjoining dwelling unit. The floor area of

the in-law suite shall not exceed 30 percent of the existing living area of the primary dwelling unit or 80 m² (861.1 sq. ft.) in floor area on a residential lot, whichever is the lesser.

"Suite, secondary" means a self-contained dwelling unit, clearly secondary in size to the main dwelling unit within a dwelling, which may or may not share access to the outside and/or other facilities with the main dwelling unit.

"Suite, surveillance" means a dwelling unit used to accommodate a person or persons whose function is to provide surveillance for the maintenance and security of the development, and does not include a manufactured home.

"Surveillance suite" see **"Suite, surveillance"**.

"Temporary commercial or recreational development" means a commercial or recreational development that is intended to take place over a short period of time such as a week or a weekend. This use includes but is not limited to: festivals, performances, retreats or sporting events such as rodeos, demolition derbies or off-road vehicle competitions and may include food and merchandise vendors as well as temporary camping accommodations associated with the event.

"Temporary development" means a development for which a development permit has been issued and which is to exist for a limited time only, as determined by the Development Authority and indicated in the conditions of the development permit.

"Temporary hazardous waste or hazardous recyclables storage facility" means an above ground and fully-enclosable facility used for the temporary or interim storage of hazardous waste or hazardous recyclables, as those terms are defined in the Waste Control Regulation, prior to the removal of the same to a facility approved by Alberta Environment and Parks for the disposal of hazardous waste or hazardous recyclables.

"Tie down" means an apparatus used to firmly secure a manufactured home to the ground. This apparatus usually consists of steel cables attached to the manufactured home and concrete pylons strategically placed on the accommodating site.

"Tree farm", for the purposes of the Private Landfill Direct Control (DC1) District, means an area of land used for growing trees

- (a) for landscaping the site of a Class II Landfill or a waste management facility; or
- (b) to harvest, with subsequent transport of the harvested trees to a location for commercial sale that is external to the site of a Class II Landfill or a waste management facility located within the County.

"Trucking and cartage establishment" means a development where goods shipped by truck are transferred from one truck to another, or where trucks are dispatched to pick up and/or

deliver goods. Trucking and cartage establishments may include dispatch offices or storage compounds for the temporary storage of goods, and include moving or cartage firms involving vehicles with a gross vehicle weight of more than 3,000.0 kg (6,613.9 lbs.).

"Undeveloped lot" means a lot which does not contain a residence, building or structure.

"Unsubdivided quarter section" means

- (a) a quarter section, or
- (b) a river lot, lake lot, or settlement lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a Land Titles Office,

that has not been subdivided or had a parcel of land removed from it except for a public or a quasi-public use or solely for a purpose exempted from Part 17 of the Act.

"Unit", other than when referred to as a dwelling unit, means an area of land or a building designated as a unit in a condominium plan.

"Use" means the purpose or activity for which a site, a parcel of land, or a lot and any buildings located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained.

"Vehicle repair establishment" means development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles, recreational vehicles, and trucks, including the sale, installation or servicing of related accessories and parts. This use class includes transmission shops, muffler shops, tire shops, automotive glass shops, upholsterer shops, and body repair and/or paint shops.

"Veterinary clinic" means a development where domestic pets are cared for and treated, including hospitalization for fewer than four (4) days. Veterinary clinics may also treat livestock, but they will be treated via out-patient care. All animals shall be kept within an enclosed building.

"Warehouse sales establishment" means a development where bulky goods are sold from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. Warehouse sales establishments include furniture stores, carpet stores, major appliance stores, and building materials stores.

"Waste Control Regulation" means the Waste Control Regulation, Alta. Reg. 192/96, as amended.

"Waste storage site" means a 'storage site' as defined in the Activities Designation Regulation and excludes the processing of hazardous waste or hazardous recyclables as those terms are defined in the Waste Control Regulation.

"Wheel wash facility" means a facility for washing vehicle tires, to minimize the opportunity for contaminated soil or waste to leave the site of a Class II Landfill, waste management facility or recycling facility.

"Wind energy conversion system, large" means one or more buildings designed to convert wind energy into mechanical or electrical energy, including a wind energy conversion system (WECS) consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of more than 300 kW.

"Wind energy conversion system, micro" means a small-scale wind turbine, which is small in height and diameter and can be installed on the roof of a building or structure.

"Wind energy conversion system, small" means a wind energy conversion system (WECS) consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale.

"Wind turbine tower" refers to the guyed or freestanding structure that supports a wind turbine generator.

"Wind turbine tower height" means the height above grade of the fixed portion of the wind turbine tower, excluding the wind turbine and rotor.

"Wireless communications facility" means a facility that provides communication service using RF technology to transmit and receive voice, picture, text and data, in either digital or analogue form, on a system of elevating support structures. These structures include monopoles, lattice towers (self-supported or guyed) or other configurations as well as, although not limited to, shelters, transmitters, receivers, antennas, antenna mounts, transmission lines, waveguides, transmission line supporting equipment and material, aeronautical obstruction lights, antenna deicing equipment, antenna power dividers and matching equipment, combiners and utility power equipment, conditioners and backup power systems.

"Work camp" means a temporary residential complex used to house workers, usually but not necessarily for a contracting firm or project, on a temporary basis of more than twenty-eight (28) days and less than one (1) year. A work camp is usually made up of a number of buildings, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities.

"Work camp, project-oriented" means a temporary residential complex of no more than fifteen (15) units used to house workers, for a specific project, on a temporary basis of not

more than twenty-eight (28) days. A project-oriented work camp is usually made up of a number of buildings, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities for short-term use related to specific projects.

"Work camp, recreational vehicle" see **"Recreational vehicle work camp"**

"Yard" means a part of a parcel upon or over which no building is to be erected unless otherwise provided for in this Bylaw.

All other words and expressions have the meanings respectively assigned to them in the Act or in common law.

1.8 Definitions Not Provided

In instances where specific land uses:

- (1) Do not conform to the wording of any land use; or
- (2) Generally conform to the wording of two or more land uses;

The Development Officer shall use their discretion to include these land uses in a land use category that is most appropriate in character and purpose.

1.9 Development Authority

- (1) The Development Authority, as established and appointed pursuant to the municipality's Development Authority Bylaw, shall perform such duties that are specified for it in this Bylaw.
- (2) The Development Authority shall be:
 - (a) The Municipal Planning Commission;
 - (b) The Development Officer; and
 - (c) Council for all development decisions within Direct Control Districts, unless otherwise delegated within the provisions of that District.

1.10 Development Officer

- (1) The Development Officer, as established and appointed pursuant to the municipality's Development Authority Bylaw, shall perform such duties that are specified for him/her in this Bylaw.

1 | general administrative procedures

- (2) The Development Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by it.
- (3) The Development Officer shall:
 - (a) keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; and
 - (b) keep a register of all applications for development, the decisions thereon and the reasons therefore.
- (4) The Development Officer is hereby declared to be a designated officer for the purposes of inspection, remedy, enforcement or action pursuant to Section 542 of the Act.

1.11 Council

The Council of Westlock County shall perform such duties as are specified for it in this Bylaw in respect to development and land use within the County.

1.12 Municipal Planning Commission

The Municipal Planning Commission shall perform such duties as are specified in this Bylaw and the municipality's Municipal Planning Commission Bylaw.

1.13 Subdivision Authority

The Subdivision Authority shall perform such duties as are specified in this Bylaw and the Subdivision Authority Bylaw.

1.14 Subdivision and Development Appeal Board

The Subdivision and Development Appeal Board shall perform such duties as are specified in this Bylaw and the Subdivision and Development Appeal Board Bylaw.

2 | Development Permits, Rules and Procedures

2.1 Control of Development

- (1) Within the Direct Control (DC-M) District, no development shall be undertaken unless an application for the development has been approved in accordance with **Section 2.12 (g)** of this Bylaw.
- (2) Within the other Districts, no development other than that designated in **Section 2.2** shall be undertaken within the County unless an application for it has been approved and a development permit has been issued and has come into effect.
- (3) Notwithstanding Subsection (2) above, where a variance to any regulation in this Bylaw is required for any development listed in **Section 2.2**, a development permit is required.

2.2 Development Not Requiring a Permit

- (1) The following development shall not require a development permit:
 - (a) 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;
 - (b) 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;
 - (c) the use of any such buildings as referred to in Subsection (b) for the purpose for which construction was commenced;
 - (d) the erection or construction of gates, fences or walls or other means of enclosure, unless the gate, fence, wall or other means of enclosure exceeds the regulations indicated in **Section 7.11** of this Bylaw; and the maintenance, improvement and other alterations of any gates, fences or walls or other means of enclosure, unless the fencing material is razor wire. An approved

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- development permit shall always be necessary before razor wire is used as a fencing material;
- (e) the storage or repair of vehicles, machinery or equipment incidental to agricultural uses permitted or discretionary on that parcel of land;
 - (f) the erection of all fences or other means of enclosure which are accessory to agricultural operations;
 - (g) a temporary building or sign, 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;
 - (h) the development, maintenance and repair of public works, services, recreational facilities, and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
 - (i) the erection of campaign signs for federal, provincial, municipal or school board elections on privately-owned lots for no more than thirty (30) days, or such time as regulated under provincial or federal legislation provided that:
 - (i) such signs are removed within seven (7) days after the election date,
 - (ii) such signs do not obstruct or impair vision or traffic,
 - (iii) such signs are not attached to fences, trees, or utility poles; and
 - (iv) such signs indicate the name and address of the sponsor and the person responsible for removal;
 - (j) the placement of one (1) sign on internal sites, or two (2) signs on corner sites advertising a residential property for sale or rent displayed on the property to which it (or they) pertain(s) during the time the property is being offered for sale or rent, with removal to be within fourteen (14) days after the sale or rental agreement has been entered into, provided that such signs are a maximum of 0.6 m² (6.5 sq. ft.) in area and provided further that such signs are placed or erected no closer than 3.0 m (9.8 ft.) to a road right-of-way;
 - (k) the placement of temporary signs in any district for no more than thirty (30) days, provided that such signs are a maximum of 0.6 m (6.5 sq. ft.) in area and provided further that such signs are placed or erected no closer than 3.0 m (9.8 ft.) to a road right-of-way;
 - (l) development within a basement which does not change or add to the uses within a dwelling;
 - (m) sheds which are accessory to dwellings, which are less than 10.0 m² (107.6 sq. ft.) in floor area, and which satisfy all the setback requirements of this Bylaw, within the Agricultural (A) District;
 - (n) up to two sheds which are accessory to dwellings, which are less than 10.0 m² (107.6 sq. ft.) in floor area, and which satisfy all the setback requirements of this Bylaw, within the Urban General (UG) and country residential districts;

- (o) project-oriented work camps of fifteen (15) sleeping units or less for a maximum of twenty-one (21) days, within the Agricultural and Highway Commercial Districts only, as per the requirements of **Section 7.42** of this Bylaw;
- (p) the removal of top soil except in conjunction with a development for which a development permit has been issued as per the requirements of **Section 6.10** of this Bylaw;
- (q) grading and/or landscaping where the proposed grades will not adversely affect the drainage of the subject or adjacent lots;
- (r) the development of land for a confined feeding operation or a manure storage facility if the confined feeding operation or manure storage facility is the subject of an approval, registration or authorization under the Agricultural Operation Practices Act;
- (s) dugouts that satisfy Prairie Farm Rehabilitation Administration guidelines, provided, however, that dugouts satisfy the minimum front yard requirements of this Bylaw;
- (t) the demolition or removal of any building or structure for which erection a development permit would not be required pursuant to Subsections (d) through (l) above, both inclusive;
- (u) the year-round placement of one (1) recreational vehicle on a parcel in the Urban General (UG) and country residential districts;
- (v) the year-round placement of three (3) recreational vehicles on a parcel in the Agricultural (AG) District;
- (w) the placement of recreational vehicles in approved recreational vehicle campgrounds;
- (x) the placement or installation of a micro wind conversion system of a lot; and
- (y) the placement or installation of a farm gate sign.

2.3 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 extended 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.

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- (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 2.13 of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- (5) Pursuant to the Act, when:
 - (a) on or before the day on which this Bylaw or any Bylaw for the amendment thereof comes into force, a development permit has been issued; and
 - (b) the enactment of the Bylaw would render the development in respect of which the permit was issued a non-conforming use or non-conforming building;the development permit continues in effect.
- (6) If a non-conforming building is damaged or destroyed to the extent of more than seventy-five (75) percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- (7) 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.

2.4 General Development Permit Application Requirements

- (1) An application for a development permit shall be made to the Development Authority in writing, on the application form provided by the municipality and shall be accompanied by:
 - (a) a site plan, to scale, showing the legal description; north arrow; location and dimensions of property lines; existing utility rights-of-way and easements; fences; driveways; paved areas; proposed front, rear, and side yards, if any; any provisions for off-street loading and vehicle parking; access and egress points to the site; and any encumbrance such as rights-of-way;
 - (b) existing and proposed building dimensions, to scale, including, but not limited to, the house, garage, decks and any covered structures such as car ports;
 - (c) the type and location of water supply and sewage and waste water disposal facilities;
 - (d) a statement of existing and proposed uses;

- (e) a statement of ownership of the land and the interest of the applicant therein;
 - (f) the signatures of at least one of the registered landowners listed on the Certificate of Title;
 - (g) the estimated commencement and completion dates;
 - (h) the estimated cost of the project or contract price;
 - (i) an application fee as established by resolution of Council;
 - (j) written consent from the registered owner authorizing the right-of-entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed development;
 - (k) information on abandoned oil and gas wells as required by the Subdivision and Development Regulation and ERCB Directive 079;
 - (l) in the case of an application for a development permit on Crown Land, Provincial authorization for the development; and
 - (m) any other information as required by this Bylaw, the Municipal Development Plan, applicable Area Structure Plan and/or the Development Authority.
- (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:
- (a) floor plans;
 - (b) elevations and sections of any proposed buildings;
 - (c) a Real Property Report, or other documentation indicating the exact location of all structures on the property, prepared within the last five (5) years, in a form that is acceptable to the Development Authority;
 - (d) drainage, grading and landscaping plans which provide pre- and post-construction site elevations;
 - (e) a storm water management plan approved by Alberta Environment and Sustainable Resource Development (or other appropriate provincial authority);
 - (f) a certified geotechnical report prepared, stamped and signed by a qualified professional registered in the Province of Alberta in potentially hazardous or unstable areas;
 - (g) a certified biophysical assessment prepared, stamped and signed by a professional registered in the Province of Alberta, on the impacts of the proposed development on wildlife habitat or natural environments;
 - (h) a reclamation plan for aggregate extraction or site grading and excavation;
 - (i) an environmental site assessment to determine potential contamination and mitigation;
 - (j) 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;
- (k) a certified hydro-geological assessment prepared, stamped and signed by a registered professional engineer or hydro-geologist, registered in the Province of Alberta, of any potential flooding or subsidence that may, in the sole opinion of the Development Authority, affect the subject site;
- (l) a site plan detailing how vegetation, topography disturbance or erosion is to be minimized;
- (m) an environmental impact assessment describing a development's potential environmental effects;
- (n) a cumulative effects assessment prepared, stamped and signed by a registered professional, registered in the Province of Alberta, describing a development's potential cumulative effects;
- (o) the identification of all rights-of-way and easements within or abutting the subject property; and/or

any additional information as the Development Authority deems necessary.

- (3) Where, in the opinion of the Development Authority, a proposed development will have a significant impact on surrounding properties, the Development Authority may require the applicant hold a public open house to inform affected residents and landowners of the proposed development, and to provide a written summary of public open house materials and any comments received at the public open house, prepared to the Development Authority's satisfaction, prior to considering an application complete.
- (4) When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may, at its sole discretion, either return the application to the applicant for further details or make a decision on the application with the information it has available. An incomplete application shall be deemed to not have been submitted until all required details have been provided to the satisfaction of the Development Authority.
- (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) 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.

- (7) In the case of an application for a Development Permit on Crown Land, the County will require Provincial authorization prior to the issuance of a Development Permit.

2.5 Industrial Development Permit Application Requirements

- (1) In addition to the information requirements indicated in **Section 2.4**, each application for industrial development shall be accompanied by the following information:
- (a) type of industry;
 - (b) estimated number of employees;
 - (c) estimated water demand and anticipated source;
 - (d) estimated gas demand and anticipated source;
 - (e) type of effluent and method of treatment;
 - (f) type of air emissions and method of abatement;
 - (g) estimated noise generated by the development and method of abatement;
 - (h) estimated light generated by the development and (if necessary) method of abatement;
 - (i) transportation routes to be used and estimated traffic impact,
 - (j) reason for specific location;
 - (k) means of solid waste disposal;
 - (l) any accessory works required (pipeline, railway spurs, power lines, etc.);
 - (m) anticipated residence location of employees;
 - (n) municipal servicing costs associated with the development;
 - (o) physical suitability of site with respect to soils, slopes and drainage;
 - (p) if a subdivision is involved, the size and number of parcels and proposed phasing (if any);
 - (q) servicing requirements and provisions for meeting them;
 - (r) costs associated with providing new or upgraded municipal services associated with the development,
- and/or any other information as may be reasonably required by the Development Authority.

2.6 Commercial & Recreation Development Permit Application Requirements

- (1) In addition to the information requirements indicated in **Section 2.4**, each application for a commercial or recreation development may be required, at the discretion of the Development Authority, to be accompanied by the following information:
- (a) physical suitability of site with respect to soils, slopes and drainage;

- (b) the size and number of parcels and proposed phasing (if any);
- (c) servicing requirements and provisions for meeting them;
- (d) estimated water demand and anticipated source;
- (e) estimated gas demand and anticipated source;
- (f) type of effluent and method of treatment;
- (g) type of air emissions and method of abatement;
- (h) estimated noise generated by the development and method of abatement;
- (i) estimated light generated by the development and (if necessary) method of abatement;
- (j) costs associated with providing new or upgraded municipal services associated with the development;
- (k) the requirements and provisions for employee and customer parking and for site access;
- (l) a landscaping plan;
- (m) cross-sections and elevations for each building;
- (n) a list of proposed uses;
- (o) transportation routes and estimated traffic impact;

and/or any other information as may be reasonably required by the Development Authority.

2.7 Resource Extraction Development Permit Application Requirements

- (1) In addition to the information requirements indicated in **Section 2.4**, the Development Authority shall require, where not required to do so by the Province, that each application for a development permit for resource extraction development be accompanied by the following information:
 - (a) a reclamation plan and a statement indicating the projected final use of the site. In those cases where the proponent is required to do so by the Province, the proponent shall submit a copy of the reclamation plan to the County;
 - (b) for Class I Pits on Private Land equal to or greater than 5 ha. (12.5 ac.) in area: proof of approval from Alberta Environment and Sustainable Resource Development;
 - (c) for Class II Pits on Private Land under 5 ha. (12.5 ac.) in area: a reclamation deposit in the amount of \$2,000 per acre for each acre of working pit;
 - (d) a statement indicating the number of years the pit is proposed to be in operation;
 - (e) a survey prepared by a qualified professional that identifies the total working area of an extraction site. If the site is (taking into consideration expansions to the preliminary working area boundary), or would be equal to or larger

- than 5 ha (12.5 acres), the applicant must comply with the requirements for the provincial approval of a Class I pit.
- (f) anticipated generation of motor vehicle traffic estimated on a daily, weekly or monthly basis;
 - (g) number of vehicles that will be used in the hauling of materials and the proposed hauling route to and from the site;
 - (h) proof of current Alberta Sand and Gravel Association Membership for all aggregate resource haulers who will operate from the site if the development is to be used for commercial purposes;
 - (i) type and number of equipment to be used for each activity to be carried out on the site;
 - (j) access locations to and from the site, including roads and highways, and anticipated traffic generation on each of the roads and highways resulting from the development;
 - (k) dust control measures to be implemented, including the suppressant materials or methods to be used either on the pit floor and on stockpiles as well as the proposed frequency of application;
 - (l) projected impacts of dust or emissions (asphalt, gravel crushing, concrete or other) and the methods to be used for controlling such dust or emission;
 - (m) proposed frequency for cleaning settled dust from, in and around gravel crushing plants;
 - (n) provisions for loading and parking;
 - (o) descriptions of noxious, toxic, radioactive, flammable or explosive materials to be stored or used on the site;
 - (p) location of garbage and storage areas and proposed fencing and screening for the same, as well as the proposed method for disposing of garbage;
 - (q) provision of a written security plan that identifies potential dangerous situations, area and typical procedures to be used for monitoring the site during periods of activity and also when activity on the site is suspended;
 - (r) proposed methods to be used to restrict public access, protect wildlife, neighbouring livestock and domestic animals;
 - (s) quality and quantity of well water and soil tests for the water systems that may be used in conjunction with the proposed development;
 - (t) amount of water required for the proposed development on a daily, weekly or monthly basis and the proposed water source;
 - (u) engineering studies which demonstrate the suitability of the proposed method of water supply;
 - (v) engineering studies which demonstrate the suitability of the proposed method of effluent disposal;
 - (w) engineering studies which demonstrate the suitability of the proposed method of surface water management;
 - (x) method proposed for controlling noise, dust and drainage from the site both during and after completion of the operation;

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- (y) profiles and cross sections showing the original ground level, the proposed depth of any excavation, the finished grade elevation, the depth of the overburden and water table elevations;
 - (z) the method intended to be used for excavation of the materials contained within the land, backfilling, terracing, compacting, leveling, reclaiming the site and equipment to be used in connection therewith;
 - (aa) the method to be used for supporting pit walls;
 - (bb) size, number and location of stockpiles of topsoil, overburden and gravel;
 - (cc) proposed days and hours of operation for each activity and any known or regularly anticipated periods of inactivity; and
 - (dd) if the proposal is located within the heritage overlay area, then a Historic Resource Impact Assessment and/or clearance from the Alberta Culture and Tourism.
- (2) Without limiting the requirements of the Development Authority, the proponent will also be required to enter into:
 - (a) a road use agreement with the County, which will require the operators to show proof of membership in the Alberta Sand and Gravel Association and further require the display of the proponent's ASGA registration number on all trucks operating under Westlock County road use agreements; and
 - (b) a development agreement with the County.

2.8 Excavation and Stripping of Land Development Permit Application Requirements

- (1) In addition to the information requirements indicated in **Section 2.4**, the Development Authority shall require each application for the excavation, stripping or grading of land proposed without any other development on the same land, to be accompanied by 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;
 - (e) drainage and grading plans which provide pre- and post-development site elevations;
 - (f) a reclamation plan including information regarding the condition in which the site is to be left when the operation is complete, the action which is to be

- (g) 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; and potential long-term costs of new or upgraded municipal services associated with the development.

2.9 Wind Energy Conversion System Development Permit Application Requirements

- (1) In addition to the information requirements indicated in **Section 2.4**, the Development Authority shall require each application for a wind energy conversion system to be accompanied by the following information:
 - (a) a fully dimensioned and scaled site plan showing and labeling information including the location of overhead utilities on or abutting the subject site, contours of the land and access roads;
 - (b) a visual representation including scale elevations, photographs and/or digital information of the proposed wind energy conversion system showing total height, tower height, rotor diameter, colour and the landscape;
 - (c) the manufacturer's specifications for the wind energy conversion system, including:
 - (i) the system's rated output in kilowatts,
 - (ii) safety features and sound characteristics, and
 - (iii) type of material used in tower, place, and/or rotor construct;
 - (d) an analysis of the potential for noise at:
 - (i) the site of installation,
 - (ii) the boundary of the lot containing the development, and
 - (iii) any habitable dwelling within 2.0 km (1.2 miles) of the subject site;
 - (e) a report regarding any public information meetings or other processes conducted by the developer;
 - (f) any impacts to the local road system including required approaches from public roads having regard to County standards;
 - (g) a preliminary reclamation/decommissioning plan; and
 - (h) appropriate reports and/or approvals from:
 - (i) Alberta Utilities Commission,
 - (ii) Transport Canada,
 - (iii) NavCanada,
 - (iv) Alberta Energy, and
 - (v) Alberta Environment and Sustainable Resource Development.

2.10 Temporary Commercial & Recreational Development Permit Application Requirements

- (1) The Development Authority shall require each application for a temporary commercial & recreational development to be accompanied by the following information:
 - (a) the type of temporary commercial and/or recreation development;
 - (b) the estimated duration of the development and hours of operation for each day the development is to remain;
 - (c) anticipated number of participants, spectators and volunteers, as applicable;
 - (d) proposed vehicle access to and parking within the site;
 - (e) anticipated route(s) to the site from provincial highways;
 - (f) internal vehicular traffic and pedestrian flow plan;
 - (g) emergency management plan;
 - (h) location of any temporary camp sites;
 - (i) location of any temporary tents or other structures;
 - (j) location of permanent and temporary potable water sources;
 - (k) location of permanent and temporary sewage disposal facilities;
 - (l) location and details of cooking facilities;
 - (m) location and anticipated number of commercial vendors;
 - (n) copies of insurance for the development;

and/or any other information as may be reasonably required by the Development Authority.
- (2) Where a development permit application in any land use district is for a temporary development, the Development Authority
 - (a) may consider and decide upon a development for a specific period of time, not exceeding one year;
 - (b) shall impose a condition on such a permit that the municipality is not liable for any costs involved in the cessation or removal of the development at the expiration of the time period stated in the permit; and
 - (c) may require the applicant to post acceptable security guaranteeing the cessation or removal of the development, to the satisfaction of the Development Authority.
- (3) The Development Authority may refer any application for a development permit for a temporary commercial and/or recreational development prior to making a decision on the application to Alberta Transportation, the local Royal Canadian Mounted Police detachment, Emergency Services, or any other person, agency, or organization as deemed necessary or suitable by the Development Authority.

- (4) Where, in the opinion of the Development Authority, a proposed temporary commercial and/or recreational development will have a significant impact on surrounding properties, the Development Authority may require the applicant hold a public open house to inform affected residents and landowners of the proposed development, and to provide a written summary of public open house materials and any comments received at the public open house, prepared to the Development Authority's satisfaction, prior to considering an application complete.

2.11 Referral of Application

- (1) Historical or archaeological sites identified pursuant to the Alberta Historical Resources Act shall be protected in accordance with Provincial legislation and regulations.
- (2) Development permit applications for discretionary development proposals within the Athabasca Landing Trail Corridor, as identified in the Municipal Development Plan, shall be referred to the appropriate provincial department or ministry for comment prior to consideration of the development permit.
- (3) In addition to any sites identified in (1) above, an application for a development permit which may, in the opinion of the Development Authority, impact on any historical or archaeological site identified pursuant to (1) above within the County will be submitted to Alberta Culture for comment and reporting purposes.
- (4) Development permit applications within 800.0 m (2640.0 ft.) of the right-of-way of a highway may, at the discretion of the Development Authority, be referred to Alberta Transportation for comments prior to a development permit being issued.
- (5) Development permit applications for uses within 3.2 km (2.0 miles) of a confined feeding operation may be referred to the County Agricultural Fieldman for comments and for assistance in calculating any necessary development setback distance.
- (6) All subdivision proposals and all applications for significant discretionary development permits within 3.2 km (2.0 miles) of adjacent municipalities shall be referred to the adjacent municipality for comment prior to a development permit being issued or a subdivision being approved.
- (7) The Development Authority may refer any application for a development permit prior to making a decision on the application to any other person, agency, or organization as deemed necessary or suitable by the Development Authority.

2.12 Decisions on Development Permit Applications

- (1) The Development Officer shall:
 - (a) receive and review all applications for development permits;
 - (b) consider and decide on applications for a development permit for those uses listed in Part 8 which constitute permitted uses in a district where all of the regulations for that district are complied with by the proposed development or where the regulations have been assigned to him/her for consideration and decision;
 - (c) refer their recommendations to the Municipal Planning Commission for its consideration and decision regarding all applications for a discretionary use;
 - (d) refer their recommendations to the Municipal Planning Commission for its consideration and decision regarding all applications for a development permit for a permitted use which does not comply with all of the regulations of this Bylaw;
 - (e) refer their recommendations to the Municipal Planning Commission for its consideration and decision on any application which, in the opinion of the Development Officer, should be decided on by the Commission;
 - (f) refer to the Council for its consideration and decision all other applications for a development permit application within a Direct Control District; and
 - (g) issue decisions for development applications for those uses listed in Direct Control Districts when directed to do so by Council.
- (2) The Council or the Municipal Planning Commission shall receive, consider and decide on all applications for a development permit which are referred to them by the Development Officer.
- (3) In making a decision, the Development Authority may approve the application unconditionally, approve the application subject to those conditions he/she considers appropriate, approve the application permanently or for a limited period of time, or refuse the application.
- (4) 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, parking areas and loading and unloading facilities 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.

- (5) 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.
- (6) In the case where a proposed use of land or a building is not provided for in any district in the Bylaw, nor defined in **Section 1.7** of this Bylaw, the Municipal Planning Commission may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district in **Section 8** of this Bylaw. Where a proposed use of land or a building is defined, but not listed as either permitted or discretionary, the Development Authority shall not approve a development permit for that use.
- (7) 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.
- (8) When a development permit application is refused, the Development Authority will not accept the submission of another application for a permit on the same parcel of land and for the same or similar use by the same or any other applicant for six (6) months after the date of the refusal. However, when an application has been refused as per Subsection 2.12(9) below, the Development Authority may accept a new application without waiting six (6) months after the date of the refusal.
- (9) An application for a development permit shall be deemed to be refused when a decision is not made by the Development Authority within forty (40) days after receipt and acceptance of the completed application by the Development Authority unless an agreement to extend the forty (40) day period is established between the applicant(s) and the Development Authority. The person claiming to be affected may appeal in writing as provided for in **Section 3.1** of this Bylaw as though he/she has received a refusal at the end of the 40-day period.

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- (10) When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal, the time period within which an appeal can be made, and to whom the applicant may appeal, if so desired.
- (11) Where the development of land involves a subdivision of land, no development permit shall be issued until the subdivision has received a level of approval satisfactory to both the Subdivision Authority and the Development Authority.
- (12) The 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;
 - (b) if the conditions of the approval of the development permit have not been complied with or cease to be complied with;
 - (c) if requested to do so by the applicant; or
 - (d) within 14 days of issue of the permit, where the permit was issued in error.

2.13 Powers of Variance

- (1) In addition to the requirements of **Section 2.4**, when an application for a development permit application is submitted to the Development Officer for a permitted or discretionary use which does not comply with the provisions of the Bylaw, the Development Authority may request a statement from the applicant identifying the following:
 - (a) that the applicant is aware that the proposed development requires a variance of this Land Use Bylaw; and
 - (b) why the proposed development cannot satisfy the provisions of this Bylaw and therefore, requires the proposed variance.
- (2) Notwithstanding 2.13(1)(b), the Development Officer may consider and decide on an application for a development permit for a permitted use which does not comply with all of the regulations of this Bylaw, where the variance to the regulations would be fifteen percent (15%) or less.
- (3) Development permit applications for a permitted use that propose a variance from the provisions of this Bylaw in excess of fifteen percent (15%) will be referred by the Development Officer to the Municipal Planning Commission.
- (4) The Municipal Planning Commission may approve a variance of up to fifty percent (50%) of the provisions of this Bylaw. An application which proposes a variance beyond fifty percent (50%) must be either revised or refused by the Development Authority.

Note: Use provisions cannot be varied by the Development Authority. If a proposed development does not conform to either the permitted or discretionary use requirements within the applicable district, then a Land Use Bylaw amendment will be required prior to development approval.

2.14 Validity of Development Permits

- (1) When a development permit has been granted by the Development Authority, it shall not be valid unless and until the conditions of the permit, save those of a continuing nature, have been fulfilled and no notice of appeal has been served on the Subdivision and Development Appeal Board within the appeal period.
- (2) Any development proceeded with by the applicant for an approved development permit prior to the expiry of the appeal period (fifteen days after the date of the decision notice), is done solely at the risk of the applicant.
- (3) If the Subdivision and Development Appeal Board is served with notice of an application for leave to appeal its decision, such notice shall suspend the development permit, except where approval has been granted for a permitted use and no variance to the regulations of this Bylaw were granted, or, where a license, permit, approval or other authorization is granted by the Natural Resource Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, or Alberta Utilities Commission to the extent that the application complies with the license, permit, approval or other authorization granted. The final determination of an appeal, except for those applications approved as a permitted use and/or, by the Natural Resource Conservation Board, Energy Resources Conservation Board or Alberta Utilities Commission, shall validate, amend or revoke, as the case may be, a suspended development permit.
- (4) When the Subdivision and Development Appeal Board has approved a development permit, the permit shall not be valid until the decision of the Board is issued in writing.

2.15 Notice of Decision

- (1) Within five (5) working days after a decision on a development permit application, the Development Officer shall send a notice by regular mail of the decision to the applicant and post a notice in a place available to public view in the County office, indicating the disposition of the application. Mailing the notice is not required when an applicant picks up a copy of the decision.

2 | development permits, rules and procedures

- (2) In addition to Subsection (1), within five (5) working days after a decision on a development permit application for a discretionary use or after a variance has been granted, the Development Officer shall:
 - (a) send notice by regular mail to adjacent land owners, as identified on the Westlock County Assessment Roll, to provide notice of the decision and right of appeal; and/or
 - (b) publish a notice of the decision in a newspaper circulating in the municipality stating the legal description of the property, municipal address of the application, nature of the approved development and right of appeal.
- (3) When the Development Authority refuses a development permit application, the decision shall contain reasons for the refusal.

2.16 Commencement and Completion

- (1) If the development authorized by a development permit is not commenced within twelve (12) months from the date of its issuance and carried out with reasonable diligence within three (3) years of the date of issuance, the permit is deemed void, unless an extension to this period has previously been granted by the Development Authority.
- (2) Upon application to the Development Authority, prior to the expiry of an approved development permit application, the Development Authority may grant a single extension to the effective period of a development permit for a period that shall not exceed twelve (12) months.
- (3) When a development permit expires, a new application is required. The new application will be reviewed and a decision issued based on the current merits of the proposed development in relation to current municipal, provincial and federal regulations, requirements, policies and practices. The Development Authority shall not be obliged to approve a development permit based on a previous approval.
- (4) In cases where a use is discontinued, or intended to be discontinued for a period of six (6) months or more, any subsequent use of the land or building shall comply with this Bylaw and shall require a new development permit.
- (5) At the discretion of the Subdivision Authority, upon application to the Subdivision Authority, prior to the expiry of an approved subdivision application, the Subdivision Authority may grant a single extension to the effective period of an approved subdivision application for a period that shall not exceed twelve (12) months.

2.17 Developer's Responsibility

- (1) A person to whom a development permit has been issued shall obtain from the appropriate authority where applicable, permits relating to building, grades, sewers, sanitary and storm water disposal, water mains, electricity and all other permits required in connection with the proposed development.
- (2) The applicant shall be financially responsible during construction for any damage by the applicant, his/her servants, suppliers, agents or contractors to any public or private property.
- (3) The applicant shall prevent excess soil or debris from being spilled on public road allowances, streets, lanes and sidewalks.
- (4) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Development Authority, has been undertaken.

2.18 On-Site and Off-Site Services and Improvements

- (1) Where any on-site services or improvements, or any off-site local improvements are required to service a proposed development, a developer shall not begin the work nor commence the development until the Development Authority is satisfied that such services or improvements will be undertaken according to the standards and specifications of the County. In order to satisfy the Development Authority, the developer will be required to enter into a development agreement with the County as a condition of development permit approval.
- (2) No development permit shall be considered valid for a development to be serviced by private sewer and water systems until the systems have been approved by the appropriate agency.
- (3) All future development areas must be serviced to the satisfaction of the Development Authority.
- (4) All infrastructure improvement costs associated with the development will be borne by the proponent of the development.

3 | Appeals

3.1 Development Appeals and Procedures

- (1) An appeal may be made to the Subdivision and Development Appeal Board where a Development Authority:
 - (a) refuses or fails to make a decision on a development permit application within forty (40) days of receipt of a completed application or prior to the expiry date of an agreement between the applicant(s) and the Development Officer to extend the 40-day period herein described; or
 - (b) issues a development permit subject to conditions; or
 - (c) issues a development permit for a discretionary use, or for a permitted use where a variance is granted, pursuant to this Bylaw; or
 - (d) issues a refusal; or
 - (e) issues an order under **Section 5.1(1)** of this Bylaw.
- (2) A person applying for the permit or affected by an order under **Section 5.1(1)**, or any other person affected by a development permit, order or decision issued/made by the Development Authority, may appeal to the Subdivision and Development Appeal Board.
- (3) Notwithstanding Subsections (1) and (2) 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.
- (4) Notwithstanding Subsections (1) and (2) above, no appeal lies to the Subdivision and Development Appeal Board in respect of the issuance of a development permit by Council in the Direct Control Districts.
- (5) An appeal shall be made by serving a written notice of appeal to the Secretary of the Subdivision and Development Appeal Board within fourteen (14) days after:
 - (a) the date on which the person is notified of the order or decision or the issuance of the development permit; or
 - (b) if no decision is made with respect to the application within the 40-day period or within any extension issued under Section 684 of the Act.
- (6) Each notice of appeal shall be accompanied by a fee as set by Council and shall contain at least one reason for appeal.

3.2 Appeal Hearing Procedure

- (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. The thirty day appeal period may be extended, subject to the written consent of the appellant, the development permit applicant (if different than the appellant), and the Development Authority.
- (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) the Municipal Planning Commission if it is not the development authority;
 - (d) the applicant and/or land owner(s);
 - (e) 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
 - (f) 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, the decision and the notice of appeal; or
 - (b) the order of the Development Authority under **Section 5** of this Bylaw or Section 645 of the Act;as the case may be.
- (4) At the appeal hearing referred to in **Section 3.2(1)**, the Subdivision and Development Appeal Board shall hear:
 - (a) the appellant or any other person acting on his/her 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 pursuant to **Section 3.2(2)** and who wishes to be heard or a person acting on his/her 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/her behalf.

3.3 Decision

- (1) In determining an appeal, the Subdivision and Development Appeal Board:
 - (a) shall have due regard for any applicable statutory plans and the County's Land Use Bylaw;
 - (b) shall comply with the Province's Land Use Policies and applicable regional plans;
 - (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own;
 - (d) must have regard for, but is not bound by, the Subdivision and Development Regulation;
 - (e) may make an order or decision or issue or confirm the issuance of a development permit notwithstanding that the proposed development does not comply with the Land Use Bylaw if, in the opinion of the Subdivision and Development Appeal Board, the proposed development would not:
 - (i) unduly interfere with the amenities of the neighbourhood;
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
 - (iii) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- (2) 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.
- (3) 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.
- (4) 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 shall forthwith approve the development permit application in accordance with the decision of the Subdivision and Development Appeal Board.
- (5) If the decision of the Development Authority to approve a development permit is varied by the Development Appeal Board, the Development Authority shall forthwith approve the development permit application in accordance with the decision of the Subdivision and Development Appeal Board.

3 | appeals

- (6) 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.

4 | Amendment to the Land Use Bylaw

4.1 Application for Amendment

- (1) Subject to the provisions of the Municipal Government Act, any Section or Part of this Bylaw may be amended.
- (2) Council may at any time initiate an amendment to this Bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Development Officer to prepare an amendment application, reports and recommendations.
- (3) Any person may apply to have this Bylaw amended by applying in writing, using the application form provided by Westlock County, and request that the Development Authority submit the application to Council.
- (4) An applicant proposing to amend this Bylaw for a purpose of clarification of an existing provision must provide the following:
 - (a) application and advertising fee as established by Council;
 - (b) undertake in writing on a form provided by Westlock County to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the County may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges;
 - (c) reasons in support of the application;
 - (d) drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable;
 - (e) the sequence of land servicing (may include, among other elements, site grading plan, infrastructure servicing concept, development concept, development phasing and landscaping), if applicable;
 - (f) a recent title search (dated within thirty days of the date the application is received) of the land affected and/or other documents satisfactory to the Development Authority showing the applicant's interest in the said land, if applicable; and
 - (g) where the applicant is an agent acting for the owner, a letter from the owner(s) authorizing the agent to make the application.

- (5) A person making an application to amend this Bylaw for a purpose other than the clarification of an existing provision of this Bylaw shall:
 - (a) pay Westlock County an application and advertising fee as set by Council;
 - (b) undertake in writing on a form provided by Westlock County to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the County may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges;
 - (c) reasons in support of the application;
 - (d) drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable;
 - (e) the program of land servicing, if applicable;
 - (f) information regarding any potential impact of the development that would be allowed by the proposed amendment on the existing natural or man-made environment;
 - (g) information respecting the suitability of the subject site for the development that would be allowed by the proposed amendment;
 - (h) a recent title search (dated within thirty days of the date the application is received) of the land affected and/or other documents satisfactory to the Development Authority showing the applicant's interest in the said land, if applicable;
 - (i) sign a statement authorizing the right of entry by the Development Authority to such lands and/or buildings as may be required for investigation of the proposed amendment; and
 - (j) any other information deemed necessary by the Development Authority or Council.
- (6) Upon receipt of an application to amend the Land Use Bylaw, the Development Authority shall:
 - (a) initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment; and
 - (b) prepare a detailed report including all maps and relevant materials for Council to consider.
- (7) In order to carry out any necessary investigation or analysis of the problems involved in or related to the amendment, the Development Authority may refer the application to such agencies as they consider necessary for comment.
- (8) Upon receiving the preliminary advice of the Development Authority, the applicant shall advise the Development Authority if:
 - (a) he/she wishes the Council to proceed with the amendment as submitted by the person, or an alternative amendment proposed by the Council; or
 - (b) he/she wishes to withdraw the application for an amendment.

- (9) As soon as reasonably convenient, the Development Authority shall submit the proposed amendment as originally applied for, or as alternatively chosen by the applicant, as the case may be, to the Council, accompanied by the report of the Development Authority and other relevant material, if any, and the Council shall then consider the proposed amendment.
- (10) During deliberation on the Bylaw amendment application, Council may refer the application to such agencies as it considers necessary for comment.
- (11) Council may request such information as it deems necessary to reach a decision on the proposed amendment.
- (12) Notwithstanding anything in this Section, a proposed amendment which has been rejected by Council within the previous twelve (12) months may not be reconsidered unless Council otherwise directs.
- (13) Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the Act regarding the enactment of Bylaws.
- (14) All amendments to this Bylaw shall be made by Council by Bylaw and in conformity with the requirements of the Act regarding the notification and holding of a public hearing.

4.2 Public Hearing Process

- (1) At the discretion of Council, first reading of a proposed amendment may be given before 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.

4.3 Commencement and Completion

- (1) If the development proposed at the time of the land use bylaw amendment approval is not commenced within three (3) years from the date of third reading of the amendment and carried out with reasonable diligence within five (5) years of the date of third reading, Council, unless an extension to this period has previously been granted, may repeal the land use bylaw amendment.

4 | development applications

- (2) Council may, upon receipt of an application to extend the allowed commencement period for an approved Land Use Bylaw amendment, grant a single extension to the effective period of the amendment for a period that shall not exceed three years.

5 | Enforcement, Penalties and Fines

5.1 Contravention and Stop Orders

- (1) Where the Development Authority finds that a development or use of land or buildings is not in accordance with:
 - (a) the *Municipal Government Act* or the regulations; or
 - (b) a development permit or subdivision approval; or
 - (c) the Land Use Bylaw;

the Development Authority may, in accordance with the Act, by notice in writing, order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention, or 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 notice so that the development or use of the land or buildings is in accordance with the *Municipal Government Act*, the regulations, a development permit, subdivision approval or this Bylaw,

within the time frame specified by the notice, as the case may be.

- (2) Where a notice is issued under **Section 5.1(1)**, the notice shall state the following and any other information considered necessary by the Development Authority:
 - (a) an explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the Act the order is being cared out;
 - (b) the alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;
 - (c) a time frame in which the contravention must be corrected prior to Westlock County pursuing action; and
 - (d) advise the person of his/her right to appeal the notice to the Subdivision and Development Appeal Board.
- (3) Where a person fails or refuses to comply with an order directed to him/her pursuant to **Section 5.1(1)** or an order of the Subdivision and Development Appeal Board within the time specified, a person appointed by Council may, in accordance

5 | enforcement, penalties and fines

with the Act, enter upon the land or building and take such action as is necessary to carry out the order.

- (4) Where the Development Authority carries out an order, the County shall, as part of its process, ask the courts to allow it to 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.
- (5) The County may register a Caveat under the Land Titles Act pursuant to the Order against the certificate of title that is subject to the Order in accordance with Section 646(2) of the Act.

5.2 Enforcement

- (1) This Bylaw may be enforced, and the contravention of any provisions contained herein restrained, by the Court of Queen's Bench of Alberta upon action brought by Council, whether or not any penalty has been imposed for the contravention.
- (2) A person who contravenes this Bylaw is guilty of an offence and is liable to a fine of not more than \$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.
- (3) A person who:
 - (a) contravenes any provision of the Act or the regulations under the Act;
 - (b) contravenes this Bylaw;
 - (c) contravenes an order under **Section 5.1** of this Bylaw and/or Section 645 of the Act;
 - (d) contravenes a development permit or subdivision approval or a condition attached thereto; and/or
 - (e) obstructs or hinders any person in the exercise or performance of his powers or duties under this Act, the regulations under the Act or this Bylaw;is guilty of an offense and is liable to a fine prescribed in Section 566 of the Act.
- (4) If a person is found guilty of an offense under **Section 5.1** of this Bylaw (Section 557 of the Act), the court may, in addition to any other penalty imposed, order the person to comply with:
 - (a) the Act and the regulations under the Act;
 - (b) this Bylaw;
 - (c) an order under **Section 5.1** of this Bylaw and/or Section 645 of the Act; and/or

- (d) a development permit or subdivision approval or a condition attached to a development permit or subdivision approval.
- (5) Any written notice, or order, or decision that is required under any provision of this Bylaw to be provided to any person shall be deemed to have been so provided if it is:
 - (a) delivered personally to the person or their agent it is directed to; or
 - (b) mailed by regular mail to the last known address of the person it is directed to; or
 - (c) left with any agent or employee or resident at the last known address of the person to whom it is directed.

5.3 Violation Tickets and Fines

- (1) 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.
- (2) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within twenty-one (21) days from the date of issue of the violation ticket, of a fine to the County.
- (3) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$250.00 for the first offence and \$500.00 for a second or subsequent offence. **Each day that a breach of the Bylaw has occurred shall be considered to be a separate offence.**
- (4) Notwithstanding 5.3(3) above, persons contravening any provision of this Bylaw related to industrial or resource extraction uses and/or developments shall be liable for a penalty of \$500.00 for the first offence and \$1000.00 for a second or subsequent offence. **Each day that a break of the Bylaw has occurred shall be considered to be a separate offence.**
- (5) The violation ticket shall be served upon the alleged offender personally or delivered by regular mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.
- (6) If a person who has been served with a violation ticket fails to pay the fine specified therein within the time limit 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.

5 | enforcement, penalties and fines

- (7) 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.

6 | General Provisions

6.1 Accessory Buildings

- (1) An accessory building shall not be used as a dwelling unit, unless a development permit has been issued allowing the use of the accessory building as a garage suite or guest house, and the garage suite or guest house meets the provisions within **Sections 7.32 and 7.33, and** of this Bylaw.
- (2) The siting of an accessory building on an irregularly-shaped lot shall be as required by the Development Authority.
- (3) An accessory building shall not be located closer than 2.13 m (7.0 feet) of a main building.
- (4) In addition to all other requirements of this Section, accessory buildings, where listed as permitted or discretionary in the Residential Districts, shall comply with the following requirements:
 - (a) The height of an accessory building shall not exceed 10.67 m (35 ft) or two (2) storeys, whichever is greater, except in the Country Residential Lake (CR1) District where the maximum height of an accessory building shall be 4.57m (15 ft).
 - (b) Notwithstanding 6.1(4)(a), the maximum height for a garage suite shall be as required in **Section 7.32** of this Bylaw.
 - (c) A variance to increase the maximum height of an accessory building may be approved where it can reasonably be determined by the Development Authority that the additional height will not impact the quality of life or enjoyment of adjacent properties.
 - (d) an accessory building shall not:
 - (i) be located closer than 2.1m (7.0 ft.) to the main building;
 - (ii) have an eave overhang within 0.3 m (1.0 ft.) of a lot line;
 - (iii) encroach upon any easement or right-of-way; and
 - (iv) exceed more than 15% of the total site area.
 - (e) The minimum setback requirements for a detached garage or other accessory building located on a parcel in a residential district, where the parcel of land is not located adjacent to a highway or a government road allowance, shall be in accordance with **Figure 6** (see page 75).
 - (f) The minimum setback requirements for a detached garage or other accessory building located on a lake lot residential parcel shall be in accordance with **Figure 7** (see page 76).

- (5) The maximum height of accessory buildings in all districts not listed in Subsection 4, above, shall be at the discretion of the Development Authority.
- (6) Accessory buildings may be allowed in the Agriculture (AG) District where there is no main use or main building solely at the discretion of the Development Authority. The Development Authority shall only approve the development of an accessory building where there is no main use or main building if, in their sole opinion:
 - (a) the accessory building would become necessary to a main use or a main building in the future should the main use or main building ever be developed; and
 - (b) the accessory building is sited in such a manner that it will minimized shadowing or site line obstructions from adjacent properties.
- (7) Accessory buildings shall normally be allowed in all Residential, Commercial and Industrial Districts only where there is already a main use or building with an approved development permit, located on the site.
- (8) Notwithstanding Subsection (7), where the development of a garage suite is proposed in the Agricultural District, where a development permit has been issued for the development of a main dwelling on a parcel, the Development Authority may, at their sole discretion, approve the development of the garage suite as a temporary dwelling prior to the construction of the main use or building on the property.
- (9) Notwithstanding Subsection (7), the Development Authority may, at their sole discretion, approve the development of a garage prior to the construction of the main use or building on the property, where a development permit has been issued for the development of a main use or building on the property.
- (10) Where a parcel of land is located within the Agricultural (AG) District and/or adjacent to a highway or a government road allowance, the setback requirements for accessory buildings shall be the same as the setback requirements for dwellings. Refer to **Sections 6.6 and 6.7** for setback requirements for all buildings located within these Districts.
- (11) Development permits for non-permanent structures including but not limited to portable garage shelters shall be issued on a temporary basis for a period not to exceed three (3) years.
- (12) Where a structure is attached to the main building on a lot 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.

- (13) Notwithstanding any other provision in this Bylaw to the contrary, sea cans shall not be allowed, either as main buildings or as accessory buildings, within the Urban General (U) or country residential districts.

Siting of Accessory Buildings

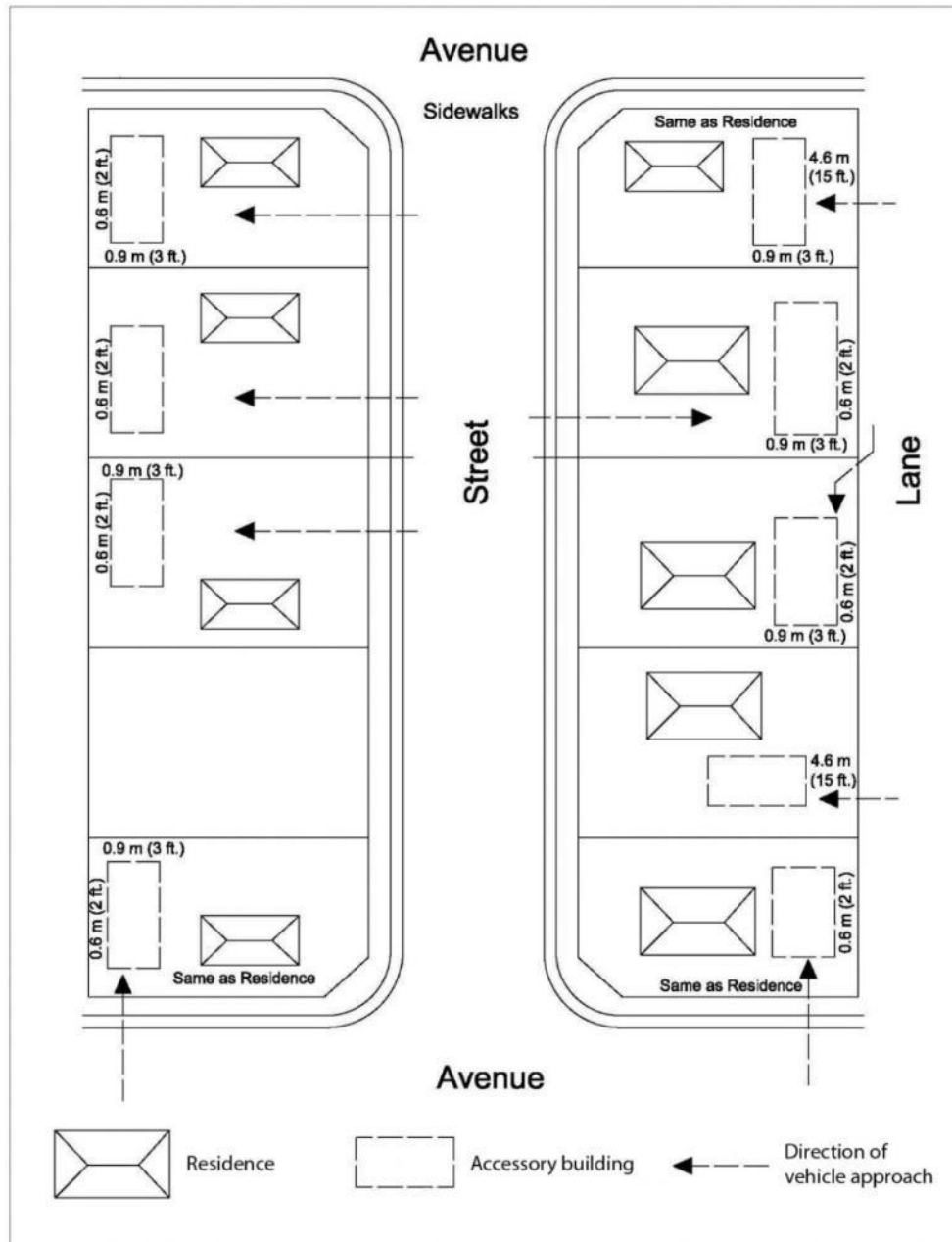


Figure 19: Siting of accessory buildings in the Urban General (UG) and Country Residential Districts

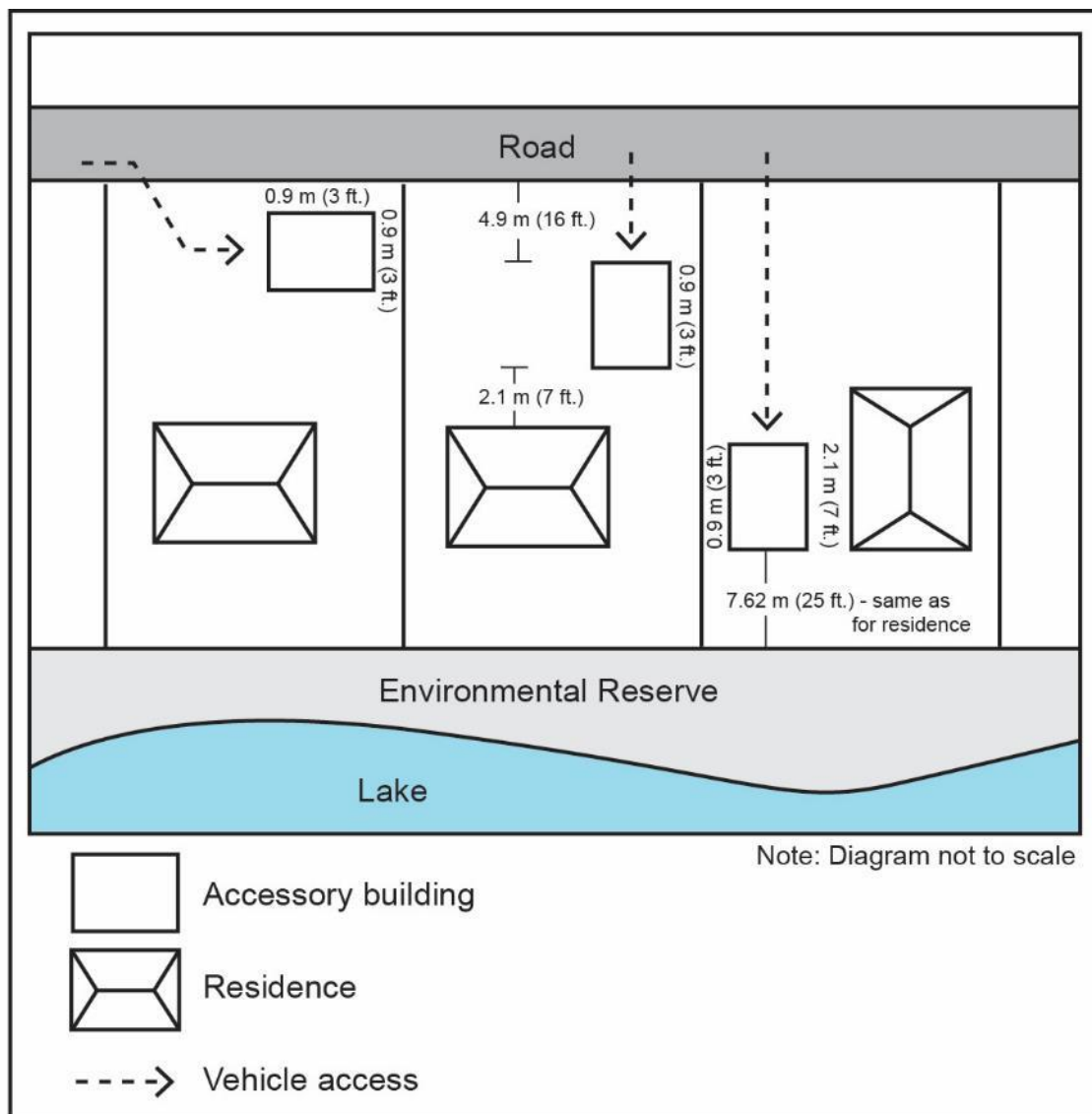


Figure 20: Siting of accessory buildings on lake front lots

6.2 Corner and Double Fronting Lots in Residential Districts

- (1) Within the Urban General (UG) and country residential districts, the following regulations shall apply:
 - (a) In the case of double fronting lots, the front yard shall be that portion of the lot abutting the road on which the front yards of adjacent lots face. If adjacent lots have front yards facing both roads, front yards shall be

considered to be on both roads and the lot may thus have no rear yard (see **Figure 21**).

- (b) Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may require that a development on a corner lot or on a double fronting lot provide two minimum required front yards, after having regard to the orientation of adjacent lots and to the location of accesses to the development.
- (c) Notwithstanding any other provision of this Bylaw to the contrary, where a second minimum front yard is not required on a corner lot, the minimum required side yard on the side adjacent to the road shall not be less than 3.8 m (12.6 ft.).
- (d) Notwithstanding Subsection (c), features under 0.5 m (1.6 ft.) in height may project to the sideline where a second minimum front yard is not required on a corner lot (see **Figures 21 & 22**).

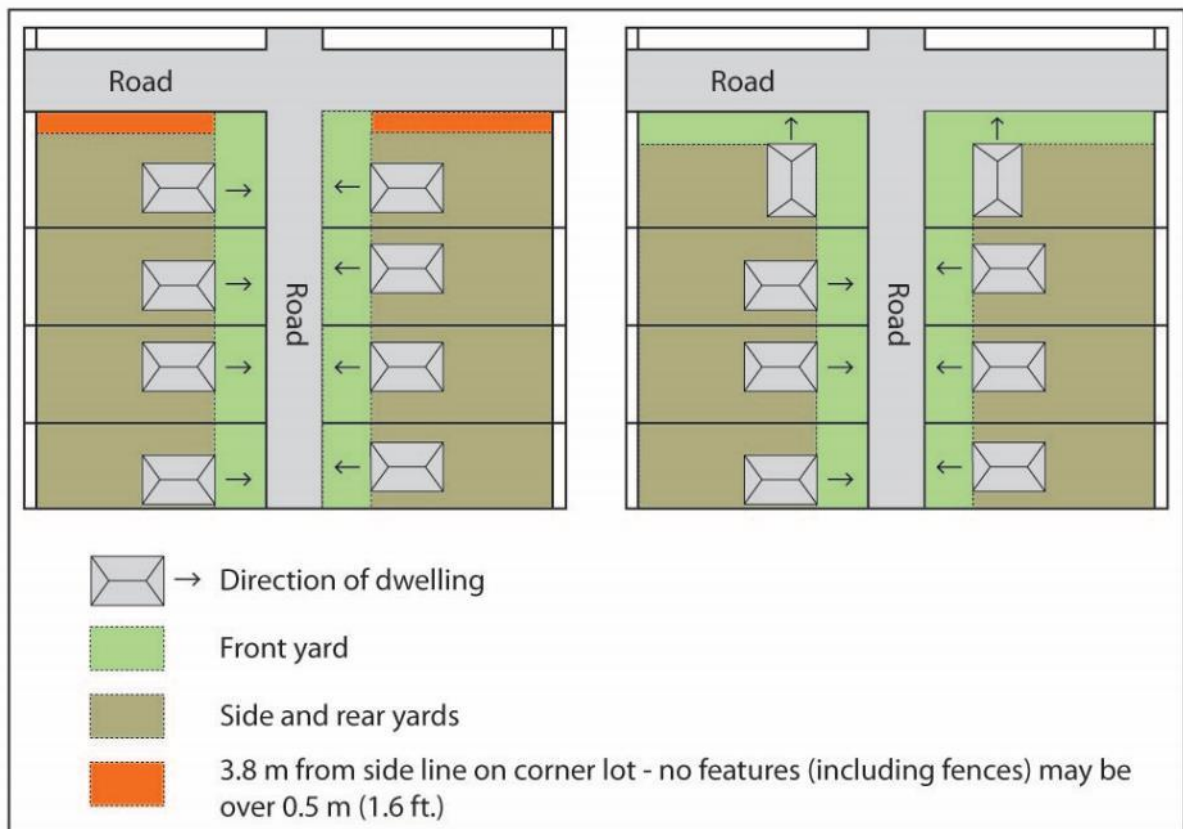


Figure 21: Permitted encroachments within side yards on a corner site

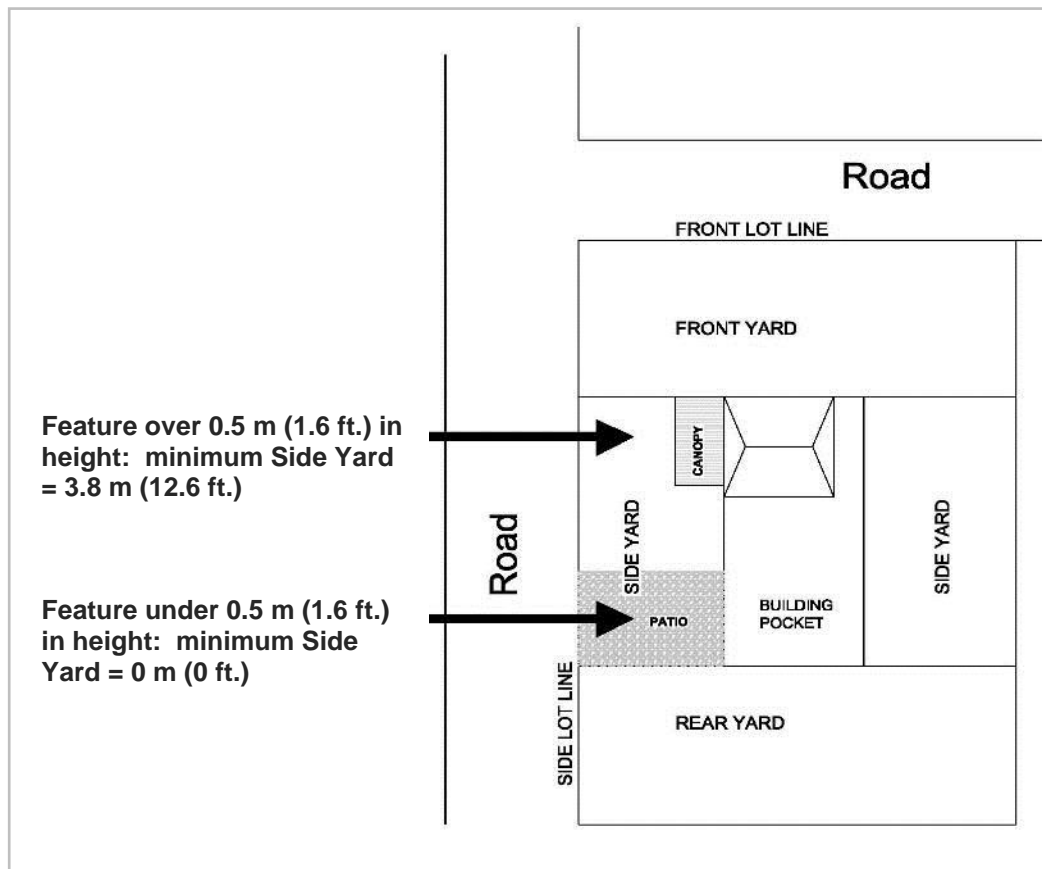


Figure 22: Permitted encroachments within side yards on a corner site

6.3 Corner Sites and Site Line Protection

- (1) Within the Urban General (UG) and country residential districts, on corner sites, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.2 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road right-of-way lines (or their projections) or a road and a straight line joining points on the road right-of-way lines 6.0 m (19.6 ft.) from their intersection (see **Figure 23**).

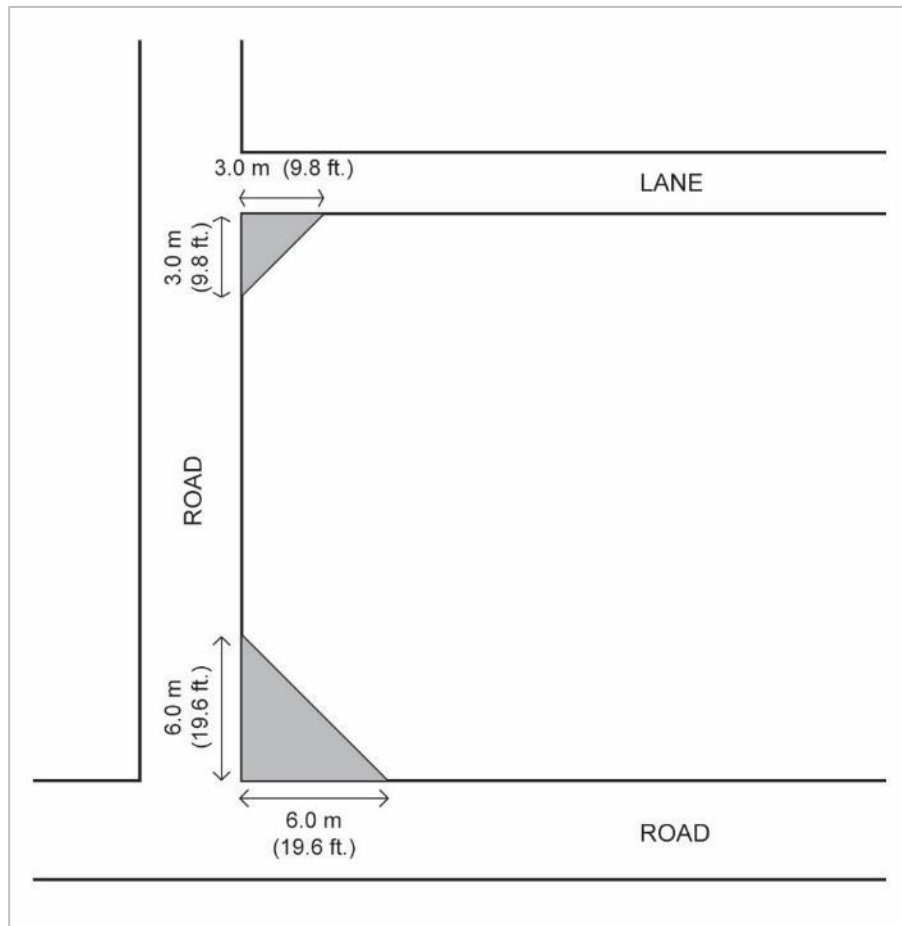


Figure 23: Corner site line protection in Residential Districts

- (2) Within the Urban General (UG) and country residential districts, at the intersection of roads and lanes, and at intersections of driveways and roads, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.2 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or lane right-of-way lines or the edge of the driveway and a straight line joining points on the road or lane right-of-way lines or the edge of the driveway 3.0 m (9.8 ft.) from their intersection.
- (3) Within the Industrial (M), Direct Control (DC-M) and Airport (MA) Districts, on corner sites, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.2 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road right-of-way lines (or their projections) or a road and a straight line joining points on the road right-of-way lines 4.5 m (14.8 ft.) from their intersection (see **Figure 24**).

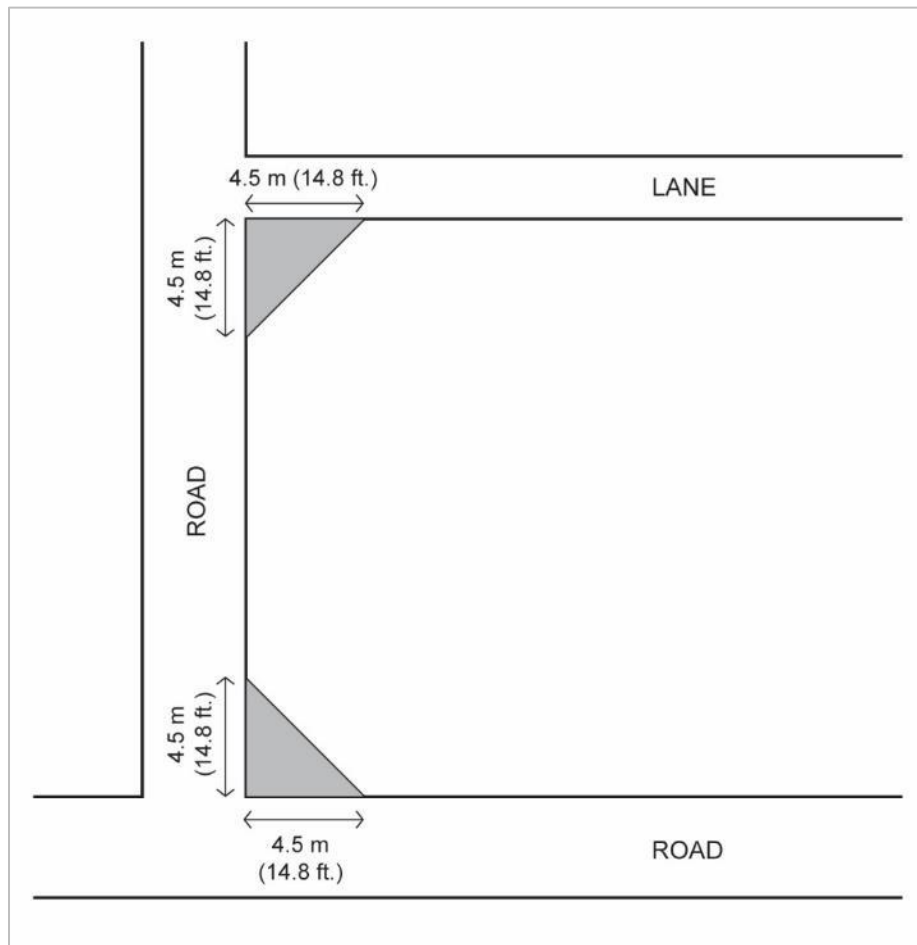


Figure 24: Corner site line protection in Commercial, Industrial and Airport Districts

- (4) At the intersection of roads and lanes, and at intersections of driveways and roads, no fence, wall, tree, bush, structure or thing more than 1.0 m (3.2 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or lane right-of-way lines or the edge of the driveway and a straight line joining points on the road or lane right-of-way lines or the edge of the driveway 4.5 m (14.8 ft.) from their intersection.
- (5) Notwithstanding any other provision of this Bylaw to the contrary, no sign shall be located within the areas defined in Subsections (1), (2), (3) and (4).

6.4 Design, Character and Appearance of Buildings

- (1) The exterior finish on all buildings shall be of a permanent material, and be of a character and quality satisfactory to the Development Authority.

- (2) Pursuant to Subsection (1), the Development Authority may consider the design, character and appearance of all buildings with respect to their compatibility with any other buildings existing in the vicinity.
- (3) The design of the building must be consistent with the purpose of the land use district in which it is located.
- (4) The building shall comply with any provisions of any statutory plan which sets out specific guidelines as to the design, character, appearance or building materials to be used within a district or area.
- (5) The Development Authority shall encourage buildings to be sited and constructed so as to maximize passive solar energy gain.
- (6) The Subdivision Authority or the Development Authority may, where it desires to achieve a higher standard of design and appearance in a specific Area Structure Plan, Subdivision, or Development, require the developer to provide detailed architectural control guidelines.
- (7) The Subdivision Authority may require at the time of subdivision that the developer register a restrictive covenant against the subdivision in order to ensure ongoing conformance with the architectural control guidelines.

6.5 Development and Access Permit Requirements Adjacent to Municipal Roads and Highways

- (1) No development permit shall be issued for development within 800.0 m (0.5 miles) of the boundary of the right-of-way of a highway until any necessary permits for the development have been issued by Alberta Transportation.
- (2) All new approaches must be constructed to current County standards.
- (3) No dugouts will be permitted within 35.0 m (131 ft.) of the property line of a municipal road allowance.
- (4) The location and development of a dugout adjacent to a highway will be at the discretion of Alberta Transportation.

6 | general provisions

6.6 Development Near Intersections and Road Curves

- (1) No buildings, solid fences, trees, or haystacks higher than 0.6 m (1.97 ft.) or other similar obstructions to visibility shall be permitted within the area indicated on Figure 25.

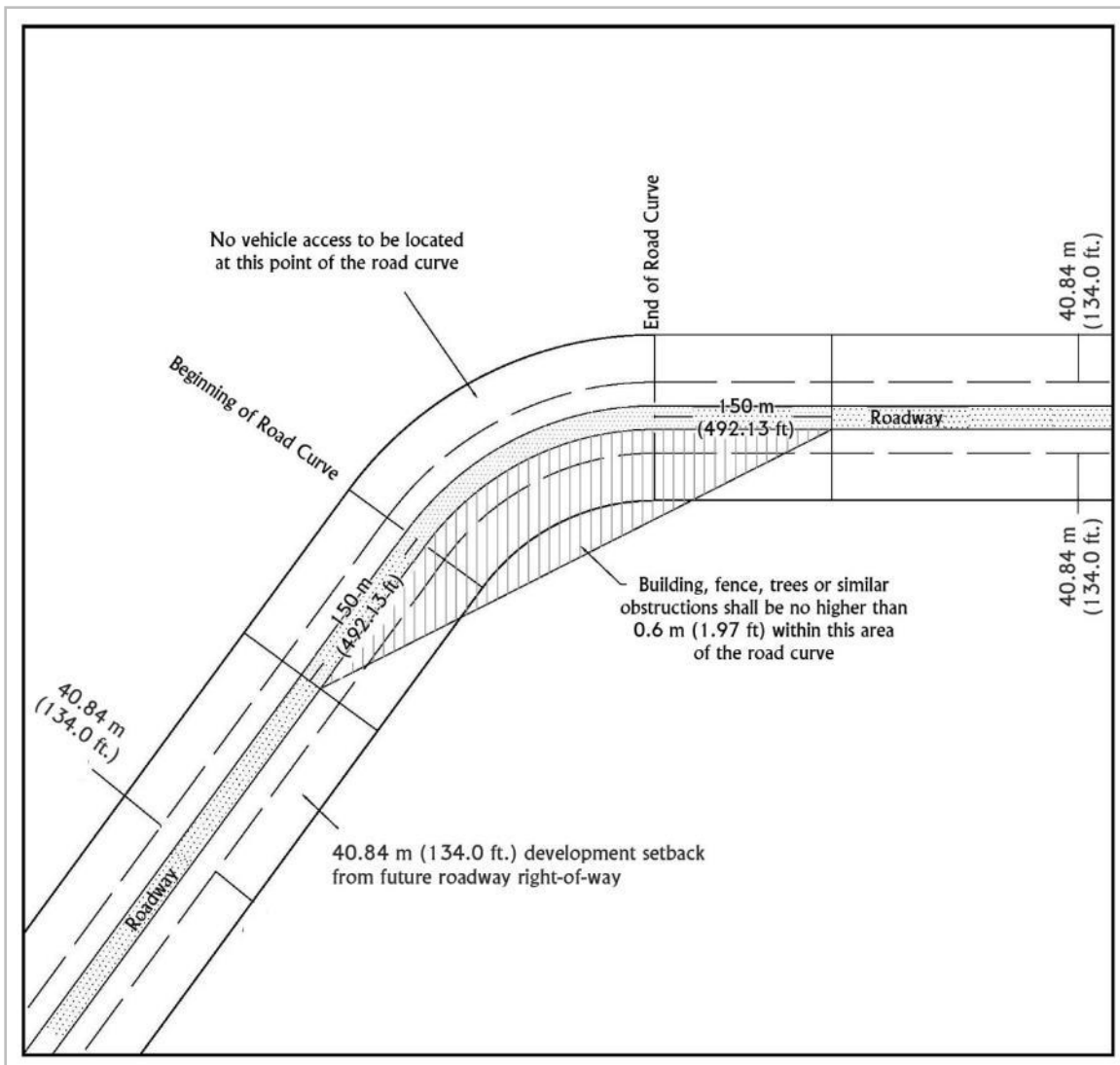


Figure 25: Building and Access Setback Requirements near Curves on Roadways Greater Than 20 Degrees

- (2) No development shall be located so that the access and egress to a Rural Road is within 90.0 m (295.3 ft.) of the beginning or end of a road curve exceeding twenty (20) degrees (See **Figure 26**).

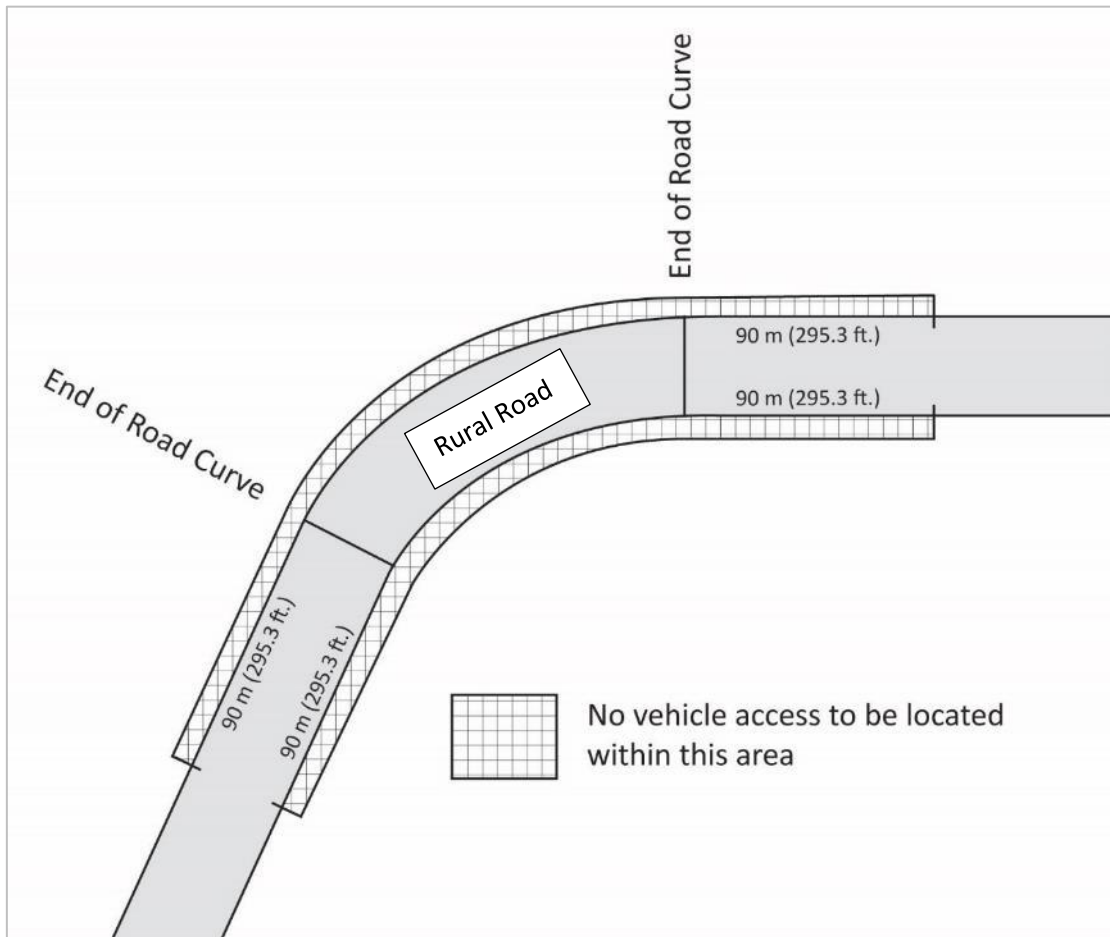


Figure 26: Access Setback Requirements near Curves on Rural Roads

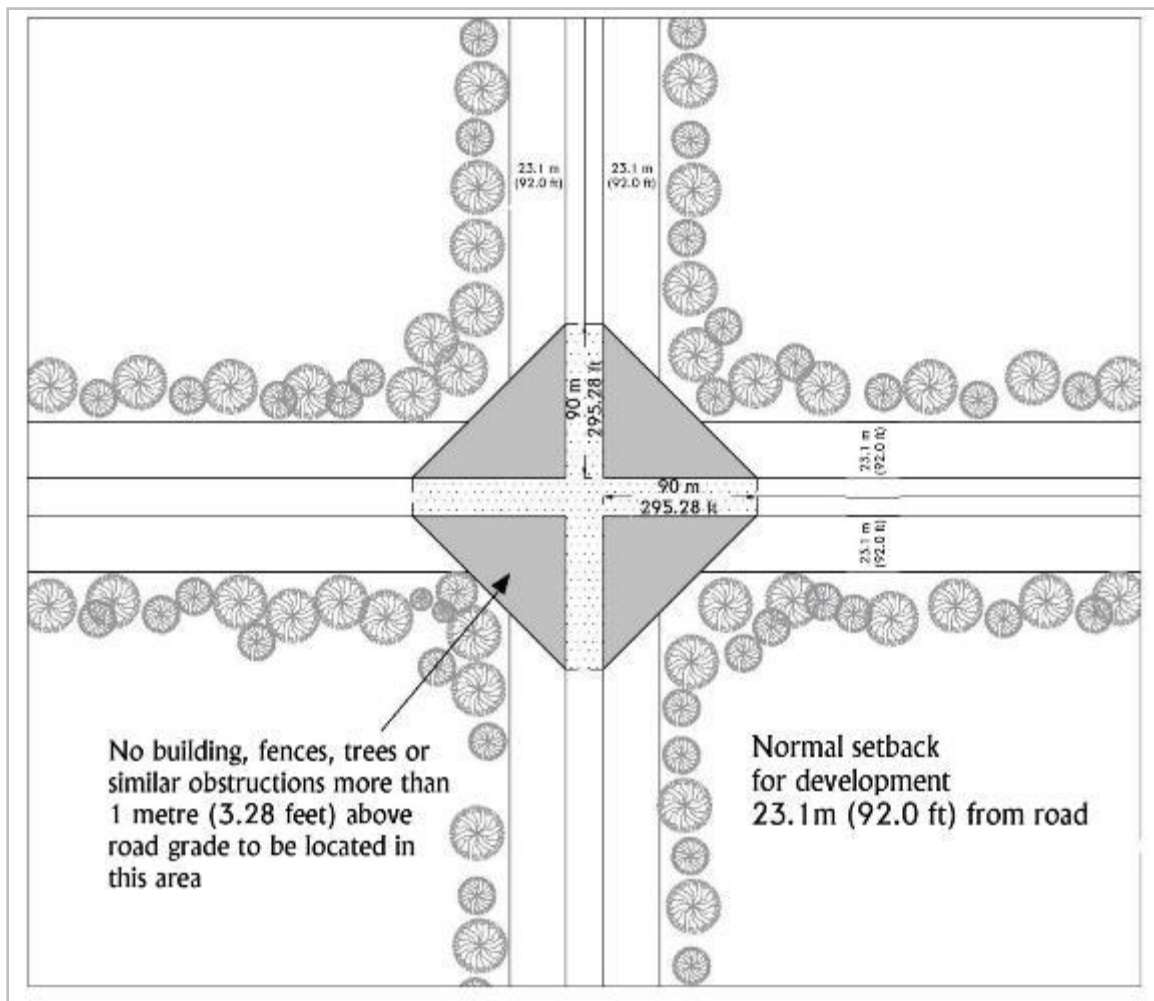


Figure 27: Development Setback at the Intersection of Two Rural Roads

- (3) No buildings, solid fences, trees, or haystacks higher than 1.0 m (3.28 ft.) or other similar obstructions to visibility shall be permitted within 90 m of the intersection of two rural roads (see **Figure 27**).
- (4) Where a local road intersects a highway, the Highway Development Control Regulations shall apply to development adjacent to the highway where it intersects.

6.7 Development Setback Requirements

The following regulations shall apply to all buildings in all land use districts unless otherwise stated in the respective land use district or at the discretion of the Development Authority.

- (1) Where a lot is separated from a road or Highway by a buffer strip (ie. Municipal Reserve, Environmental Reserve, Environmental Reserve Easement, or Public Utility

Lot) the lot is considered adjacent to the road or Highway for the purpose of setbacks.

- (2) A municipal service road shall be treated as a rural road for the purposes of applying setback regulations.
- (3) When a parcel of land is adjacent to a Highway, all residential and accessory buildings shall be setback a minimum distance of 40.84 m (134 ft.) from the property line.
- (4) On a parcel of land located adjacent to a rural road, no development shall be permitted in the front or side yards within 40.84 m (134 ft.) from the property line.

6.8 Dwelling Units on a Parcel

- (1) The number of dwelling units allowed on any parcel of land shall not exceed one (1).
- (2) Notwithstanding Subsection (1), the Development Authority may issue a development permit for the construction or location of additional dwelling units on a parcel if the additional dwelling units are listed as permitted or discretionary within the applicable land use district and the dwelling unit(s):
 - (a) are contained in a building that, or in buildings each of which, are designed for or divided into two (2) or more dwelling units;
 - (b) is up to a maximum of one (1) surveillance suite as defined in this Bylaw;
 - (c) is up to a maximum of one (1) manufactured home for a temporary period;
 - (d) is a garage suite, guest suite, in-law suite, secondary suite, or cluster farm dwelling as defined in this Bylaw and meets the requirements for such development as established in **Sections 7.32, 7.33, 7.34, 7.35 and 7.36**, respectively.
- (3) Notwithstanding Subsection (1), the Development Authority may issue a development permit for up to a maximum of two (2) additional permanent single family dwellings on a parcel of land larger than 32.0 ha (79.1 ac). The dwellings must be sited so that in the future, they may be subdivided from the current titled area in a manner consistent with the regulations of this Bylaw.
- (4) Notwithstanding Subsection (1), the Development Authority may issue a development permit for the construction or location of Clustered farm dwellings on a parcel if the use is listed as permitted or discretionary within the applicable land use district and;
 - (i) the Clustered farm dwelling is located on a farm unit of at least 127.5 ha (320ac) in size; and
 - (ii) the dwelling shall be occupied by persons who are employed full time (for at least (6) months of each year) in agriculture or intensive agriculture; and

- (iii) all of the dwellings are constructed or located on the same farmstead site.
- (5) Where a second or additional dwelling is permitted, the second or additional dwelling must be provided with services separate from the principal dwelling.

6.9 Existing Substandard Lots

- (1) Development on existing substandard lots may be allowed by the Development Authority. Compliance with the Alberta Safety Codes Act and any applicable Provincial Health Legislation shall be required.

6.10 Landscaping and Lighting

- (1) In all land use districts, no person shall commence or continue the removal or addition of topsoil without first obtaining an approved development permit. Such permits shall only be granted where it is shown to the satisfaction of the Development Authority that the land will not be adversely affected by the removal or addition of topsoil. The Development Authority may refer any application for removal or addition of top soil to any agent or agency he/she feels may have competence in the matter for input prior to considering an approval.
- (2) Development permit applications for landscaping shall be accompanied by a general parcel grading plan, drainage plan and indicate any existing or proposed retaining wall construction.
- (3) The developer shall provide upon occupancy of the development, a minimum topsoil coverage of 15.2 cm (6 in.) and the affected area shall be landscaped to the satisfaction of the Development Authority.
- (4) In any commercial, industrial, or country residential land use districts, of all areas of a parcel not covered by buildings, parking or vehicular maneuvering areas shall be landscaped to the satisfaction of the Development Authority.
- (5) Commercial and/or industrial developments adjacent to residential districts, residential uses and residential buildings in the Urban General District must be screened by a solid or opaque fence of not less than 2.0 m (6.5 ft.) in height. Additional buffering measures such as berms and landscaping shall also be required to the satisfaction of the development authority to ensure that potential off site impacts on residential lots are mitigated.
- (6) Commercial buildings in residential areas must be screened by a solid or opaque fence of not less than 2.0 m (6.5 ft.) in height adjacent to residential properties.

- (7) In the case of car washing establishments, service stations and gas bars, landscaping shall be provided and maintained to the satisfaction of the Development Authority. Solid fences shall be provided at least 1.5 m (4.9 ft.) in height and no higher than 2.0 m (6.5 ft.) adjacent to residential areas.
- (8) In the case of apartments or row houses all off-street parking shall include a landscaped area, and in residential areas, a wall, hedge or wooden fence of not less than 1.2 m (3.9 ft.) in height and not more than 2.1 m (6.9 ft.) in height, shall be provided along the side property lines, all to the satisfaction of the Development Authority.
- (9) In any residential land use district, acceptable landscaping for the front yard shall include manicured lawns, rock gardens, xeriscapes, vegetable gardens and ornamental plants, or a combination thereof.
- (10) In any commercial land use district, off-street parking lots shall be landscaped by the planting of trees and/or shrubs in the amount of at least one tree and/or shrub for every 185.8 sq. m m² (2000 sq. ft.) of parking lot area. The trees and/or shrubbery shall be of a type and size approved by the Development Authority. Trees/shrubbery required shall be located within the parking area in locations where visibility for the safe movement of persons and traffic is not impaired.
- (11) All required landscaping and planting must be carried out to the satisfaction of the Development Authority and within one (1) year (weather permitting) of occupancy or commencement of operation of the proposed development.
- (12) As a condition of a development permit, the Development Authority may require that the developer provide a financial guarantee, in a form acceptable to Westlock County, up to the value of the estimated cost of the proposed landscaping/planting to ensure that such landscaping/planting is carried out with reasonable diligence.
- (13) Any proposed lighting shall be located and arranged so that light is not directed onto adjacent properties.

6.11 Objects Prohibited or Restricted in Yards

The following regulations shall apply to all lots within the Urban General (UG) and country residential districts, unless otherwise specified.

- (1) No person shall keep or permit in any part of any yard:
 - (a) 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;
 - (b) any dismantled or wrecked motor vehicles;

- (c) any excavation, stockpiling or storage of materials required during the construction stage unless all necessary safety measures are undertaken (the owner of such materials or excavations shall assume full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work); or
 - (d) any stockpiling or storage of explosives, flammable liquids, diesel fuel, propane and gasoline products.
- (2) No person shall keep or permit in any part of any yard any more than one (1) vehicle, loaded or unloaded, of a gross vehicle weight in excess of 4,800.0 kg (10,560 lbs) for longer than is reasonably necessary to load or unload the vehicle.
- (3) No person shall keep or permit in a yard adjacent to a dwelling, either:
 - (a) a propane tank that is larger than 68.2 kg (150 lbs.); or
 - (b) any number of propane tanks with a total capacity which exceeds 68.2 kg (150 lbs.);without first obtaining a development permit.
- (4) Notwithstanding Subsection (3) above, on lots in country residential districts which are:
 - (a) greater than 1.2 ha (3 ac.) in area; and
 - (b) where the proponent can prove to the satisfaction of the Development Authority that the location and use of the propane tanks meets acceptable fire code and safety standards;the Development Authority may, at its sole discretion, allow more than four (4) propane tanks or any number of propane tanks with a total capacity which exceeds 68.2 kg (150 lbs.) to be located on a lot.
- (5) Notwithstanding Subsection (3) above, in the Urban General (UG) District, where the applicant for a development permit for commercial uses can prove to the satisfaction of the Development Authority that the location and use of the proposed propane tanks meets acceptable fire code and safety standards as well as emergency response requirements, the Development Authority may, at its sole discretion, allow more than four (4) propane tanks or any number of propane tanks with a total capacity which exceeds 68.2 kg (150 lbs.) to be located either:
 - (a) within an individual lot; or
 - (b) within each recreational vehicle stall located in an approved campground/recreational vehicle park.
- (6) All development permit applications to allow more than four (4) propane tanks, or any number of propane tanks with a total capacity which exceeds 68.2 kg (150 lbs.), to be located within individual stalls, in an approved campground or recreational

vehicle park, will be required to include an Emergency Response Plan, prepared by the developer, at no cost to the municipality. The Emergency Response Plan will be circulated to the municipality's Fire Department for approval prior to issuance of a development permit.

- (7) Development permits issued for more than four (4) propane tanks or any number of propane tanks with a total capacity which exceeds 68.2 kg (150 lbs.) will only be granted for a period of one (1) year. New development permit applications must be submitted annually if the proponent wishes to extend the development period.
- (8) No person shall keep or permit in a yard adjacent to a dwelling, either:
 - (a) a gasoline or diesel container with a capacity greater than 20 L;
 - (b) more than four (4) gasoline or diesel containers; or
 - (c) any number of gasoline or diesel containers with a total capacity which exceeds 80 L;without first obtaining a development permit.

6.12 Parking and Loading Regulations

- (1) In all Districts, vehicular entrances and exits onto roads shall only be allowed at locations approved by the Development Authority. A permit shall be obtained from Alberta Transportation onto all Highways.
- (2) In all Districts, an off-street parking space shall be provided in accordance with the minimum requirements of each use as determined by the Development Authority. The following specifications shall be adhered to:

(3)

Parking Angle in Degrees	Width of Stall	Depth of Stall (Perpendicular to Maneuvering Aisle)	Width of Stall (Parallel to Maneuvering Aisle)	Overall Depth	Width of Maneuvering Aisle (one-way)
a	b	c	d	e	f
0	2.7 m (8.86 ft.)	2.7 m (8.86 ft.)	7.0 m (22.97 ft.)	9.1 m (29.86 ft.)	3.6 m (11.81 ft.)
30	2.7 m (8.86 ft.)	5.2 m (17.06 ft.)	5.5 m (45.87 ft.)	14.0 m (45.93 ft.)	3.6 m (11.81 ft.)
45	2.7 m (8.86 ft.)	5.8 m (19.03 ft.)	4.0 m (13.12 ft.)	15.2 m (49.87 ft.)	3.6 m (11.81 ft.)
60	2.7 m (8.86 ft.)	6.1 m (20.01 ft.)	3.1 m (10.17 ft.)	18.2 m (59.71 ft.)	6.0 m (19.69 ft.)
90	2.7 m (8.86 ft.)	6.1 m (20.01 ft.)	2.7 m (8.86 ft.)	19.5 m (63.98 ft.)	7.3 m (23.95 ft.)

Figure 28: Parking Stall Requirements

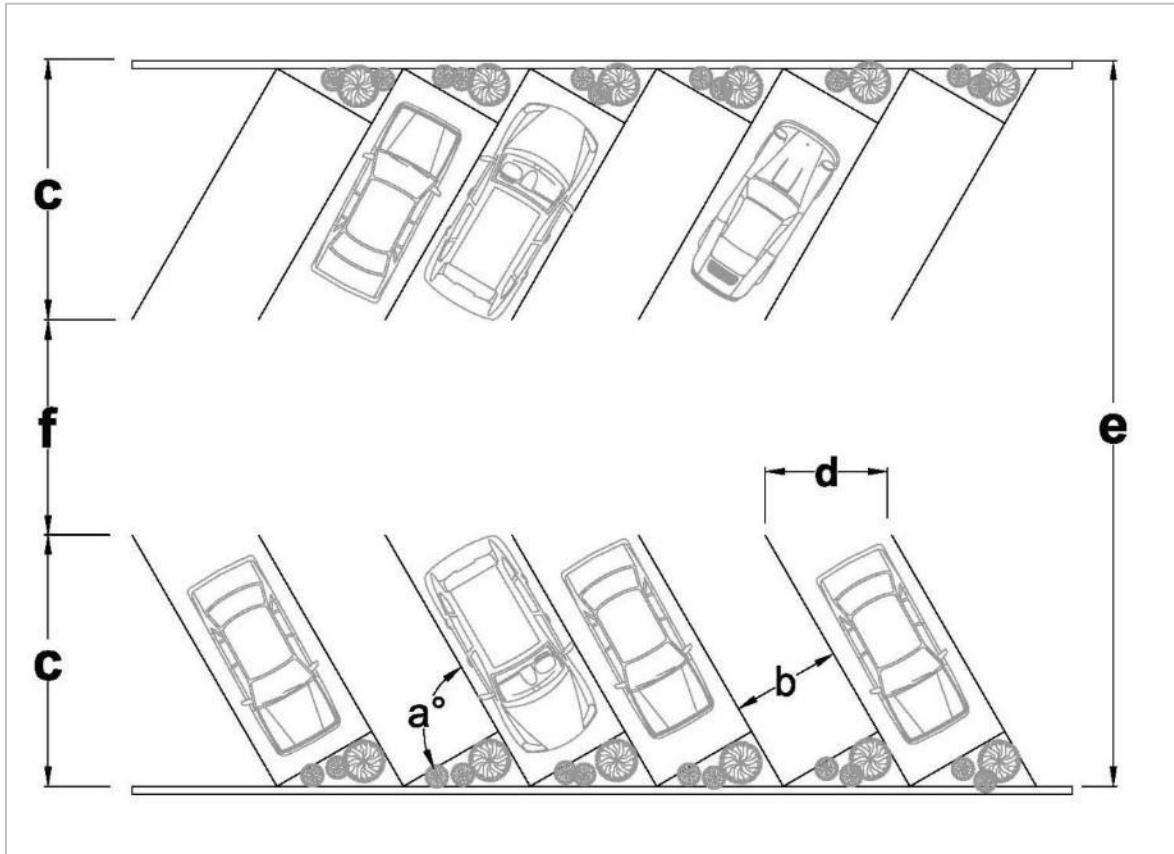


Figure 29: Diagram showing the definitions of column headings in Figure 28

- (3) An off-street parking area:
 - (a) shall be designed to the satisfaction of the Development Authority with regard to the dimensions, and layout of parking stalls and maneuvering aisles; and
 - (b) shall have adequate street access, curbs and curb cuts (where required) located to the satisfaction of the Development Authority; and
 - (c) shall be graded, drained, compacted and surfaced to the satisfaction of the Development Authority.

- (4) All parking areas shall conform to the minimum parking standards set out in the following pages.

- (5) Required Number of Off-Street Parking Spaces

All developed parcels are required to provide a minimum number of parking stalls based on the use of the parcel. In determining the parking requirement for a parcel:

- (a) if a specific use is not mentioned below, the requirement shall be the same as for a similar use, as determined by the Development Authority; and

- (b) if a parcel consists of multiple uses, the required parking shall be the sum of the requirements for each use, unless it is demonstrated to the satisfaction of the Development Authority that a shared parking facility with a reduced number of spaces will be sufficient. The required parking may be combined or shared parking provided that a legal agreement is entered into between the users or land owners, and further that the parking arrangements are acceptable to the Development Authority; and
- (c) the minimum number of parking stalls for any development shall be as follows:

Residential Uses

One or two unit dwelling	2 per dwelling unit
Multi-unit dwelling with one bedroom or less per unit	1.5 per dwelling unit plus 1 visitor space per 7 units
Multi-unit dwelling with two or more bedrooms per unit	2 per dwelling unit plus 1 visitor space per 7 units
Dwelling with self-contained units for senior citizens only	2 for every 3 dwelling units
Guest houses, garage, in-law, secondary and surveillance suites	1 per suite
Manufactured home parks	2 per manufactured home unit plus 1 visitor space per 2 manufacture home units

Figure 30: Parking Requirements for Residential Uses

Commercial Uses

Office uses and government services	1 per 40.0 m ² (430.0 ft. ²) of gross leasable area
Health Services (Out Patient)	1 per 30.0 m ² (325.0 ft. ²) of gross leasable area <u>or</u> 3 for each full time or part-time professional, whichever is greater
Eating and drinking establishments (except those as noted below)	1 per 4 seating spaces or 1 per 3 employees, whichever is greater
Restaurants	1 per 13.0 m ² (140.0 ft. ²) of gross leasable area plus 1 per 3 employees on maximum shift

Nightclubs	1 per 13.0 m ² (140.0 ft. ²) of gross leasable area plus 1 per 3 employees on maximum shift
Bars and neighbourhood pubs	1 per 13.0 m ² (140.0 ft. ²) of gross leasable area plus 1 per 3 employees on maximum shift
Drive-in restaurants	1 per 3.0 m ² (32.3 ft. ²) of gross leasable area or 1 per 5 seating spaces, whichever is greater
Other drive-in businesses	8

Figure 31: Parking Requirements for Commercial Uses

Places of Public Assembly

Theatre, auditorium, hall, church or other cultural or recreational facility	1 per 7.5 seating spaces or 1 per 7 m ² (75 sq. ft.) used by the patrons, whichever is greater
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Figure 32: Parking Requirements for Public Assembly Uses

Schools

Elementary school or junior high school	1 per school employee during regular school hours, plus 8
Senior high school (not including an associated auditorium, gymnasium or swimming pool)	4 per 10 students

Figure 33: Parking Requirements for Schools

Industrial Uses

Manufacturing or industrial plant, wholesale, warehousing and storage building and yard, service or repair establishment, research laboratory or public utility building	1 per employee on maximum shift. This may be varied by the Development Authority to no less than 1 per 3 employees if it can be shown that fewer stalls are needed.
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Figure 34: Parking Requirements for Industrial Uses

Health Services (In Patient) and Similar Uses

Health Centres and Hospitals	1 per 100 sq. m (1,076 sq. ft.) of floor area or 1 per four beds and 1 for every two employees on maximum shift, whichever is greater.
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Extended medical treatment (sanatoriums, convalescent homes, group care facilities, etc.)	1.5 per 3 dwelling units plus 1 per employee on maximum shift
Nursing homes / Long term care facilities / Supportive living facility	1 per 3 beds plus 1 per employee on maximum shift
Auxiliary Hospitals	1 per 3 beds plus 1 per employee on maximum shift

Figure 35: Parking Requirements for Hospitals and Similar Uses

- (d) In the case of a use not specifically listed in Subsection (c) above, the required number of on-site parking spaces shall be the same as for a similar use as determined by the Development Authority.
- (e) Where a development contains more than one use as listed, the required number of parking spaces shall be the sum of the requirements for each of the uses listed.
- (f) Where a fractional number of parking spaces are required, the next highest *whole* number of spaces shall be provided.
- (g) If the Development Authority approves, one or more developments or uses may pool their minimum required parking spaces within one or more communal parking areas and may thereby collectively fulfil the requirements of this Bylaw.
- (h) The Development Authority may allow an applicant to provide a lesser number of spaces by up to 15% if it can be shown to the satisfaction of the Development Authority that the standard is not applicable to the project due to
 - (i) the relationship of the development to other parking areas;
 - (ii) differing hours of demand for parking, or
 - (iii) the scale and character of the development.
- (i) Notwithstanding Subsection (c) above, in the Urban General (UG) District and the Highway Commercial (HC) District, the following provisions shall apply:
 - (i) in the case of major renovations and architectural modifications to an existing building, no parking spaces in addition to those existing prior to undertaking the renovations or modifications shall be required;
 - (ii) in the case of expansion to the floor area of an existing building, additional parking spaces shall be required based on the size and use of the expansion only; and

- (iii) in the case of a change in the use of an existing building, no parking spaces in addition to those existing prior to the change in use shall be required provided that no alteration to the floor area of the building occurs.
 - (j) At the discretion of the Development Authority, a developer may pay money to the County in lieu of providing parking spaces. The amount of money will be determined by the Council and be based on the amount of money needed to acquire land to develop the required number of parking spaces on adjacent lands.
- (7) Off-Street Loading Facilities
 - (a) Off-street loading spaces shall be required for all non-residential developments and apartments.
 - (b) A loading space shall be designed and located so vehicles using it can park and maneuver within the parcel.
 - (c) A loading space shall be at least 4.0 m (13.12 ft.) wide, 8.0 m (26.24 ft.) long, and 4.3 m (14.10 ft.) high.
 - (d) A loading area shall be graded, drained, compacted and surfaced to the satisfaction of the Development Authority.
 - (e) Loading spaces shall be provided in accordance with the following:

Retail, industrial and the like, under 465 m ² (5,000 sq. ft.); and	1 space
between 465 sq. m (5,000 sq. ft.) and 2,323 sq. m (25,000 sq. ft.); and	2 spaces
each additional 2,323 sq. m. (25,000 sq. ft.) or fraction thereof;	1 space
Office, place of assembly, institution, club, school, or any other use up to 2,787 sq. m (30,000 sq. ft.); and	1 space
each additional 2,787 sq. m. (30,000 sq. ft.) or fraction thereof	1 additional space
neighbourhood commercial stores	1 loading space

Figure 36: Off-Street Loading Facility Requirements

- (8) Sight line calculations shall be in accordance with the Roads and Transportation Association of Canada methods for determining crossing sight distances for roadways.
- (9) Unless otherwise approved by the Development Authority, a loading space shall be located on the same lot as the main building or use.

- (10) In all districts, if not otherwise provided for, in regulating the facilities for off-street parking, the owner of the land to be developed may, subject to the approval of the Development Authority:
 - (a) provide the required off-street parking on land other than that to be developed; or
 - (b) at his/her option and in lieu of providing off-street parking, pay to the municipality such amount of money on such terms as the Development Authority considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in the district. Any money so received by the municipality shall be used only for the development of municipal off-street parking facilities.

6.13 Pipelines and Oil and Gas Wells

- (1) Any development involving pipeline and/or power line rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation and regulations. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial legislation and regulations and any orders or directives as established by the Alberta Energy Regulator and Alberta Utilities Commission.
- (2) It shall be the responsibility of any landowner or developer in the municipality to ensure that proposed development occurs in such a manner as to not impact or be impacted by active or abandoned pipelines and oil and gas wells.

6.14 Projections into Yards

- (1) Except as provided in this Section, and except for fences as noted in **Section 7.11** of this Bylaw, no portion of a building shall be located or project into a required yard.
- (2) Front Yards

The following features may project into a required front yard:

- (a) steps, eaves, gutters, sills and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
- (b) canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 0.92 m (3.0 ft.);
- (c) exterior balconies on apartments provided that:
 - (i) they are cantilevered and not enclosed, and designed as an integral part of the building; and
 - (ii) they do not project more than 1.98 m (6.5 ft.) into the front yard; and

- (d) any other features which, in the opinion of the Development Authority, are similar to the foregoing.

(3) Side Yards

The following features may project into a required side yard, except where a side yard of 2.59 m (8.5 ft.) is required for vehicular passage:

- (a) steps, chimneys and decks, provided such projection does not exceed 50% of the width of the required side yard;
- (b) patios, eaves, gutters and sills or other similar projections, with the amount of the projection to be as allowed by the Development Authority;
- (c) canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 0.92 m (3.0 ft.);
- (d) exterior balconies on apartments provided that:
 - (i) they are cantilevered and not enclosed, and designed as an integral part of the building; and
 - (ii) they do not project more than 0.92 m (3.0 ft.) into a required side yard and in no case are closer than 1.98 m (6.5 ft.) to a side line; and
- (e) any other features which, in the opinion of the Development Authority, are similar to the foregoing.

6.15 Sign Regulations

In addition to the other regulations of this Bylaw, the following additional regulations shall apply to signs:

(1) Limitations

- (a) Except as provided in **Section 2.2** of this Bylaw, no person shall erect, relocate or structurally alter or enlarge any sign, including an election sign, unless he has complied with the requirements of this Section and any other relevant provisions of this Bylaw, and has been issued a development permit in respect thereof.
- (b) The Development Authority may issue a development permit for a sign as part of the development permit for the use or the building to which the sign pertains, provided the development permit application indicates that there is to be a sign and provided further that all information requirements for a development permit application for a sign are met to the satisfaction of the Development Authority.
- (c) Provisions for election signs and property for sale or rent signs are provided in **Section 2.2** of this Bylaw.

(2) Information Requirements for a Development Permit for a Sign

In addition to the requirements of Part 2 of this Bylaw, a development permit application for a sign shall include the following information:

- (a) written consent from the property owner,
- (b) two copies of colour drawings, drawn to scale, showing the sign, any structural supports, and the dimensions, thickness, area, and colours, of the sign,
- (c) any animation, moving copy, or other moving features of the sign, if applicable,
- (d) method of illumination, if applicable,
- (e) mounting details,
- (f) the location and size of all other existing and proposed signs on the building façade or site,
- (g) mounting heights and clearances to grade, and
- (h) the amount of projection of the sign from a building, if any.

(3) Signs as Permitted or Discretionary Uses

- (a) No sign, other than an off-site sign in the Districts indicated in Subsection (b) below, or a sign which is otherwise exempted from the requirement of obtaining a development permit as indicated in **Section 2.2** of this Bylaw, shall be allowed unless it is accessory to an existing use.
- (b) Notwithstanding any other provision of this Bylaw to the contrary, except as otherwise indicated in this section, off-site signs shall be considered to be discretionary developments in the Urban General (UG), and Industrial (I) Districts.

(4) Procedures for the Consideration of Development Permit Applications for Signs

All development permit applications for signs shall follow the process outlined in **Part 2** of this Bylaw and be subject to appeal if applicable in accordance with **Part 3** of this Bylaw.

(5) General Sign Regulations

- (a) A sign shall not be erected, operated, used or maintained if, in the opinion of the Development Authority:
 - (i) its position, size, shape, colour, format or illumination obstructs the view of, or may be confused with, an official traffic sign, signal or device or other official sign, or otherwise poses a potential hazard to traffic,

- (ii) it displays lights which may be mistaken for the flashing lights customarily associated with danger or with those used by police, fire, or other emergency vehicles, or
 - (iii) it would be situated within the area regulated by **Section 6.3** of this Bylaw.
 - (b) A sign shall be integrated with the building on which it is to be located and compatible with the general architectural lines and forms of the nearby buildings or of adjoining developments.
 - (c) Where possible, signs shall not cover architectural details such as arches, sills, mouldings, cornices and transom windows.
 - (d) A sign or sign structure shall be set back a minimum of 0.5 m (1.6 ft.) from any property boundary and no part of a sign may encroach onto an adjacent lot or a road or lane.
 - (e) Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 18.0 m² (193.6 sq. ft.).
 - (f) At the discretion of the Development Authority a maximum of five (5) signs may be allowed on a lot, including temporary signs and portable signs.
 - (g) Signs will not be allowed on fences in Residential Districts or Commercial Districts.
- (6) Care and Maintenance of Signs
 - (a) All signs shall be maintained in good and safe structural condition and shall be periodically repainted.
 - (b) Where the Development Authority determines that a sign is abandoned or in an overall state of disrepair they may, by notice in writing to the owner of the land on which the sign is located and, if it is indicated on the sign, the owner or operator of the sign, order the owner of the land and the owner or operator of the sign to:
 - (i) remove the sign and all related structure components within the time period stated on the notice; or
 - (ii) take such measures as they may specify in the notice to alter and/or refurbish and/or repair the sign.
 - (c) Failure to remove the sign or to comply with the measures specified in the notice described in Subsection (b) above may result in the issuance of a violation ticket as described in this Bylaw.
 - (d) The notice described in Subsection (b) above shall be considered to be a stop order for the purposes of this Bylaw
- (7) Type of Signs
 - (a) A-Frame Signs

- (i) Notwithstanding any other provision of this Bylaw to the contrary, A-frame signs shall be allowed only in Commercial Districts.
- (ii) The maximum area of each A-frame sign face which is located on a sidewalk shall be 0.7 m² (7.5 sq. ft.). **Figure 19** (following page) illustrates area and height requirements for A-frame signs.
- (iii) The maximum area of each A-frame sign face located in another location, approved by the development authority, shall be 1.5 m² (16.0 sq. ft.).
- (iv) The maximum height of an A-frame sign which is located on a sidewalk shall be 1.0 m (3.3 ft.).
- (v) No A-frame sign shall be located on a sidewalk in such a manner so as to obstruct pedestrian flow.
- (vi) The maximum height of an A-frame sign placed in other locations shall be 1.8 m (6 ft.), measured perpendicular distance from the ground to the highest point of the sign when set up.
- (vii) No more than one (1) A-frame sign shall be allowed per business frontage.
- (viii) Where the back of an A-frame sign is visible, it shall be suitably painted or otherwise covered to present a neat and clean appearance. Angle iron shall not be open to public view unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
- (ix) The area around an A-frame sign shall be kept clean. All vegetation shall be cleared away to a distance of at least 1.5 m (4.9 ft.) around the A-frame sign.
- (x) A-frame signs are not to be used in conjunction with projecting signs at grade level.

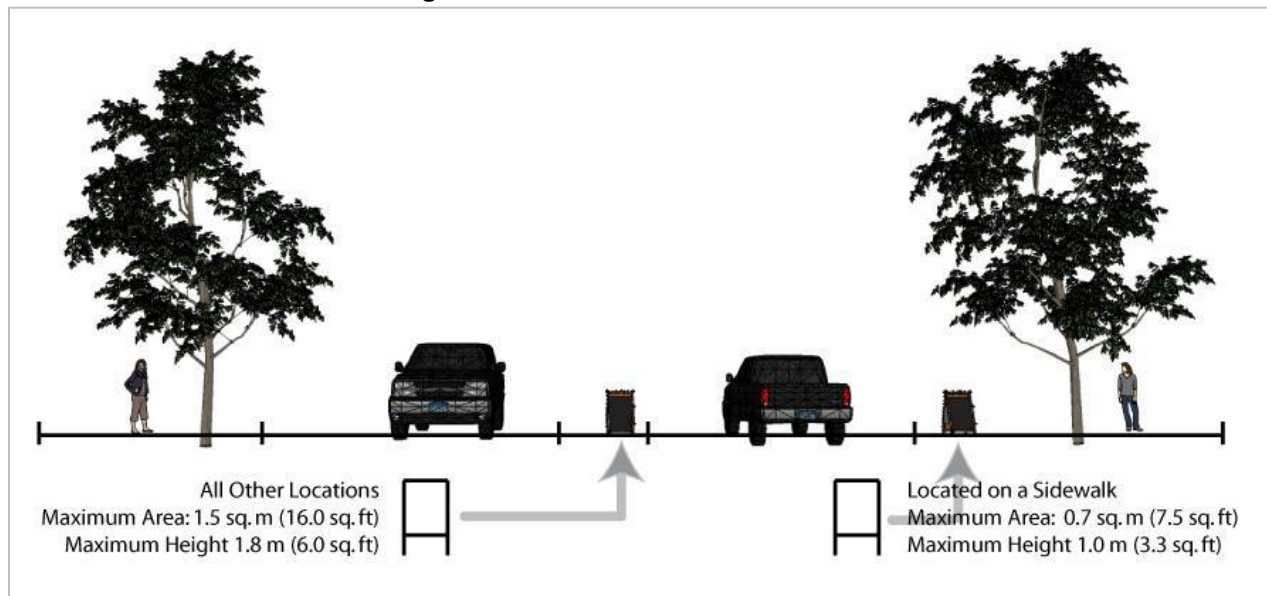


Figure 37: A-frame Sign Height and Area Requirements

(b) Canopy Signs

Where a canopy is constructed solely as a support structure for a sign, the following regulations shall be adhered to:

- (i) the maximum area of all canopy signs on one face of a canopy shall not exceed 50% of the area of the face of the canopy,
- (ii) the bottom of the canopy shall be not less than 2.5 m (8.2 ft.) above grade,
- (iii) no part of the canopy shall project over a road or lane,
- (iv) unless otherwise approved by the Development Authority, the vertical dimension of the canopy shall not exceed 1.5 m (4.9 ft.),
- (v) signs suspended under a canopy shall have a vertical clearance of a minimum of 2.5 m (8.2 ft.) from grade,
- (vi) each tenant of a building shall be allowed one (1) under-canopy sign of no more than 0.5 m² (5.4 sq. ft.) in area, and
- (vii) all canopy signs shall be erected in such a manner that the structural support elements are designed to appear as an integral part of the overall sign design and concealed such that no angle iron bracing, guy wires or similar support elements are visible from a road or lane.

(c) Freestanding Signs

- (i) The sign area for a single or multi-faceted freestanding sign shall be the average of the total area of all freestanding sign faces.
- (ii) One (1) freestanding sign per business frontage may be erected on a site having a minimum business frontage of 15.0 m (49.2 ft.) at road level.
- (iii) Notwithstanding clause (iii) above, a maximum of one (1) freestanding sign may be allowed per site except:
 - (A) where a site has more than a 90.0 m (295.3 ft.) frontage, one (1) additional freestanding sign may be erected at the discretion of the Development Authority.
 - (B) where a site is considered by the Development Authority to be a double fronting site, each frontage may have freestanding signs providing that the freestanding signs are at least 90.0 m (295.3 ft.) apart.
 - (C) Additional signs may be allowed at the discretion of the Development Authority.
- (iv) The total sign area of all freestanding signs on a site shall not exceed 0.3 m² (3.2 sq. ft.) in area for each lineal metre of frontage, to a maximum of 8.4 m² (90 sq. ft.).
- (v) The maximum height of a freestanding sign shall be 7.0 m (23.0 ft.).

- (vi) Where a freestanding sign and a projecting sign are located along the same frontage of a site, a minimum distance of 10.0 m (32.8 ft.) shall be maintained between the signs.
 - (vii) Any support structure for a freestanding sign shall be set back a minimum of 0.3 m (1.0 ft.) from any site line and no part of the freestanding sign itself shall encroach onto or overhang an adjacent site, road or lane.
- (d) **Portable Signs**
 - (i) Any support structure for a portable sign shall be set back a minimum of 0.5 m (1.6 ft.) from any site line and no part of a portable sign shall encroach onto or overhang an adjacent site, road or lane.
 - (ii) No more than one (1) portable sign shall be located on a site.
 - (iii) Notwithstanding Subsection (ii) above, one (1) portable sign may be allowed for each business in a multiple-occupancy development provided that no portable sign is located closer than 15.0 m (49.2 ft.) to another portable sign.
 - (iv) All portable signs shall be double-faced.
 - (v) No portable sign shall exceed a height of 2.5 m (8.2 ft.) above grade.
 - (vi) Portable signs shall not be placed on a site so as to conflict with or take up space for parking, loading, or walkways.
 - (vii) Notwithstanding any other provision of this Bylaw to the contrary, portable signs shall not be allowed in any Residential District.
- (e) **Projecting Signs**
 - (i) No projecting sign shall project over another site, a road, or a lane.
 - (ii) A projecting sign shall have a vertical clearance of a minimum of 3.05 m (10 ft.) from grade.
 - (iii) No more than one (1) projecting sign of 0.5 m² (5.4 ft²) in size shall be allowed for each frontage of a commercial or industrial use.
 - (iv) All projecting signs shall be erected in such a manner that the structural support elements are designed to appear as an integral part of the overall sign design and concealed such that no angle iron bracing, guy wires, or similar support elements are visible from a road.
- (f) **Roof Signs**
 - (i) Roof signs must be manufactured and erected in such a way that they appear as an architectural feature and they shall be finished in such a manner that the visual appearance from all sides makes them appear to be part of the building itself.

- (ii) No supporting structure for a roof sign shall be visible to the public unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
- (iii) All roof signs shall be set back a minimum of 1.0 m (3.3 ft.) from the edge of the building on which the roof sign is located.
- (g) Fascia Signs
 - (i) The portion of a wall which can be used for or which can be covered by a wall sign on the front of a building shall be the space defined by the following lower and upper limits:
 - (A) the lower limit of the portion shall be the lower limit of the lintel or the window head of the first storey, but in no case lower than 2.4 m (7.9 ft.) above grade,

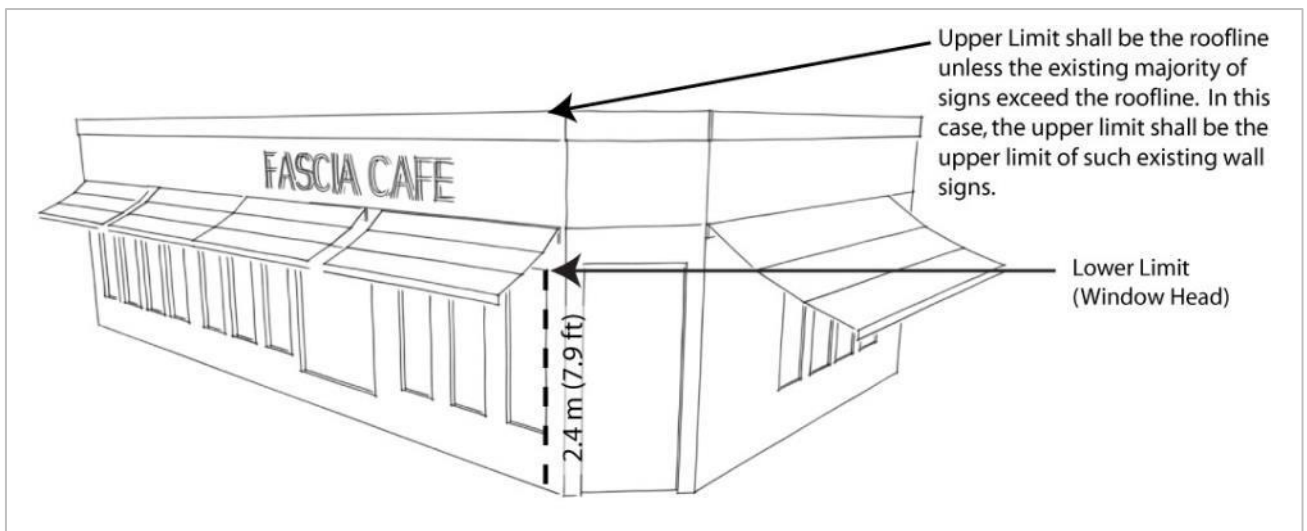


Figure 38: Fascia Sign placement on a One Storey Building

- (B) in the case of a one storey building, the upper limit of the portion shall be either:
 1. the roofline of a flat-roofed building, or, where there is an existing majority of wall signs which exceed the roofline, the upper limit of such existing wall signs, or
 2. a maximum of 0.8 m (31.5 inches) above the line of the eaves, if there is a parapet wall, provided that the sign does not project above the upper edge of the parapet, or

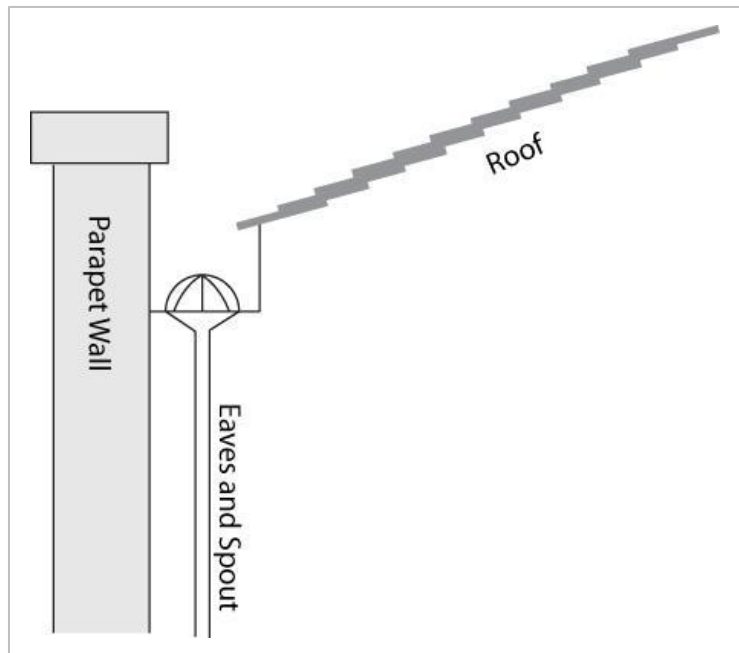


Figure 39: Example of a Parapet Wall and Eaves

3. the line of the eaves,
- (C) in the case of a building that is not a one storey building, the upper limit of the portion shall be the window sill of the second storey or, in the absence of any windows on the second storey, 0.8 m (31.5 inches) above the floor elevation of the second storey.

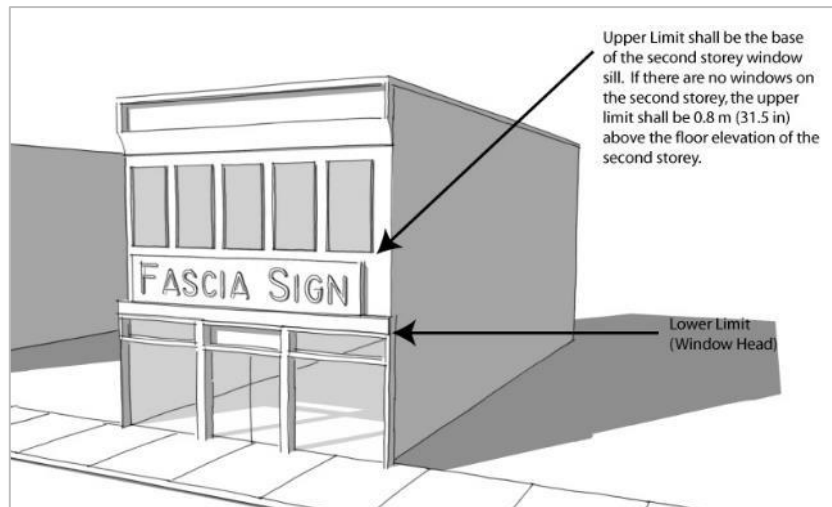


Figure 40: Fascia Sign Placement on a Two Storey Building

- (ii) Notwithstanding Subsection (i) above, a wall sign may be located:

- (A) below the area defined in Subsection (i) above, provided:
 - 1. the sign consists of individual letters, symbols, or logos that are directly attached to the building face,
 - 2. the sign states no more than the name of the building or the principal tenant of the building, and
 - 3. the sign area does not exceed 20% of the building face below the area defined in Subsection (i) above,
 - (B) between the second storey window lintel and the third storey window sill, or, in the case of a two storey building, between the second storey window lintel and the roof or parapet, provided:
 - 1. the sign states no more than the name of the building or the principal tenant of the building, and
 - 2. the sign area does not exceed 2.5 m² (26.9 sq. ft.), or
 - (C) above the third storey window sill, provided:
 - 1. the sign states no more than the name of the building or principal tenant of the building, and
 - 2. there is no more than one (1) sign per building face above the third storey.
- (iii) A wall sign may be allowed on the side wall of a building facing a road where a development is located on a corner site provided that the sign is integrated with the other signage on the building and is of the same height and width.
- (iv) Any other location for a wall sign shall be at the discretion of the Development Authority, who shall have consideration for the aesthetic quality and compatibility of the proposed wall sign with adjacent developments.
- (h) Inflatable Signs
 - (i) A small inflatable style sign can be placed on an approved temporary sign location, and does not require a development permit, provided it is, no larger than 5.5 m² (59.2 sq. ft.) as applicable.
 - (ii) Larger inflatable signs require that a development permit be applied for, and approval obtained before installation.
 - (iii) One inflatable sign may be located on a site and must be tethered or anchored so that it is touching the ground surface to which it is anchored.
 - (iv) The maximum height of an inflatable sign shall be the allowed height of a freestanding sign for the site.
 - (v) An inflatable sign can only be located on a site twice in a calendar year and not for longer than thirty (30) consecutive days.
 - (vi) Inflatable signs cannot be located on the roof of a structure.

- (8) Signs in or Adjacent to Residential Districts
 - (a) Except as provided in Subsections (b) and (c) below, no sign shall be permitted in Residential Districts except for places of worship, schools or other public institutions.
 - (b) An approved major home occupation may display a sign, not larger than 0.2 m² (2 sq. ft.) in the window of the dwelling.
 - (c) An approved bed and breakfast may display a sign, not larger than 0.2 m² (2.0 sq. ft.). If outside, the sign shall be placed in a location that is satisfactory to the Development Authority. Alternatively, the sign may be displayed from inside a window of the dwelling.
 - (d) One (1) freestanding sign per site may be allowed for the purpose of identifying the name of a multi-family dwelling, a manufactured home park, a neighbourhood, or a subdivision, provided:
 - (i) the sign area does not exceed 5.0 m² (53.8 sq. ft.),
 - (ii) the height of the sign does not exceed 2.0 m (6.6 ft.), and
 - (iii) the sign is not internally illuminated, though it may be lit from the front.
 - (e) Name or number signs shall have a surface area of no more than 0.3 m² (3.0 sq. ft.).
 - (f) When an illuminated sign is located in a District adjacent to a Residential District, the illumination from that sign shall be deflected away from the Residential District.
 - (g) When, in the opinion of the Development Authority, a proposed sign in any District adjacent to a Residential District might be objectionable to a resident in the Residential District, the Development Authority may impose such other requirements as they deem necessary, to protect the amenities of the Residential District.
- (9) Signs Relating to Institutional Uses

In any District where a place of worship or a school or another institutional use is allowed, one (1) sign of not more than 5.0 m² (53.8 sq. ft.) in area shall be allowed to be erected on the site occupied by the place of worship, school, or other institutional use.

6.16 Site Conditions and Buffering Requirements

- (1) The proponent for a development may be required to submit a site drainage plan and/or elevation plan to ensure that finished grades on the site shall prevent drainage from one site to adjacent sites except where drainage conforms to an acceptable local standard or a subdivision drainage plan.

- (2) The Development Authority may require setback and/or buffering requirements for uses, which may be physically or visually incompatible with nearby land uses.
- (3) The Development Authority may require or approve screening for uses, which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials, and other similar materials.
- (4) In considering the approval of an application, the Development Authority may require the retention of trees or additional planting of such type and extent as considered necessary for the purpose of ensuring buffering, erosion and/or dust control.
- (5) At time of subdivision, the County will require Environmental Reserves (ER), an Environmental Reserve Easement (ERE) or a combination thereof adjacent to bodies of water and lands containing significant environmental features.
- (6) The amount of ER/ERE lands shall be at the discretion of the County and the Subdivision Authority who will normally base environmental reserve and environmental reserve easement requirements on the following:
 - (a) The Guidelines for Environmental Reserves and Environmental Reserve Easements established by Alberta Environment and Parks (see **Appendix A**);
or
 - (b) If this ER/ERE amount is disputed by the proponent of a subdivision then the developer may provide the County and the Subdivision Authority with a biophysical, engineering and/or geotechnical study which indicates that an alternative ER/ERE amount is appropriate for the subject site. If the report from the engineer indicates that a lesser reserve/easement would be suitable and/or provides mitigation recommendations which, if followed would allow for a lesser ER/ERE area then the Subdivision Authority may, at their sole discretion, approve a subdivision with a lesser ER/ERE area.
- (7) Notwithstanding Subsection (6), additional ER/ERE may be required by the County based on the recommendations of any engineering and/or geotechnical study provided for the subject site.
- (8) Normally, no buildings of any kind shall be allowed within required setback areas.
- (9) However, notwithstanding (6) the width of the required development setback shall be at the sole discretion of the Development Authority who will normally base setback requirements on the following:
 - (a) The Guidelines for Environmental Reserves and Environmental Reserve Easements established by Alberta Environment and Parks (see **Appendix A**);
or

- (b) If this setback amount is disputed by the proponent of a development then the developer may provide the Development Authority with a biophysical, engineering and/or geotechnical study which indicates that an alternative setback amount is appropriate for the subject site. If the report from the engineer indicates that a lesser setback would be suitable and/or provides mitigation recommendations which, if followed would allow for a lesser setback then the Development Authority may, at their sole discretion, approve the development with a lesser setback.

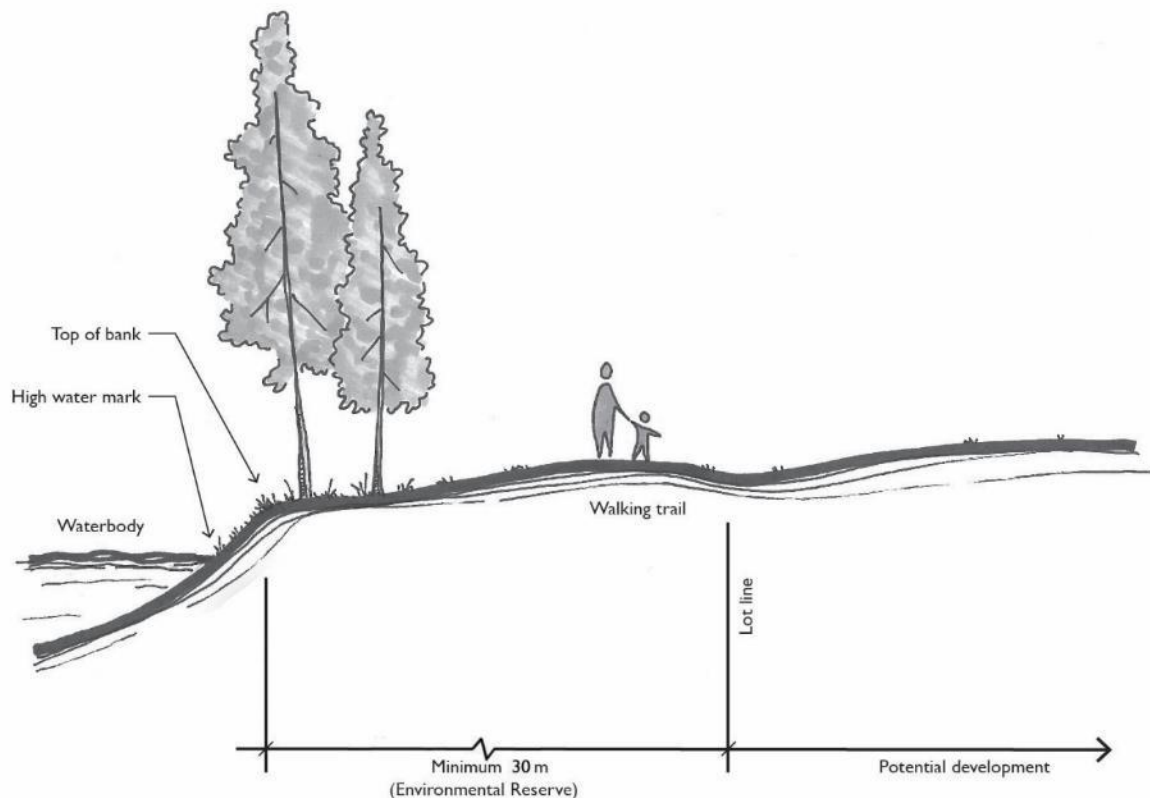


Figure 41: Setbacks from Watercourses and Water Bodies

- (10) The Development Authority may require the applicant to submit as part of a development permit application an assessment by a registered professional engineer practicing in Alberta indicating the stability of the soils and slopes for the development proposed, and how sufficient stability for the development can be ensured in order to determine the appropriate setback distance and/or site specific building requirements.
- (11) If the report from the engineer indicates that a lesser setback would be suitable and/or provides mitigation recommendations which, if followed, would allow for a lesser setback then the Development Authority may, at their sole discretion, approve a development with a lesser setback.

- (12) If the development is approved with the lesser setback, the Development Authority may require, as a condition of the approval of the permit, that the developer construct those works or abide by those conditions necessary to ensure the stability of the soils and slopes as determined in the assessment.
- (13) If any development is damaged or threatened with damage from flooding from a water body, a river, creek or watercourse, the landowner will be entirely responsible for any damage and for any works necessary for protecting the development from damage.
- (14) If any development is damaged or threatened with damage from erosion or the effects of erosion, or from flooding or the effects of flooding, whether or not a development permit has been issued in respect of the development, the landowner will be entirely responsible for any damage and for any works necessary for protecting the development from damage.
- (15) The Development Authority will not approve a development permit application for the development or placement of permanent buildings within the 1:100 year flood way of any lake, river, creek, watercourse or water body.
- (16) Development shall not be permitted on steep slopes (in excess of 15%), on unstable slopes or land characterized by soil instability, or on lands exhibiting evidence of poor drainage or flooding unless it can be demonstrated to the satisfaction of the Development Authority that unique site requirements warrant otherwise by providing a geotechnical report provided by a professional engineer registered in the Province of Alberta.

6.17 Site Protection from Exposure Hazards

- (1) The location of an anhydrous ammonia or liquefied petroleum gas (AA or LPG) storage tank with a water capacity exceeding 7570.8 litres (2000 gal.) shall be in accordance with the requirements of the Development Authority but in no case shall be less than 121.9 m (400 ft.) from adjacent institutional, commercial or residential uses.
- (2) No anhydrous ammonia (AA) storage shall be permitted within the hamlet boundaries.
- (3) AA or LPG containers with a water capacity of less than 9,080 L (2,000 gal.) shall be located in accordance with regulations under the Safety Codes Act.

- (4) Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Safety Codes Act.
- (5) Setbacks from pipelines and other utility corridors shall be at the discretion of the Development Authority and be in accordance with all appropriate Provincial legislation and regulations.

6.18 Sour Gas Facilities

- (1) All applications for development adjacent to sour gas facilities shall be referred to the Alberta Energy Regulator (AER) for comment prior to the consideration of the issuance of a development permit.
- (4) No development shall be allowed within 100 m (328 ft.) of a Level 1 sour gas facility (consisting of a well) as determined by the Alberta Energy Regulator (AER).
- (5) In the case of a Level 2 sour gas facility as determined by the AER:
 - (a) no permanent dwelling shall be allowed within 100 m (328 ft.) of the sour gas facility; and
 - (b) no institutional use shall be allowed within 500 m (1640 ft.) of the sour gas facility.
- (4) In the case of a Level 3 sour gas facility as determined by the AER:
 - (a) no permanent dwelling shall be allowed within 100 m (328 ft.) of the sour gas facility;
 - (b) no residential development with a density of more than eight (8) dwelling units per quarter section shall be allowed within 500 m (1640 ft.) of the sour gas facility; and
 - (c) no institutional use shall be allowed within 1500 m (4921 ft.) of the sour gas facility.

6.19 Subdivision of Land

- (1) Where the development of land requires a subdivision, no development permit shall be issued until the proposed subdivision has received tentative approval from the Subdivision Authority for the County.
- (2) Development agreements shall be required as a condition of approval for subdivision of land within the County.
- (3) Property taxes must be up to date prior to final endorsement of any subdivision within the County.
- (6) A Private Sewage Inspection will be required, at no cost to the County, prior to endorsement of all subdivisions within the County where the site is affected by a private sewage disposal system.
- (7) A Real Property Report or buildings site certificate may be required, at no cost to the County, where the site is developed and the Subdivision Authority requires

verification that the proposed lot boundaries will satisfy provincial and municipal setback requirements.

- (8) Upon the Subdivision Authority's approval, or conditional approval, of a subdivision application, the landowner and/or developer shall complete all requirements of the conditions in a timely manner, and register the final subdivision approval with the Land Titles Office within the time required. Westlock County may extend an approval or conditional approval up to three (3) years from the original date of the Subdivision Authority's decision.

6.20 Water Supply, Sanitary Facilities and Natural Gas

- (1) All development within the County shall be provided, at no cost to the County, with sanitary facilities to the satisfaction of the plumbing and drainage regulations and any other Provincial legislation or regulations.
- (2) A development permit shall not be issued for residential, commercial, industrial or recreational uses unless the Development Authority is satisfied that water supplies of sufficient quality and quantity are or will be made available to support the proposed development.

7 | Special Provisions

7.1 Agri-Industrial, Agricultural Industry, and Rural Industrial Uses

- (1) Development permit applications for new agri-industrial, agricultural industry, and rural industrial uses must include the following:
 - i. A site plan which identifies the distance between facilities including storage and parking areas associated with the proposed development and residential uses on the parcel and on adjacent parcels.
 - ii. Proposed measures for the mitigation of dust, light and sound generated by the development to mitigate and minimize off-site impacts associated with the development.
- (2) The siting of all developments and site landscaping shall be to the satisfaction of the Development Authority to ensure adequate protection afforded to the amenities of any adjacent residential uses.
- (3) Where a new agri-industrial, agricultural industry or rural industrial use is proposed adjacent to an existing residential development, a minimum of 100m (328.08 ft.) buffer must be provided between the new agri-industrial, agricultural industry or rural industrial use and the property line of the residential parcel. At the discretion of the Development Authority, the required setback can be reduced if the residential parcel is also owned by the proponent of the industrial use.
- (4) Each site shall have direct access to a road designed and constructed to have regard for continuity of traffic flow, safety of vehicles, and avoidance of dangerous intersections. Intersection and approach standards must conform to the current Westlock County design standards for spacing, culvert size and location.

7.2 Bare Land Condominiums

- (1) A Bare Land Condominium development must comply with the County's Bare Land Condominium Policy, as amended, along with all the general regulations of this Bylaw, including the regulations of the applicable Land Use District.
- (2) An application for a Bare Land Condominium development shall include a comprehensive site plan, in accordance with **Section 2.4** of this Bylaw.

- (3) For the purposes of this Bylaw, a Bare Land Condominium Plan is a plan of subdivision and a unit on a Bare Land Condominium Plan is a lot.

7.3 Bed and Breakfast and Guest Ranch Operations

- (1) A bed and breakfast establishment or a guest ranch, which shall be considered to be major home occupations, shall, in addition to the regulations for major home occupations, comply with the following regulations:
 - (a) A bed and breakfast establishment or guest ranch shall not change the principal character or external appearance of the dwelling involved.
 - (b) A bed and breakfast establishment shall have a maximum of four (4) sleeping units.
 - (c) A guest ranch shall have a maximum of ten (10) sleeping units.
 - (d) Cooking facilities shall not be located within the sleeping units. All facilities shall meet public health regulations.
 - (e) In addition to any other parking requirements of this Bylaw, one (1) additional off-street parking space shall be provided for each sleeping unit.
 - (f) A bed and breakfast establishment or guest ranch shall be operated by a live-in owner(s) and shall not change the character of the surrounding area.

7.4 Campgrounds, Basic

- (1) Where a campground proposal will ultimately exceed sixty (60) campsites and/or cabins and is located on a parcel greater than 8.0 ha (19.8 ac), a development concept plan for the development of the entire tract of land shall be submitted and approved by the Development Authority prior to submitting a development permit application for any specific development. The development concept plan shall include detailed plans and specifications (i.e. servicing, traffic, environmental considerations, etc.) for the initial stage, as well as any subsequent stages of development.
- (2) A minimum of 10% of the gross lot area of the campground shall be set aside for a common recreation area and shall be developed and maintained as a park, playground or other useable open space. No portion of any other use and/or facility shall be included in this area.
- (3) Visitor parking shall be provided in common areas within a campground area, to the satisfaction of the Development Authority.
- (4) All campgrounds shall be provided with safe and convenient vehicular access and all roadways within a campground shall be of a surface and standard acceptable to a

Development Officer for the purposes of accommodating emergency, fire and maintenance vehicles.

- (5) Within a campground development, the roadway system will be sensitive to the topography and site characteristics of the site and shall be “signed” to avoid confusion.
- (6) All campsites shall be accessible by means of an access at least 3.0 m (9.8 ft.) in width where the access is for one-way traffic, or at least 6.0 m (19.7 ft.) in width where the access is for two-way traffic.
- (7) Trees and natural vegetative cover shall not be removed without an approved development permit or development concept plan. The Development Authority may prevent the removal of trees or shrubs adjacent to environmentally sensitive areas.
- (8) Any adjoining residential area(s) shall be screened by a solid fence or year-round vegetation with a minimum height of 2.0 m (6.6 ft.), to the satisfaction of the Development Authority.
- (9) Fires shall only be permitted in facilities which have been provided for such purpose or where open fires are allowed by the County’s fire department.
- (10) Fireplaces, fire pits, charcoal and other barbeque equipment, wood burning stoves, or any other cooking facilities shall be located, constructed, maintained and used to minimize fire hazard and smoke nuisance in the campground and the neighbouring properties.
- (11) Fire extinguishers capable of dealing with electrical and wood fires shall be kept in all service buildings.
- (12) A suitable access and egress shall be provided so that every campground may be readily serviced in emergency situations. Twenty-four (24) hour emergency communication service (e.g. telephones) shall be provided.
- (13) Pedestrian walkways having a width of not less than 1.2 m (3.9 ft.) shall be provided from campground stalls to all service buildings, facilities, refuse collection areas and recreation areas. The walkways shall be well drained, well lighted, and the surface shall be constructed to a standard to the satisfaction of the Development Authority.
- (14) The storage, collection and disposal of solid waste in campgrounds shall be so conducted as to create no health hazards, rodent harbourage, insect breeding areas, or accident or fire hazards. Individual or grouped refuse containers must be screened to the satisfaction of the Development Authority.

- (15) Campgrounds with less than sixty (60) campsites and no permanent cabins shall be required to provide sewage disposal and water service facilities to the satisfaction of the Development Authority.
- (16) Campgrounds with more than sixty (60) campsites and with permanent cabins shall provide on-site services as follows:
 - (a) A water supply system shall be provided for each campsite designed to accommodate the campground user occupying a self-contained recreational vehicle or a cabin and shall be connected to a community water supply system. The water system for a campground shall be constructed to the satisfaction of the County Engineer and the Development Authority in accordance with all applicable Provincial and County regulations.
 - (b) Alternatively, a campground may provide one or more easily accessible supply outlets for filling potable water storage tanks. The water supply outlets shall be located within 100.0 m (328.1 ft.) of the campsites. The water supply outlets shall be constructed to the satisfaction of the County Engineer and the Development Authority in accordance with all applicable Provincial and County regulations.
 - (c) An adequate and safe sewage disposal system shall be provided in a campground for each campsite designed to accommodate the campground user occupying a self-contained vehicle or cabin and shall be connected to a community sewage system and/or sanitary dumping station, to the satisfaction of the Development Authority. The sewage disposal system in a campground shall be constructed to the satisfaction of the County Engineer and the Development Authority, and shall comply with all applicable Provincial and County regulations, and shall be maintained to the standards of the regulatory approvals.
 - (d) A campground shall be provided with sanitary dumping stations in the ratio of one for every one hundred recreational vehicle spaces or fractional part thereof. The sanitary dumping stations shall be designed and maintained to County regulations and standards to the satisfaction of the County Engineer and the Development Authority. Each station shall provide a water outlet, with the necessary appurtenances connected to the water supply system to permit periodic wash down of the immediate adjacent areas. A sign shall be posted near the water outlet indicating that this water is for flushing and cleaning purposes only. Sanitary stations shall be separated from any campsite or cabin by a distance of not less than 20.0 m (65.6 ft.).
 - (e) In no case shall less than one (1) toilet and lavatory be provided for each gender for every ten (10) campsites.

- (17) Campgrounds, containing campsites, cabins, hotels and/or motels are considered temporary occupancies, and consequently, the maximum occupancy is two hundred and forty (240) days per calendar year.
- (18) The minimum size for a campsite shall be:
 - (a) 10.0 m (32.8 ft.) in width;
 - (b) 25.0 m (82 ft.) in depth; and
 - (c) 325.0 m² (3500 sq. ft.) in area.
- (19) A recreational vehicle/travel trailer on a campsite shall be separated a minimum of 3.0 m (9.8 ft.) from:
 - (a) another recreational vehicle/travel trailer on an adjacent site;
 - (b) other structures; and
 - (c) an interior roadway.
- (20) Each campsite shall provide two parking spaces on the campsite.
- (21) All campsites shall be required to provide an acceptable form of ground cover to prevent erosion.

7.5 Campgrounds, Recreational Vehicle

In addition to the requirements of **Section 7.4**, Recreational Vehicle Campgrounds shall comply with the following regulations:

- (1) Development of roads, facilities and recreational vehicle sites shall occupy no more than two-thirds of the proposed site, leaving a minimum of one-third of the site in its natural state (or landscaping one-third to the satisfaction of the Development Authority).
- (2) Recreational Vehicle Campgrounds should be designed and landscaped to minimize disturbance to the natural environment and to protect heavy use areas from damage.
- (3) The entire site design shall be at the discretion of the Development Authority.
- (4) Where the campground directly adjoins a residential area, adequate screening or fencing shall be provided, to the satisfaction of the Development Authority.
- (5) A sufficient number of picnic tables, fire pits and refuse facilities shall be provided to accommodate the design capacity of the campground. Exact numbers shall be at the discretion of the Development Authority.

- (6) On recreational vehicle campgrounds located next to a lake, if boat launching and swimming facilities are not provided, alternative locations for the same should be indicated on a map or sign on the site.
- (7) An adequate potable water supply and sewage disposal facilities shall be provided, in accordance with Provincial regulations and/or the Alberta Safety Codes Act, as applicable.
- (8) A portion of the campsites should be serviced by electrical, water or sewage disposal hookups.
- (9) Each recreational vehicle parking stall shall be a minimum width of 10.0 m (32.8 ft.) and a minimum area of 250.0 m² (2691.0 sq. ft.).
- (10) 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, including any necessary approvals pursuant to the Alberta Safety Codes Act that may be applicable.
- (11) As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service the development, including county roads, water and waste water infrastructure, and solid waste management facilities, either on- and/or off-site of the development.
- (12) All internal roads shall be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6.0 m (20.0 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.7 m (12.0 ft.) usable top.

7.6 Commercial Developments

- (1) Commercial development may be permitted within the hamlets.
- (2) No development permit shall be issued for proposed commercial uses in the Agricultural (AG) District unless it:
 - (a) is located on lower capability agricultural land; or
 - (b) directly serves the agricultural community; or
 - (c) is adjacent to a provincial highway; or
 - (d) is operated as a secondary use to an agricultural use.

- (3) All site regulations and development requirements, including any requirements for buffers, shall be based upon the type of development and shall be at the discretion of the Development Authority.
- (4) Commercial development shall be subject to a development agreement between the developer and the municipality.
- (5) No development permit shall be issued for proposed commercial uses in the Natural Use (N) or country residential districts.
- (6) At the time of the development permit application, the proponent of a commercial development shall identify all municipal servicing costs associated with the proposed development.

7.7 Confined Feeding Operations and Manure Storage Facilities

- (1) Confined feeding operations and manure storage facilities for which an approval or a registration is required pursuant to the Agricultural Operations Act are not regulated by this Bylaw. Please refer to the Agricultural Operations Act and the Regulations under the Agricultural Operations Practices Act for these developments.

7.8 Country Residences and Farmstead Lots

- (1) Country residences and Farmstead Lots, where allowed, shall be developed in accordance with the provisions of this section.
- (2) Development for country residential purposes shall be discouraged:
 - (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;
 - (c) on sites where water quality and/or quantity is marginal or substandard.
- (3) Development for country residential purposes shall be discouraged from locating on lands currently under agricultural production that are classified in the farmland assessment as either arable or improved pasture, and assessed as having a 30% agricultural productivity capability or higher or at least 80% of its land rated C.L.I. Class 4 or better;

(4) Subdivision of land for farmsteads and country residential parcels:

The subdivision of land for farmstead separation or country residential development in the Agricultural (AG) District, and the Natural Use (N) District may be permitted if both the appropriate general and specific conditions are met:

(a) General Conditions

The subdivision of land for farmstead separation or country residential development in the Agricultural (AG) District and the Natural Use (N) District may be permitted only if the following conditions are met.

- (i) the parcel, where possible, is located on that portion of the quarter section with the lowest capability for agriculture;
- (ii) the parcel is located on that portion of the quarter section so as to have minimal impact on the existing and future use of the quarter section and adjacent quarter sections for agricultural purposes, considering such factors as the proximity to confined feeding operations, whether or not they come under the purview of the Regulations made under the Agricultural Operation Practices Act;
- (iii) the parcel is located as to generate minimal immediate and future demands on existing municipal services such as the existing municipal road network, municipal road construction and maintenance schedules, municipal emergency services and school bus routes;
- (iv) the parcel is located with legal and physical access to a developed all-weather municipal road;
- (v) the parcel's location would satisfy the minimum distance separations between a single dwelling 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.

(b) Specific Conditions

- (i) In the Agricultural (AG) and Natural Use (N) District the subdivision of a maximum of two (2) country residential parcels (including farmstead separations and vacant parcels) shall be allowed on each

unsubdivided quarter section located in the Agricultural (AG) District, provided that the parcel's location would satisfy the minimum distance separations between a single dwelling 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.

- (5) Where parcels have been registered for use as country residences prior to passage of this Bylaw, and are non-conforming in terms of size, the Municipal Planning Commission may consider a development permit application.
- (6) Subdivision Requirements
 - (a) The maximum density for country residential and agricultural use parcels in the Agriculture District is three (3) parcels per quarter section (64.7 ha (160.ac.)).
 - (b) The total area of all country residential parcels shall not exceed 6.06 ha (15.0 ac.) per quarter section.
 - (c) Where a quarter section has been fragmented by a physical or natural barrier, and the fragment is equal to or greater than 16.0 ha (40 ac.) in area, each fragmented portion of the quarter section shall be allotted a pro-rated ration of the country residential maximum allotment, not to exceed 6.06 ha (15.0 ac.) in combined area.
 - (d) If a quarter section has previously been subdivided into two (2) agricultural lots, then a maximum of one (1) country residential parcel is permitted without an amendment to the Land Use Bylaw to redistrict the proposed subdivision to a country residential district.
 - (e) The maximum parcel size for a fragmented parcel shall be determined by the limits of fragmentation.
 - (f) Normally the maximum area for a developed country residential or abandoned farmstead parcel in the agricultural district shall be 2.02 ha (5.0 ac.). However, at the discretion of the Subdivision Authority a parcel may be increased to a maximum area of 6.06 ha (15.0 ac.) to accommodate existing farmstead structures including: houses, accessory buildings, water wells, shelter belts, electrified fencing and dugouts and existing private sewage disposal systems if the quarter section has not been previously subdivided for country residential purposes. If the quarter section has been previously subdivided for country residential purposes then the maximum parcel area

shall be determined by area of the previously subdivided country residential use parcel. When a subdivision application is made to subdivide a developed country residential use parcel greater than 2.02 ha (5.0 ac.) in area the proponent will be required to demonstrate why the additional land is required by submitting a real property report or building site certificate which identifies the location of all of the improvements on the site in relation to the proposed parcel boundaries. If the survey does not demonstrate that the additional land is required to accommodate the above noted improvements then the parcel must be reduced to reflect the required area identified on the surveyors drawing.

- (g) Vacant country residential parcels shall be located so as to limit negative impact on the agricultural capability of the remnant parcel. Vacant country residential parcels shall be located in the corners of the quarter section or on land with lower agricultural capability.
- (h) Where a subdivision would result in a 2nd country residential parcel, and the proposed parcel is vacant, the proposed parcel shall be located adjacent to an existing country residential parcel or on land that is not conducive to agricultural use.
- (i) The maximum area for a vacant country residential use parcel shall be 1.2 ha (3.0 ac.).
- (j) Notwithstanding the other requirements of 7.8(5), above, “pan handle” parcels shall not be approved by the Subdivision Authority. Exceptions to this shall be allowed if, in the opinion of the Subdivision Authority, the proposed subdivision does not interfere with an existing agricultural operation and:
 - (i) the subdivision is to separate an existing farmstead from the balance of the quarter section; and
 - (ii) the lengthy narrow section is directly adjacent to the property line or the quarter section line, whichever the case may be; or
 - (iii) the lengthy narrow section is at least 100 m from the property line or quarter section line, whichever the case may be.
- (k) A quarter section which has been subdivided for a public or quasi-public use shall be considered as unsubdivided.

- (7) Where an existing farmstead has been separated from a quarter section, it shall be regarded as a country residential site for the purposes of this Bylaw.
- (8) Except in the case of an internal road system, no building shall be located closer than 40.84 m (134 ft.) to the property line of any adjoining road, unless the regulations of the district in which the building is located are more restrictive, in which case the latter will apply.
- (9) Development permits for country residential developments shall not be issued except conditionally upon the applicant receiving approval from appropriate authorities indicating that the proposed sewage disposal system is satisfactory.
- (10) Development agreements shall be required as a condition for all country residential subdivisions.

7.9 Crime Prevention Through Environmental Design

- (1) During the review of a development permit application, the Development Authority may consider the following Crime Prevention Through Environmental Design (CPTED) principles, and make recommendations for the proposed development:
 - (a) the reduction of concealment opportunities;
 - (b) the provision of lighting to minimize unlit areas;
 - (c) the placement of windows to maximize informal surveillance; and
 - (d) easily-identified street addresses.

7.10 Day Use and Picnic Areas

- (1) A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the site. Exact numbers of such facilities shall be at the discretion of the Development Authority.
- (2) Day use and picnic facilities shall be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage.
- (3) Where the day use area directly adjoins a residential development, adequate screening or fencing, to the satisfaction of the Development Authority, will be required between the uses.
- (4) Parking areas should be physically separated from the rest of the day use or picnic areas by landscaping or natural vegetation buffers.

7.11 Fences, Walls and Hedges

- (1) Notwithstanding any regulation respecting required yards to the contrary in this Bylaw, a fence or hedge may be constructed along a boundary line of a lot.
- (2) No fence, wall or hedge in any Residential District shall be:
 - (a) Higher than 2.0 m (6.5 ft.) in side yards and rear yards, such height to be measured as the average elevation from the ground at the fence or wall unless otherwise provided in this Bylaw; or
 - (b) Higher than 1.0 m (3.2 ft.) in front yards, except in the case of a corner lot, the side yard adjacent to the road shall be deemed to be a front yard for the purpose of this Subsection; or
 - (c) Higher than 1.0 m (3.2 ft.) within 6.0 m (19.6 ft.) of the intersection of lanes, roads, or any combination of them.

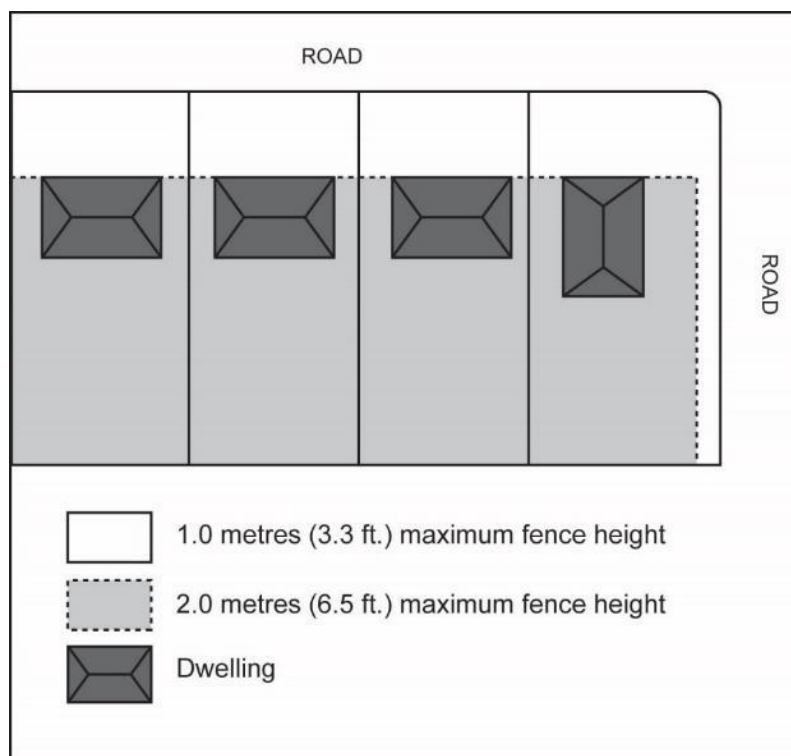


Figure 42: Maximum fence heights in residential yards

- (3) All apartment or row housing developments shall provide, to the satisfaction of the Development Authority, a wall, hedge or wooden fence of not less than 1.22 m (4.0 ft.) nor more than 2.0 m (6.5 ft.) in height, along any side or rear lines adjacent to any residential use.

- (4) All drive-in businesses, car washing establishments, service stations and gas bars shall provide, to the satisfaction of the Development Authority, solid fences of not less than 1.22 m (4.0 ft.) in height nor more than 2.0 m (6.5 ft.) in height, along any side or rear property lines adjacent to any residential district.
- (5) All other commercial developments shall provide, to the satisfaction of the Development Authority, a wooden fence of not more 2.0 m (6.5 ft.) in height along any side or rear lines adjacent to any residential district.
- (6) Neither razor wire nor barbed wire shall be allowed within the Urban General (UG) District.
- (7) Razor wire shall not be used in the municipality without a development permit having been issued to allow its use.
- (8) Other than in the Agricultural (AG) District, barbed wire shall be used as a fencing material only if a development permit has been issued to allow its use.

7.12 Home Occupations

- (1) All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in the opinion of the Development Authority, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.
- (2) 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.
- (3) 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 provision of this Bylaw or conditions of the approval of the development permit.
- (4) General Regulations

All home occupations shall comply with the following requirements;

- (a) In addition to a development permit application, each application for a 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.
- (c) 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.
- (d) No offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot on which the home occupation is located shall be produced by the home occupation.
- (e) There shall be no exterior signage, display or advertisement other than a business identification sign which shall not exceed 0.19 m² (2.0 sq. ft.) in size unless otherwise granted in a separate development permit.
- (f) In the Urban General (UG) and country residential districts, no more than one (1) commercial vehicle, up to the size of a tandem truck, to be used in conjunction with the home occupation, shall be parked on the site. The parking space for the commercial vehicle shall be either within a garage or adequately screened and sited behind the main building to the satisfaction of the Development Authority.
- (g) In the Agricultural (AG) District, not more than four (4) commercial vehicles, each with one (1) accessory trailer, to be used in conjunction with a major home occupation, shall be parked or maintained on the site.

(5) Additional Regulations Affecting Minor Home Occupations

In addition to the requirements of Subsection (4) above, a minor home occupation shall comply with the following regulations:

- (a) A minor home occupation shall not change the principal character or external appearance of the dwelling involved, nor occupy more than 20% of the gross floor area of the main building. Except as noted in **Section 7.12(4)(e)**, there shall be no exterior signage, display or advertisement, and all sales relating to the home occupation shall occur off the premises.
- (b) Except in the Agricultural (AG) District, 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.
- (c) The minor home occupation shall not employ any person on-site other than the occupants of the dwelling.

- (d) Up to five (5) business visits per week are allowed.
- (e) Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.

(6) Additional Regulations Affecting Major Home Occupations

In addition to the requirements of Subsection (4) above, a major home occupation shall comply with the following regulations:

- (a) A major home occupation shall not change the principal character or external appearance of the dwelling involved, nor occupy more than 20% of the gross floor area of the main building. Except as noted in **Section 7.12(4)(e)**, there shall be no exterior signage, display or advertisement.
- (b) The number of non-resident employees working on-site shall not exceed two (2) at any time.
- (c) Up to ten (10) business visits per day are allowed in the Agricultural (AG) District. In all other Districts, up to eight (8) business visits per day are allowed.
- (d) 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 any code, standards, or body of rules declared to be in force in Alberta pursuant to the Safety Codes Act.
- (e) Except in the Agricultural (AG) District, there shall be no outdoor business activity or outdoor storage of material or equipment associated with the major home occupation allowed on the site. Storage related to the major home occupation shall be allowed in either the dwelling or accessory buildings.
- (f) The major home occupation shall not be allowed if, in the opinion of the Development Authority, such use would be more appropriately located in a Commercial or an Industrial District having regard for the overall compatibility of the use with the residential character of the area.

7.13 Industrial Developments

- (1) The Development Authority may request advisory comment from various departments within the Provincial and Federal Government and/or from the Health Authority, when considering an application for the establishment of an industrial use.
- (2) All site regulations and development requirements, including any requirement for buffers, shall be based upon the type of industrial development proposed and shall be at the discretion of the Development Authority.

- (3) A development permit for an industrial use may only be issued if, in the opinion of the Development Authority, the applicant can satisfy the Development Authority with respect to any concerns about:
 - (a) The type and level of exhaust that may be emitted into the atmosphere by the proposed development;
 - (b) Servicing requirements and provisions for meeting them; and
 - (c) Any costs associated with providing new or upgraded municipal services associated with the proposed development.
- (4) No development permit shall be issued for a proposed light industrial use in the Agricultural (AG) District unless it:
 - (a) is located on lower capability agricultural land; and
 - (b) directly serves the agricultural community; and
 - (c) is located, if possible, on the portion of the quarter section with the lowest capability for agriculture or the proposed use is operated as a secondary use to the farming operation.
- (5) The proponent of a rural industrial park shall be required to provide the following information concerning the proposal before the development or subdivision authority considers approval:
 - (a) environmental suitability of the site, with particular reference to soils, slopes, drainage and availability of services;
 - (b) the type and level of exhaust which may be emitted into the atmosphere;
 - (c) size and number of parcels proposed;
 - (d) phasing, if anticipated;
 - (e) servicing requirements and provisions for meeting them;
 - (f) costs associated with providing new or upgraded municipal services required by the development; and
 - (g) any other information as listed in **Section 2.5(1)** of this Bylaw, as required by the Development Authority or Subdivision Authority.
- (6) Industrial activities may be subject to a development agreement between the developer and the County.
- (7) No development permit shall be issued for proposed industrial uses in the Natural Use (N) or country residential districts.

7.14 Manufactured Home Parks

- (1) Manufactured home stalls shall be located a minimum of 7.62 m (25 ft.) from a boundary of a road and 4.57 m (15 ft.) from adjacent parcels. The setback strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.

- (2) The minimum size for a manufactured home stall shall be 464.52 m² (5000.0 sq. ft.).
- (3) All roads shall be constructed and maintained to the satisfaction of the Development Authority. The minimum road right-of-way width shall be 15.24 m (50.0 ft.).
- (4) There shall be safe, convenient, all-season pedestrian access of not less than 0.91 m (3.0 ft.) in width for the intended use between individual manufactured homes, the park streets and all community facilities provided for park residents.
- (5) Visitor parking spaces shall be provided at a ratio of at least one (1) space for every two (2) manufactured homes, be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, recreational vehicles, trailers, etc.
- (6) Two (2) off-street parking spaces shall be provided on or adjacent to each recreational space as required by the Development Authority.
- (7) The design of manufactured home parks shall be to the satisfaction of the Development Authority.
- (8) All utilities shall be provided underground to stalls.
- (9) A minimum of 5% of the gross site area shall be devoted to recreational use or recreational space. This recreation space shall be placed in locations convenient to all park residents, free from traffic hazards, shall not be included in areas designated as buffer strips, and shall be clearly defined.
- (10) All areas 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 resident and for the management and maintenance of the park.
- (12) Each manufactured home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (13) Street lighting shall be to the same standard as that in a conventional residential neighbourhood.

- (14) Only one 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, and otherwise conform to **Section 6.15** of this Bylaw.
- (15) 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 6.10 m (20.0 ft.) side-to-side and at least 3.05 m (10.0 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 requirement shall be 3.05 m (10.0 ft.).
- (17) The minimum site area shall be 2.02 ha (5.0 ac).
- (18) The maximum permissible density shall be twenty (fifteen (15) manufactured home spaces per gross developable hectare (6.25 units per acre) of the area actually being developed at each stage of the development.

7.15 Manufactured Homes

- (1) Manufactured homes greater than twenty five (25) years in age at time of application shall not be permitted in the Agricultural (AG), Country Residential (CR, CR1, CR2, and CR3) or Urban General (UR) Districts.
- (2) Before a development permit is issued for a manufactured home, the Development Authority shall normally receive verification that the home fully complies with both the CSA Z240 MH National Manufactured Home Standard and the Alberta Building Code (ABC). If the CSA Z240 sticker or the Alberta Municipal Affairs sticker verifying compliance to the ABC is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer or structural engineer certified to conduct such inspection.
- (3) Should an inspection by an Alberta Safety Codes Officer be required, and should the inspection indicate that upgrades to the manufactured home are necessary to bring the home into compliance with the CSA Z240 standard or the ABC, all required upgrades shall be made before the issuance of a development permit.

- (4) In addition to the requirements of Subsection (1), manufactured homes located within the Urban General (UG) and country residential districts must meet the following aesthetic regulations:
- (a) The height of the main floor above grade shall be consistent with the height of the main floor of dwellings in the immediate and general area.
 - (b) The roof pitch shall be consistent with the roof pitch of dwellings in the immediate and general area.
 - (c) Exterior finishing materials used on the roof and exterior walls shall be consistent with the materials used on dwellings in the immediate and general area and in good condition.
 - (d) Minimum roof overhang or eaves should be consistent with the overhang or eaves of dwellings in the immediate or general area.
 - (e) The design of each manufactured home shall ensure the side or end facing the street on which the home fronts contains a prominently placed front door, and windows in quantity and size that are consistent with dwellings in the immediate area.
 - (f) Every manufactured home shall be placed on a full perimeter foundation that complies with the Alberta Building Code unless the manufactured home is designed to be supported on longitudinal floor beams, in which case an alternate skirted foundation system as described in CSA Z240.10.1 may be employed.
 - (g) The full perimeter foundation or the skirting material utilized on an alternative skirting foundation should be parged in order to create the same finished appearance customarily found on concrete basements of single detached dwellings in the immediate and general area.
 - (h) All accessory structures, such as patios, porches, additions and skirting, shall be:
 - (i) factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured homes, and
 - (ii) considered as part of the main building; and
 - (iii) erected only after obtaining a development permit.
 - (i) The floor area of porches and additions shall be proportionate to the floor area of the manufactured home unit and this relationship shall be determined by the Development Authority.
 - (j) No accessory building, use or parking space shall be located in the front yard of a manufactured home use.
 - (k) For the purposes of storage, any furniture, domestic equipment or seasonally used equipment shall be stored in adequate covered storage or screening either individually on the lot or communally, and shall conform to the Alberta Building Codes (ABC) standards.
 - (l) The following regulations also apply to manufactured home uses located in residential subdivisions and manufactured home parks:

- (i) The hitch and wheels are to be removed from the manufactured home.
 - (ii) All manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached by means of bolting or otherwise to the foundation or base.
 - (iii) The property is to be grassed and landscaped within one (1) year from the date of issue of the development permit.
 - (iv) Minimum lot area and width may be less in the case of existing registered substandard lots, with the approval of the Development Authority.
- (5) Upgrades to the manufactured home may be required to improve the appearance or to ensure the requirements set by the Alberta Building Code are met. These upgrades must be completed before the issuance of the development permit. The completion of foundation or skirting material must be completed within thirty (30) days of the placement of the manufactured home on a site.
- (6) In the Agricultural (AG) District all accessory structures, such as patios, porches, additions and skirtings shall be:
 - (a) factory pre-fabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured home units;
 - (b) considered as part of the main building; and
 - (c) erected only after obtaining a development permit.
- (7) In the Agricultural (AG) District the following regulations also apply to manufactured homes:
 - (a) The hitch and wheels are to be removed from the manufactured home.
 - (b) All manufactured homes shall be placed on a full perimeter foundation that complies with the Alberta Building Code unless the manufactured home is designed to be supported on longitudinal floor beams, in which case an alternate skirted foundation system as described in CSA Z240.10.1 may be employed; and
 - (c) The full perimeter foundation or the skirting material utilized on an alternative skirting foundation should be parged in order create the same finished appearance customarily found on concrete basements of single detached dwellings in the immediate and general area.
- (8) With the exception of driveways, no accessory building or use shall be located in the front yard of a manufactured home park or any residential District.

7.16 Motels

- (1) A person applying to develop a site as a motel where permitted under this Bylaw shall comply with the following provisions of this section.

(2) Site Requirements for Motels

MINIMUM SITE AREA	YARDS	MINIMUM FLOOR AREA / UNIT
One Storey		
139.3 sq. m (1500 sq. ft.)	Front 7.6 m (25 ft.)	26.4 sq. m. (285 sq. ft.)
	Side 3 m (10 ft.)	
	Rear 3 m (10 ft.)	
Two Storey		
93 sq. m (1000 sq. ft.) per floor	Front 7.6 m (25 ft.)	26.4 sq. m (285 sq. ft.)
	Side 3 m (10 ft.)	
	Rear 3 m (10 ft.)	

Figure 43: Site Requirements for Motels

(3) Space Between Buildings

Except in the case of rentable units and any other buildings where connected by a continuous roof to form a shelter for motor vehicles, not less than 3.66 m (12.0 ft.) of clear and unoccupied space shall be provided between each rentable unit and any other building on the site.

(4) Driveways

Each rentable unit shall face onto or abut a driveway not less than 6.1 m (20 ft.) in width and shall have unobstructed access thereto.

(5) Entrances and Exits

Not more than one (1) motor vehicle entrance and one motor vehicle exits to a road or highway, each a minimum width of 7.62 m (25 ft.) measured at its minimum dimension shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted, not less than 9.14 m (30 ft) in width.

(6) Maintenance of Site and Buildings and Business

The owner, tenant, operator or person in charge of a motel shall at all times:

- (a) Maintain the site and the buildings, structure and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris.
- (b) Maintain refuse and/or incineration facilities to the satisfaction of the Development Authority.
- (c) Maintain an appropriate fence where required, no less than 0.75 m (30 inches) in height around the boundaries of the site and shall landscape and keep the site landscaped, to the satisfaction of the Development Authority.

7.17 Multi-Dwelling Developments

(1) The following application procedure applies to apartments and duplex development:

- (a) Before any development permit application can be considered by the Development Authority, the applicant must submit:
 - (i) design plans and working drawings including elevations which have been done or endorsed by a registered architect;
 - (ii) site plans showing the proposed:
 - (A) location and position of structures on the site, including any "For Rent" or identification signs;
 - (B) location and number of parking spaces, exits, accesses and drives from public roads;
 - (C) location of an access to refuse storage areas and incinerators and the fencing and landscaping of such facilities; and
 - (D) landscaping plan of the entire site which shall show intended surfacing for drives and parking areas.

- (b) All required plans will be appended to the decision and development on the site must be consistent with conditions of approval including the attached plans.
- (c) The Development Authority may, at their discretion, require a performance bond as a condition of approval.

7.18 Resource Extraction Industries

- (1) A development permit will be required for natural resource extraction developments including but not limited to borrow pits, sand, gravel, clay, top soil, gypsum, granite, salt or any other mineral extraction operation.
- (2) A development permit shall not be issued for a sand, gravel, clay, coal, limestone, gypsum, granite, peat, salt or a mineral extraction operation until any necessary reclamation plan and permit/license is approved by the Provincial Government.
- (3) Where not required to do so by Provincial agencies, the proponent of a natural resource extraction industry shall be required to submit a reclamation plan to the Development Authority for their approval prior to the issuance of a development permit.
- (4) Where not required to do so by the Province, the proponent of a natural resource extraction industry shall, at the discretion of the Development Authority, be required to post with the County security in the form of either cash or an irrevocable letter of credit to ensure that reclamation will be completed.
- (5) Development permits shall not be issued for natural resource extraction industries except:
 - (a) in the case of higher capability agricultural lands, the land can be reclaimed to at least its former agricultural capability;
 - (b) in the case of river valleys or lakeshores, the land can be reclaimed to at least its former recreation capability;
 - (c) a performance bond for the purpose of ensuring reclamation will be complete or similar security is posted with the municipality.
- (6) A disturbed area shall be reclaimed to:
 - (a) at least its former capability for agriculture; or
 - (b) any other use which is consistent with the Land Use Bylaw and any approved Statutory Plans.
- (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) methods of minimizing noise in relation to the activities of the operation; and
 - (e) payment of an aggregate levy to the County as outlined by the County's Community Aggregate Payment Levy Bylaw.
- (8) Extraction operations, such as sand, gravel and other mineral resource workings shall be permitted to proceed only after the issuance of proper licenses that indicate compliance with the appropriate Provincial and Federal legislation and regulations.
- (9) The County shall discourage residential, commercial or industrial development to occur on known commercial deposits of sand and gravel or other mineral resources if that development will prevent the future extraction of the resource.
- (10) Council shall urge the Provincial and Federal agencies to comply with the policies of this section and the overall intent of the County's statutory plans when developing natural resource extraction activities that are exempt from County control under the Municipal Government Act.
- (11) Resource processing should be handled as a form of industrial development, and be subject to the industrial regulations contained in **Section 7.13** of this Bylaw.
- (12) Natural resources extraction industries shall be subject to a development agreement between the developer and the County.

7.19 Pet Keeping and Animal Breeding and/or Boarding Facilities

- (1) No fur bearing animals, fowl or livestock other than small domestic pets such as cats and dogs may be permitted within the Urban General (UG) district.
- (2) Notwithstanding Subsection 1, No fur bearing animals, fowl or livestock other than small domestic pets such as cats and dogs may be permitted within the country residential district (CR), except for the following:
 - (a) In the country residential district (CR), parcels of 0.6 ha (1.5 ac.) or more in size may be permitted one (1) horse or up to ten (10) laying hens;

- (b) In the country residential district (CR), parcels of 0.8 ha (2 ac.) or more in size may be permitted two (2) horses or up to twenty (20) laying hens, or a combination thereof;
 - (c) In the country residential district (CR), parcels of 1.2 ha (3 ac.) or more in size may be allowed two (2) animal units plus an additional animal unit per each additional 0.6 ha (1.5 ac.).
- (3) No livestock, whether or not the keeping of such livestock is considered to be a confined feeding operation for which neither an approval nor a registration is required pursuant to the Agricultural Operations Practices Act, other than small domestic pets such as cats and dogs, may be allowed in the Urban General (UG) District.
- (4) In the Agricultural (AG) and Natural Use (N) Districts, isolated country residential parcels may be allowed one animal unit per each 0.6 ha (1.5 ac.).
- (5) For the purposes of this section, “one (1) animal unit” means:
 - (a) one (1) horse (over one (1) year old), or
 - (b) two (2) colts (up to one (1) year old), or
 - (c) one (1) cow or steer (over one (1) year old), or
 - (d) one (1) buffalo (over one (1) year old), or
 - (e) two (2) calves (up to one (1) year old), or
 - (f) one (1) llama, or
 - (g) two (2) alpacas, or
 - (h) one (1) pig (over one (1) year old), or
 - (i) two (2) piglets (up to one (1) year old), or
 - (j) ten (10) ducks, turkeys, geese or chickens, or
 - (k) two (2) sheep or goats, or
 - (l) twenty (20) rabbits or similar rodents.
- (6) The keeping of ostriches, emus, or other ratites shall only be allowed upon issuance of a development permit. Two (2) ostriches, emus, or other ratites shall be the equivalent of one animal unit. Any development permit issued for the keeping of these animals shall require, as a condition of the approval, the construction of a minimum 1.8m (5.9 ft.) high perimeter fence comprised of tight lock game fencing or chain link fencing with steel or wooden posts around the fenced pen area.
- (7) For animals specified in Subsections 7.19 (5) (a) to (g), a perimeter fence not less than 1.2m (3.9 ft.) in height shall be constructed of four (4) strand barbed wire, chain link or wood/steel rail. The perimeter fence is to be no closer than 20.0m (65.6 ft.) from the nearest dwelling. For all other animals specified in Subsection 7.19 (5), appropriate fencing will be constructed to contain said animals/birds within the property.

- (8) In the Urban General (UG) and country residential districts, and in isolated country residential parcels within the Agricultural (AG) and Natural Use (N) Districts, the maximum number of dogs allowed on any parcel shall be two (2).
- (9) The keeping of three (3) or more dogs on any lot, whether the dogs are being bred or boarded, shall be allowed at the discretion of the Development Authority only in those Districts where animal breeding and/or boarding facilities are listed as discretionary use in this Bylaw.
- (10) In determining the number of dogs, pups less than six (6) months of age shall not be included.
- (11) For animal breeding and/or boarding facilities, an exercise area shall be provided for each dog as follows:
 - (a) breeds weighing 16 kg (35 lbs.) or less – at least 2.3 m² (25.0 sq. ft.) per dog; and
 - (b) breeds weighing more than 16 kg (35 lbs.) – at least 4.6 m² (50.0 sq. ft.) per dog.
- (12) No building or exterior exercise area to be used to accommodate dogs shall be allowed within 25.0 m (82.0 ft.) of any lot line of the lot for which an application is made.
- (13) No building or exterior exercise area to be used to accommodate dogs shall be allowed within 300 m (1000 ft.) of any dwelling located on adjacent lots.
- (14) All exterior exercise areas (runs) shall be enclosed with an acceptable fence with a minimum height of 2.0 m (6.5 ft.).
- (15) All dogs in animal breeding and/or boarding facilities shall be kept within buildings or a fenced area at all times when not leashed.
- (16) All dog facilities shall be cleaned on a daily basis, and all feces shall be stored in an enclosed container and disposed of in a sanitary manner.
- (17) Pens, rooms, exercise runs and holding stalls shall be soundproofed where possible to the satisfaction of the Development Authority.
- (18) A separate air extractor system shall be provided in the animal shelter or holding area where heating and air conditioning is necessary.

- (19) All facilities and operations shall be in compliance with applicable Provincial regulations.
- (20) All development permits issued for animal breeding and/or boarding facilities shall be subject to cancellation if any of the above requirements, or any other condition of the development permit, is not adhered to.

7.20 Places of Religious Assembly

- (1) The site on which a place of worship is situated shall have an area of not less than 930 m² (10,010 sq. ft.) except in the case where a building for a clergyperson's residence is to be erected on the same site. The combined area of the site in this case shall not be less than 1400.0 m² (15,069.5 sq. ft.).
- (2) The minimum frontage on a site which a place of worship is situated shall be 30.0 m (98.4 ft.).
- (3) Front, side and rear yards shall be those permitted within the district in which the place of worship site is located.

7.21 Recreational Uses

- (1) River shoreland with a Canada Land Inventory (CLI) recreation rating of Class 4 or higher, and lake shoreland with a CLI recreation rating of Class 3 or higher shall be used for intensive recreational purposes; shoreland not meeting this criteria may be used for extensive recreation.
- (2) Recreational development shall be required to:
 - (a) maintain an open space buffer of sufficient size and composition to act as a visual and noise barrier from adjacent uses which may be incompatible; and
 - (b) install, when necessary, adequate on-site water supply and sewage disposal systems which have been approved by the authority having jurisdiction.

7.22 Recreational Vehicles

- (1) The year-round placement of one (1) recreational vehicle on a parcel in the Urban General (UG), Country Residential (CR), the Country Residential Lakeside (CR1), Country Residential Estate (CR2), and the Country Residential Airport (CR3) Districts may be allowed without a development permit.
- (2) The year-round placement of a maximum of three (3) recreational vehicles on a parcel in the Agricultural (AG) shall be allowed without a development permit.

- (3) Notwithstanding Subsections (1) and (2) above, a development permit may be approved, at the discretion of the Development Authority, for up to one (1) additional recreational vehicle on an annual basis.
- (4) Additional recreational vehicles shall be permitted within the Country Residential (CR) District and the Country Residential Lakeside (CR1), Country Residential Estate (CR2), and the Country Residential Airport (CR3) Districts for a maximum of fourteen (14) consecutive days.
- (5) No recreational vehicle shall be permanently connected to any utility or municipal service, such as power, gas, water supply or sanitary sewage disposal facilities unless the recreational vehicle is located in an approved recreational vehicle park.
- (6) No recreational vehicles shall be located on a lot in the Country Residential Estate (CR2) or the Country Residential Airport (CR3) Districts until a habitable dwelling has been constructed on site.
- (7) Notwithstanding Subsection (6) the Development Authority may issue a temporary development permit for the storage of one recreational vehicle on a lot in the Country Residential Estate (CR2) or the Country Residential Airport (CR3) Districts for a period not to exceed one year if a development permit has previously been issued for a single detached dwelling on the lot.
- (8) Notwithstanding any other provision in this section, in the Agriculture (AG) District and Country Residential (CR) District tent trailers and truck campers stored on a lot shall be allowed without a development permit and shall not be included in the maximum RV density calculation.

7.23 Recreational Vehicles Located in Recreational Vehicle Campgrounds

- (1) No recreational vehicle, whether located within a recreational vehicle park or on a lot, may have associated with it any more than two (2) accessory structures, buildings or other paraphernalia, in addition to fences, benches, fire pits and picnic tables. A small shed with a maximum size of 18.58 m² (200 sq. ft.) and a screened or roofed patio around or beside the recreational vehicle is permitted.
- (2) Except for a recreational vehicle on a lot, the total gross floor area or ground area covered by all accessory structures, buildings or other paraphernalia other than those indicated in Subsection (1) shall not exceed 50% of the lot size.

7.24 Relocation of Buildings Other Than Manufactured Homes

- (1) No person shall alter the location on a parcel of a building already constructed on that parcel, unless a development permit has been issued.
- (2) No person shall place on a parcel of land a building formerly erected or placed on a different parcel, including portable pre-fabricated buildings, without an approved development permit.
- (3) Any application for a “moved-in building” considered by the Development Authority shall:
 - (a) be accompanied by recent colour photographs of the structure; and
 - (b) indicate if the building will meet current requirements of the Alberta Building Code (ABC), and if it does not, how the building will be brought up to these requirements; and
 - (c) meet all other requirements or conditions as required by the Development Authority.
- (4) The Development Authority may, at the Development Authority’s discretion, require, prior to the approval of a development permit for a relocated building, that an inspection of the proposed relocated building be completed by the Development Authority or a designated officer to determine its suitability for relocation in the County.

7.25 Residential Cluster Conservation Design Requirements

- (1) A land suitability analysis (LSA) of the proposed development site which illustrates:
 - (a) Primary Conservation areas;
 - (b) Secondary Conservation areas; and
 - (c) Low priority Conservation areas.

must be included with all Area Structure Plans and Development Concept Plans for Multi-lot Residential (Cluster) Conservation Developments if the proposed development would exceed a maximum density of 1.54 dwellings per net ha (0.6 dwellings per net acre) or where the development proposed is:

- (i) not located within a Hamlet area; and
- (ii) the lots in the proposed development are smaller than 0.3 ha (0.74 ac) in area.

The purpose of the LSA is to ensure that important site features have been identified and that the open space proposed will meet the open space requirements of of this Bylaw

- (2) The LSA shall include information about:
- (a) site and property boundaries;
 - (b) all streams, rivers, lakes, wetlands and other hydrogeological features (including seasonal water flows and ponding areas) within and adjacent to the site;
 - (c) topographic contours of no less than 3.0 m (9.8 ft.) intervals;
 - (d) all environmentally significant areas identified by Alberta Environment and Sustainable Resource Development;
 - (e) general vegetation characteristics;
 - (f) soil drainage;
 - (g) soils information including farmland assessment information and soil suitability for private sewage disposal;
 - (h) existing roads and road structures;
 - (i) potential connections of open space, and trails;
 - (j) delineation and classification of wetlands within the plan area; and
 - (k) Heritage resources such as municipally, provincially and nationally identified heritage sites as well as archaeological sites, cemeteries, burial grounds and other historically significant sites.

This information shall to determine Primary, Secondary and Low Priority Conservation areas.

- (3) Normally, at least 50% of the gross developable area shall be left as open space in cluster residential developments. However, at the discretion of the Development Authority and the Subdivision Authority, this percentage may be reduced based on the results of the biophysical analysis submitted with the application.
- (4) The location and percentage of open space in the development must be illustrated on the development concept.
- (5) The following are considered Primary Conservation areas, and must be included within open space areas:
- (a) the 1:100 year floodplain;
 - (b) water features and buffer zones which meet the minimum Environmental Reserve width requirements identified in the Guidelines for Environmental Reserves and Environmental Reserve Easements established by Alberta Environment and Parks (see Appendix A);
 - (c) slopes greater than 15%;

- (d) populations of endangered or threatened species, or habitat for such species;
 - (e) hazard lands and the environmental reserve modifier areas identified in the Guidelines for Environmental Reserves and Environmental Reserve Easements established by Alberta Environment and Parks (see Appendix A);
 - (f) environmentally sensitive areas (ESAs), as identified by Albert Environment and Parks; and
 - (g) Heritage resources such as municipally, provincially and nationally identified heritage sites as well as archaeological sites, cemeteries, burial grounds and other historically significant sites.
- (6) The following are considered Secondary Conservation areas, and may be included within open space areas:
- (a) existing healthy, native forests of at least 0.4 ha (10.0 ac) contiguous area;
 - (b) other significant natural features and scenic view sheds such as water bodies, ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads or public properties;
 - (c) agricultural lands with a farmland assessment ratio of 55% or greater of at least 2.0 ha (5.0 ac) contiguous area; and
 - (d) existing trails that connect neighbouring areas.
- (7) All remaining lands will be considered Low Priority Conservation areas. These areas are not required to be included within the open space areas.
- (8) If the entire site of a development proposal is identified as Low Priority Conservation area, development should be directed to previously cleared and/or disturbed areas.
- (9) The following uses are suitable for open space areas:
- (a) conservation of natural, archaeological or historical resources;
 - (b) conservation of meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented uses;
 - (c) walking or bicycle trails, provided they are constructed of porous paving and pervious materials;
 - (d) passive recreation such as open fields;
 - (e) active recreation;
 - (f) agriculture, horticulture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within Primary Conservation areas;
 - (g) non-structural storm water management practices and structural storm water management practices that allow for filtered groundwater;
 - (h) sewage disposal fields comprised of single or multiple septic tanks;
 - (i) enclosed sewage treatment facilities; and
 - (j) easements for drainage, access and underground utility lines.

- (10) The Development Concept Plan for a residential conservation development shall include an Open Space Management Plan. The open space can be managed in a number of ways, including, but not limited to:
 - (a) municipal ownership (in Municipal and/or Environmental Reserve parcels);
 - (b) as common unit (or units) within a bare land condominium plan; or
 - (c) as a commonly owned unit, provided that a conservation easement is placed on the lands.
- (11) The Development Concept Plan will clearly indicate who shall be responsible for maintaining and managing the open space areas and how funding for the maintenance and management may be collected, including any legal instrumentation of such responsibilities and funding. The Plan will also indicate how, if the maintenance and/or management of the open space areas becomes neglected and/or if funding provisions cannot be enforced, the County may assume responsibility for maintenance and management of the open space areas, and further, how the costs of such maintenance and management, including administrative costs, interest and penalties, will be charged back against the landowners within the development.
- (12) Since such open space areas are not developable, their value will be reduced for assessment and municipal taxation purposes.
- (13) Private recreation facilities shall be encouraged within the Residential Conservation (cluster) area in order to provide residential recreational amenities that are not lake-intensive. Public recreation facilities (facilities open to the general public) shall only be developed if they are compatible with the environment and with nearby uses and developments.
- (14) Though the form of ownership of the individual residential dwelling units may be the normal fee simple ownership, other forms, including co-operatives, bare land condominiums, rental accommodation, societies, joint ownerships, shall be considered. The form of ownership, and the implications of the form of ownership for the management and maintenance of any services and utilities, shall be identified in the Development Concept Plan for a particular development.
- (15) The Development Concept Plan will:
 - (a) allocate responsibility and guidelines for the maintenance and operation of the open space and any facilities located thereon, including provisions for ongoing maintenance and long-term capital improvements. Facilities may include water treatment facilities, recreation facilities and trail networks; and
 - (b) provide a strategy for the enforcement of the Plan.

- (16) Any changes to the Area Structure Plan or Development Concept Plan must be approved by Westlock County.
- (17) In the event that the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, Westlock County may assume the responsibility for maintenance, enter into the premises to take corrective action, and charge the cost to the previously responsible party. The County may also bill for administrative costs and penalties associated with the maintenance.
- (18) The Development Authority may require the open space be protected by a legally binding instrument such as a Conservation Easement which is registered on title. The form of protection and the organization or entity to which the instrument will be registered shall be identified in the Development Concept Plan for a particular development. The instrument will be registered to one of the following:
 - (a) a land trust or conservation oriented non-profit organization with the legal authority to accept such easements. The organization shall be bona fide in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer to the County in the event that the organization becomes unable to carry out its functions; or
 - (b) a government entity with an interest in pursuing goals compatible with the purposes of this policy.
- (19) The instrument for permanent protection shall identify what uses shall be allowed within the open space.

7.26 Residential Cluster Conservation Uses

- (1) Residential (cluster) conservation uses must conform to provisions in applicable statutory plans, development concept plans and/or regional plans affecting the subject lands.
- (2) A subdivision to create a multi-lot residential development within the Residential (Cluster) Conservation District will not be considered for approval until an Area Structure Plan affecting the subject site is submitted by the developer and approved by Council. At the discretion of the Development Authority a Development Concept Plan may be accepted instead of an Area Structure Plan.
- (3) A Land Use Bylaw amendment to re-district land to the Residential (Cluster) Conservation District will not be considered for approval until an Area Structure Plan affecting the subject site is submitted by the developer and approved by Council. At the discretion of Council, a Development Concept Plan may be accepted instead of an Area Structure Plan.

- (4) The Area Structure Plan or Development Concept Plan submitted as a requirement for the approval of a re-districting application or a multi-lot country residential subdivision for a residential (cluster) conservation use shall include a land suitability assessment, which provides information about the environmental features of the site both in map form and with some text describing the features of the map (or maps). The site design of the development must reflect the findings of the Land Suitability Assessment (LSA) and be designed to ensure that the development has a Low Net Environmental Impact.
- (5) The purpose of the LSA is to ensure that the important site features have been identified. The LSA should include:
 - (a) site and property boundaries;
 - (b) all streams, rivers, lakes, wetlands, and other hydro-geological features (including seasonal water flow and ponding areas) within and adjacent to the site;
 - (c) topographic contours of no less than 30 m (9.8 ft.) intervals;
 - (d) all environmentally sensitive areas which have been or may be identified by Alberta Environment and Sustainable Resource Development;
 - (e) general vegetation characteristics;
 - (f) soil drainage;
 - (g) soils information including farmland assessment information and soil suitability for private sewage disposal for the site;
 - (h) existing roads and road structures;
 - (i) potential connections of open space, green spaces, and trails (if applicable);
 - (j) Environmentally Significant Areas (ESAs); and
 - (k) Heritage Resources including municipally, provincially and nationally recognized heritage sites as well as any additional resources identified as a result of a Heritage Resource Impact Assessment.
- (6) The LSA may be used to determine primary, secondary, and low priority conservation areas if the developer applies for density bonusing.
- (7) Residential conservation development shall not be allowed on land having critical development constraints. The following list of development criteria shall be used in determining the suitability of land for seasonal/permanent residential development:
 - (a) Groundwater of sufficient quantity and quality shall be available to support the proposed development. No development shall be permitted in areas where reserves of potable water are inadequate in the opinion of the Development Authority.
 - (b) Development shall be prohibited on slopes in excess of 15% or unstable slopes subject to soil slippage or other mass movement.

- (c) Development shall be prohibited in areas characterized by wetlands, swamps, muskeg, or saturated soils.
 - (d) Development shall also be prohibited in areas subject to periodic flooding or on soils which become saturated due to flooding.
 - (e) Development maybe prohibited on soils which have extremely fast percolation rates (2 min./1 inch or faster) and/or would promote the possibility of groundwater contamination.
- (8) Development for multi-lot residential (cluster) conservation purposes shall be prohibited:
- (a) on sites where adequate year-round access is not available by paved roads in good condition, developed to current County standards;
 - (b) on sites where necessary services are not provided at the sole expense of the developer;
 - (c) within 30.0 m (98.4 ft.) of a lake or greater distance as required by an environmental reserve (see **Figure 5**).
- (9) The natural topography and vegetation of the development area shall be conserved wherever possible as illustrated in **Figures 25 and 26**.
- (10) Development will be directed to lands that are identified to be of lesser environmental significance, such as those areas which may be identified as low priority conservation areas.
- (11) Wildlife corridors or connections between all conservation areas shall be maintained wherever possible.
- (12) The natural landscape and topography shall be considered and incorporated into the overall design of the development.
- (13) Internal road access shall be provided to each residential parcel, by public roads or roads identified as common property.
- (14) The Municipality will require hard surfaced roads in all new multi-lot country residential developments developed to current County standards.
- (15) All new developments shall provide and pay for infrastructure and servicing improvements, as well as the extension of services to facilitate the development.
- (16) All development shall be required to install sewage disposal systems which have been approved by the authority having jurisdiction.
- (17) No development shall be permitted on Reserve lands if the development does not serve the interests of the general public.

- (18) All development shall be required to maintain a buffer of sufficient size and composition to act as a noise and visual barrier from adjacent incompatible uses.
- (19) Spaces for day use, hiking trails, overnight camping, and similar activities shall be suitably organized and clearly marked. Adequate lake access, boat launching, and parking facilities shall be provided where applicable.
- (20) Any proposed facilities such as change houses, sewage disposal, garbage disposal, and on-site water supply shall be required to have approval from authorities having jurisdiction, and shall be of sufficient size and quality to handle anticipated use.
- (21) The clearing of vegetation shall be minimized to lessen the impact of the development on sensitive riparian areas and encourage biodiversity.

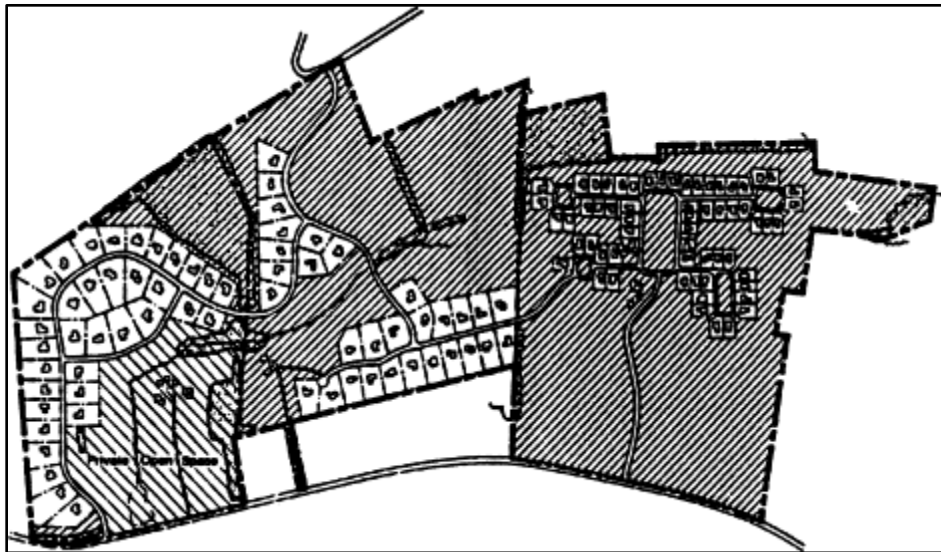


Figure 44: Cluster Conservation Subdivision Example #1



Figure 45: Cluster Conservation Subdivision Example #2

- (22) Any person who proposes to alter the bed or shoreline of a lake must first receive appropriate approvals from Provincial authorities. Under Provincial law, most development on the bed or shoreline of a lake (up to the high water mark) is required to obtain a License of Occupation from Provincial authorities prior to construction. Improvements not requiring a license include minor bank stabilization, erection of a small, removable, seasonal, domestic pier, or placement of a removable boatlift on the lake bed during the summer months. Shoreline alterations involving such things as depositing soil materials within the high water level of a lake will generally not be permitted.
- (23) Further information may be obtained from appropriate Provincial government offices.
- (24) All multi-lot residential developments in the Residential (Cluster) Conservation District shall be either:
 - (a) low density multi-lot residential developments, with:
 - (i) a maximum density of 1.54 dwellings per net ha (0.6 dwellings per net ac);
 - (ii) a minimum lot area of 0.3 ha (0.74 ac.); and
 - (iii) a maximum lot area of 4.04 ha (10.0 ac.); or

- (b) cluster residential developments, with:
 - (i) a maximum density of 2.47 dwellings per net ha (1.0 dwelling per net ac.);
 - (ii) the minimum lot area shall be at the discretion of the Subdivision Authority; and
 - (iii) a maximum lot area of 0.2 ha (0.5 ac.).

In order for a cluster residential development to be approved the design of the development must conform to the requirements for density bonusing outlined in **Section 7.25**.

- (25) The maximum density of **low density multi-lot residential developments** within areas identified as residential (cluster) conservation areas shall be determined by the Subdivision Authority or the Development Authority on a site by site basis. The maximum residential density shall be based on:
 - (a) the land suitability assessment (LSA) undertaken for the site. Residential density will be determined on a site by site basis having regard for site conditions, environmental considerations and impacts, and other factors that may be considered in the design of the proposal;
 - (b) the maximum number of allowed dwelling units will normally be determined by dividing net developable area of the site by the minimum residential parcel size of 0.3 ha (0.74 ac.);
 - (c) the net developable area shall be the total gross area of the site, less the area of:
 - (i) bodies of open water over 500.0 sq. m (5382.0 sq. ft.) in area or greater;
 - (ii) anticipated rights-of-way for roads and utilities;
 - (iii) Environmental Reserve and/or Environmental Reserve Easement areas (if applicable); and
 - (iv) Municipal Reserve areas, School Reserve areas, and/or Municipal and School Reserve areas (if applicable);
 - (d) the suitability and availability of municipal services and infrastructure necessary to support the proposal; and
 - (e) the compatibility of the proposed density with that of the surrounding area and the character of the existing community (if applicable).
- (26) The maximum density for cluster residential developments within areas identified as residential (cluster) conservation areas or on sites where a developer wishes to qualify for density bonusing, shall be determined by the Subdivision Authority or the Development Authority on a site by site basis. The maximum residential density shall be based on the design requirements for cluster residential developments identified in the following section.

7.27 Residential Uses

- (1) Unless otherwise specified in an Area Structure Plan, country residential development within 1.6 km (1 mile) of a lake shall comply with the following requirements:
 - (a) residential development shall not be allowed within 30 metres (100 feet) of the shoreline;
 - (b) the clearing of vegetation shall be minimized;
 - (c) the developer shall clear and post walkways, construct satisfactory boat launching facilities, and provide public wells as required; and
 - (d) pit toilets shall not be allowed.
- (2) In all districts where residential uses are permitted or discretionary, residential development shall not be allowed on land having critical development constraints. The following list of development criteria shall be used in determining the suitability of land for seasonal and permanent residential development. Residential uses shall not be permitted:
 - (a) on slopes in excess of 15%, except where a geotechnical report prepared by a certified engineer which identifies any slope stability issues and mitigation requirements is provided to the satisfaction of the Development Authority;
 - (b) within the 1 to 100 year flood plain of any watercourse or waterbody;
 - (c) within the 30 Noise Exposure Forecast (NEF) contour or higher of a licensed and paved existing airport;
 - (d) within 1.6 km (1 mile) from the boundary of a parcel of land containing resource extraction operation, industry, a sewage lagoon, nuisance ground, or other activities potentially detrimental to a residential development; or
 - (e) within 0.8 km (0.5 miles) of a rail line unless a physical barrier, natural or manmade, is located or constructed between the proposed residential site and rail line.
- (3) Subdivision for multi-lot country residential purposes 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; and
 - (c) within 30.0 m (100.0 ft.) of a lake or the Pembina River and/or the identified floodplain of the Pembina River (whichever is greater). If the developer disputes the required setback then the developer may provide the Subdivision Authority with a biophysical study which indicates that an alternative setback area is appropriate for the subject site. The Subdivision Authority will then carefully consider the additional information and make a determination regarding the most appropriate setback area for the site.
- (4) Development permits for multi-lot country residential uses shall not be issued unless:
 - (a) a plan of subdivision has been registered at Land Titles;
 - (b) the proposal has access to an all-weather loose surface road within 1.6 km (1 mile) and/or a paved road within 8 km (5 miles) of the proposal;
 - (c) the site has an adequate supply of on-site potable water;
 - (d) the slope, soil drainage, and water table conditions are suitable for on-site disposal;
 - (e) a suitable building site for a dwelling on a permanent foundation exists;
 - (f) the proposal is located on lower capability agricultural land; and
 - (g) the proposal is located in the Country Residential (CR) District.
- (5) All development shall be located on lots large enough to support on-site water supply and sewage disposal systems. All development shall be required to install sewage disposal systems which have been approved by the authority having jurisdiction.
- (6) Any proposed facilities such as change houses, sewage disposal, garbage disposal and on-site water supply shall be required to have approval from authorities having jurisdiction, and shall be sufficient size and quality to handle anticipated use.
- (7) The clearing of vegetation shall be minimized.

- (8) Any person who proposes to alter the bed or shoreline of a lake must first receive appropriate approvals from Provincial authorities. Under Provincial law, most development on the bed or shoreline of a lake (up to the high water mark) is required to obtain a License of Occupation from Provincial authorities prior to construction. Improvements not requiring a license include minor bank stabilization, erection of a small, removable, seasonal, domestic pier, or placement of a removable boatlift on the lake bed during the summer months. Shoreline alterations involving such things as depositing soil materials within the high water level of a lake will generally not be permitted.
- (9) Further information may be obtained from appropriate Provincial government offices.
- (10) Where there is an approved Area Structure Plan, policies in that Plan will apply.

7.28 Sea Cans and Shipping Containers

- (1) Sea cans or shipping containers shall not be placed on any parcel within the Urban General (UG), Country Residential Lakeside (CR1), Country Residential Estate (CR2), and Country Residential Airport (CR3) districts without a development permit.
- (2) A development permit may only be issued for the temporary placement of one (1) sea can or shipping container on a parcel within the, Country Residential Lakeside (CR1), Country Residential Estate (CR2), and Country Residential Airport (CR3) districts on a temporary basis during the construction of the principal dwelling.
- (3) A maximum of one (1) sea can or shipping container may be allowed on a residential use or commercial use parcel in the Urban General (UG) District.
- (4) If a temporary development permit for a sea can or shipping container has been approved by the Development Authority then the sea can or shipping container may be placed on a site for a period of one (1) year. After that period has expired the developer will be required to apply to the County for a new permit. New temporary development permits may be issued for up to one (1) year intervals at the discretion of the Development Authority.
- (5) A maximum of one (1) sea can or shipping container may be permitted to be placed on a parcel equal to or less than 0.4 ha (1.0 ac) without a development permit within the Agricultural (AG) and Natural Use (N) Districts.
- (6) The maximum number of sea cans or shipping containers that may be placed on a parcel in the Airport (MA) District, Highway Commercial (HC) District, or Industrial (M) District shall be at the discretion of the Development Authority.

- (7) A maximum of two (2) sea cans or shipping containers may be permitted and placed on a parcel equal to or less than 32.01 ha (79.1 ac) without a development permit within the Agricultural (AG) District. An additional two (2) sea cans or shipping containers may be permitted with a development permit for a maximum of four (4) sea cans or shipping containers per parcel.
- (8) Sea cans or shipping containers may not be stacked. The maximum height for a sea can or shipping container allowed on a parcel is 3.0 m (10.0 ft.).
- (9) The exterior finish of a sea can or shipping container which is accessory to the main use on the parcel within a commercial or country residential district must be consistent with the finish of the primary building.
- (10) Sea cans or shipping containers cannot be used as a dwelling, bunk house or guest house within the County.
- (11) No human or animal habitation will be permitted within a sea can or shipping container.
- (12) There is no maximum number of sea cans or shipping containers on parcels larger than 32.01 ha (79.1 ac) within the Agricultural (AG) District.
- (13) A maximum of one (1) sea can or shipping container may be permitted and placed on a parcel in the Country Residential (CR) District without a development permit.

7.29 Service Stations and Gas Stations

- (1) A person applying to develop a site as a service station or gas station establishment where allowed under this Bylaw shall comply with the following provisions of this section.
- (2) Service and gas stations shall be located in such a manner that:
 - (a) No entrance or exit thereto for motor vehicles shall be within 60.9 m (200.0 ft.) of an entrance to or exit from a public or quasi-public use;
 - (b) No part of a service station or gas station building or for any pump or other accessory building shall be within 6.0 m (20.0 ft.) of a side or rear property line;
 - (c) Service stations shall have a front yard of not less than 12.2 m (40.0 ft.), and no gasoline pump shall be located closer than 6.0 m (20.0 ft.) to the front property line;
 - (d) Storage tanks shall be set back from adjacent building in accordance with applicable Provincial requirements.

- (3) Site Area and Coverage
 - (a) The minimum site area shall be 743.2 m² (8,000.0 sq. ft.) and the maximum building coverage shall be 25% of the site area. For service stations including car washes the minimum site area shall be 1114.9 m² (12,000 sq. ft.).
 - (b) In the case of a service station designed and built as part of a shopping centre, the ratio of building space to parking space shall be as determined by the Development Authority.
- (4) Surfacing

All parts of the site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority.
- (5) Lighting

Any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the site only and not on any adjoining properties.
- (6) Use and Maintenance of Service Station Site and Building

The owner, tenant, operator or person in charge of a service station shall at all times:

 - (a) Be prohibited from the carrying on of the business of a public garage or parking garage (provided, however, that this shall not prevent the use of garage space available on any authorized service station for storage) or of any business or activity which is obnoxious or offensive, or which may constitute a nuisance or annoyance to persons occupying lands in the immediate vicinity of the site of a service station by reason of dust, noise, gases, odour, smoke or vibration.
 - (b) Be responsible for the proper, safe and orderly operation thereof and of motor vehicles using said service station or when repaired or serviced thereat, and without restricting the generality of the foregoing, shall see:
 - (i) that operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the service stations, and
 - (ii) that operators of motor vehicles enter and leave the service station only at the entrances and exits provided for such purposes and not elsewhere.
 - (c) Maintain on the boundaries of the site, where required by the Development Authority, an appropriate fence not less than 1.5 m (5.0 ft.) in height.

7.30 Small Radio Communication Facilities

- (1) A Small Radio Communication Facility, where allowed as a discretionary use under this Bylaw, shall require an application for a development permit and may be approved provided that the structure and apparatus:
 - (a) have Industry Canada approval;
 - (b) be camouflaged and, as far as possible, have the appearance and aesthetic of other buildings permitted in the District;
 - (c) meet the setback requirements of the District or meet setback requirements that are satisfactory to the Development Authority;
 - (d) be limited to a maximum height of 18.0 m (59.0 ft.) at its highest point. The height of a ground-mounted antenna and support structure shall be determined by measurement from the point at which the support structure enters the typical ground surface to the top of the antenna at its highest position;
 - (e) be a free-standing, ground-mounted unit;
 - (f) notwithstanding (e) above, a roof-mounted unit shall be allowed where the applicant can demonstrate that a ground-mounted unit would prohibit adequate transmission or reception of radio signals. The antenna and support structure of a roof-mounted unit shall be installed on the roof of a building to a maximum combined height of 18.0 m (59.0 ft.) from the typical ground surface to its highest point;
 - (g) be located in a rear yard only;
 - (h) not be illuminated, nor shall it have attached to it any advertising, graphics, flags or other elements unrelated to its function as a component of a radio signal transmitting and receiving device; and
 - (i) be landscaped to screen the base of the antenna and reduce the negative visual impact on adjacent properties. The Development Authority may require screening and landscaping around the lower portion of the support structure where, in the opinion of the Development Authority, such measures would reduce potential negative visual impact of the structure on adjacent properties.
- (2) All Small Radio Communication Facilities shall have landscaping that reflects the typical landscaping in the District.
- (3) The development of all Small Radio Communication Facilities shall follow the regulations of Industry Canada including public consultation as required.

7.31 Solar Energy Collection Systems

- (1) Location
 - (a) Ground mounted solar collectors shall be located in a side or rear yard only.

- (2) When a solar energy collection system is installed on a lot, accessory structure or vegetation on an abutting lot shall not be located so as to block the solar collector's access to solar energy. The portion of a solar collector that is protected is the portion which:
 - (a) is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical 12-foot obstruction located on the lot line; and
 - (b) has an area not greater than one-half of the heated floor area of the structure, or the largest of the structures, to be served.
- (3) Subsection (2) above does not apply to structures or vegetation existing on an abutting lot at the time of installation of the solar energy collection system, or the effective date of this Bylaw, whichever is later. Said subsection controls any structure erected on, or vegetation planted in, abutting lots after the installation of the solar energy collection system.

7.32 Suites, Garage

- (1) A garage suite shall be restricted to a lot occupied by a single detached dwelling.
- (2) Notwithstanding any other provision in this Section, a garage suite may be allowed prior to the construction of a single detached dwelling on parcels within the Agricultural (AG) District where a development permit has previously been issued for a single detached dwelling.
- (3) A garage suite shall not be constructed on a lot with a Duplex, Row housing or Apartment housing.
- (4) A maximum of one (1) garage suite, guest house, in-law suite, secondary suite, or surveillance suite may be situated on a single lot in districts where the use is provided for as permitted or discretionary.
- (5) A garage suite shall remain accessory to and subordinate to the main dwelling and shall not exceed 80.0 m² (860.0 sq. ft.).
- (6) A garage suite shall remain accessory to and subordinate to the use of the garage and the floor areas of the garage.
- (7) The minimum floor area for an at-grade garage suite is 30.0 m² (322.9 sq. ft.).
- (8) The minimum floor area for an above-grade garage suite is 30.0 m² (322.9 sq. ft.).
- (9) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the garage suite.

- (10) A garage suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet and bathing facilities.
- (11) A garage suite shall have an entrance separate from the entrance to the garage, either from a common indoor landing or directly from the exterior of the structure.
- (12) Garage suites shall be a maximum height of 10.7 m (35 ft.) provided that the maximum height is not higher than the height of the main dwelling.
- (13) A minimum of three (3) on-site parking spaces shall be required for lots with approved garage suite development. Tandem parking may be permitted at the discretion of the Development Authority.
- (14) No additional approach will be permitted to provide access or egress to the suite.

7.33 Suites, Guest House

- (1) A maximum of one (1) garage suite, guest house, in-law suite, secondary suite, or surveillance suite may be situated on a single lot in districts where the use is provided for as permitted or discretionary.
- (2) A guest house shall only be allowed on a lot occupied by a single detached dwelling.
- (4) A guest house shall not be constructed on a lot with a duplex, fourplex, row housing or apartment.
- (4) If a permit for a guest house is approved by the Development Authority then no additional garage suite, in-law suite or secondary suite shall be allowed on the same lot.
- (5) Notwithstanding any other provisions in this Bylaw, a guest house shall only be permitted to be constructed on a lot concurrently with the main use or after the main use on the lot has been built.
- (6) The exterior finish of a guest house must be well maintained and consistent with the finish of the primary building.
- (7) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the guest house.

- (8) A guest house includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove (or provision of 220 volt wiring) and toilet with bathing facilities.
- (9) The minimum floor area for a guest house shall be 30.0 m² (322.9 sq. ft.).
- (10) A guest house shall remain accessory to and subordinate to the principal dwelling and shall not exceed 80.0 sq. m (860.0 sq. ft.) in floor area.
- (11) Guest houses shall have a maximum height of 4.3 m (14.1 ft.).
- (12) Prior to development permit approval the developer may be required to submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.
- (13) One on-site parking stall shall be provided for the secondary suite, in addition to the parking requirements for the main dwelling pursuant to **Section 6.12** of this Bylaw. Tandem parking may be permitted at the discretion of the Development Authority.
- (14) Windows contained within a guest house shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:
 - (a) off-setting window placement to limit direct views of abutting rear or side yard amenity areas, or direct view into a guest house window on an abutting site;
 - (b) strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and
 - (c) placing larger windows such as living room windows, to face a lane, a flanking street, or the larger of any side yard abutting another property.
- (15) A guest house shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
- (16) No additional approach will be permitted to provide access or egress to the suite.

7.34 Suites, In-Law

- (1) An in-law suite shall be restricted to a site occupied by a single detached dwelling or a duplex.
- (2) An in-law suite is prohibited from being constructed within a multi-attached dwelling or apartment.

- (3) A maximum of one (1) garage suite, guest house, in-law suite, secondary suite, or surveillance suite may be situated on a single lot in districts where the use is provided for as permitted or discretionary.
- (4) An in-law suite shall remain accessory to and subordinate to the main dwelling and shall not exceed 80.0 m² (860.0 sq. ft.).
- (5) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the in-law suite.
- (6) An in-law suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
- (7) An in-law suite does not have an entrance separate from the entrance to the main dwelling.
- (8) The minimum floor area for an in-law suite is 30.0 m² (322.9 sq. ft.).
- (9) No additional approach will be permitted to provide access or egress to the suite.
- (10) The minimum lot width requirement for in-law suites is 12.2 m (40.0 ft.).
- (11) The minimum floor area for in-law suites is 30.0 m² (322.9 sq. ft.).
- (12) Prior to development permit approval the developer may be required to submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.
- (13) One on-site parking stall shall be provided for the secondary suite, in addition to the parking requirements for the main dwelling pursuant to **Section 6.12** of this Bylaw. Tandem parking may be permitted at the discretion of the Development Authority.

7.35 Suites, Secondary

- (1) A secondary suite shall be restricted to a site occupied by a single detached dwelling or a duplex.
- (2) A secondary suite shall not be constructed within Row housing or Apartment housing.

- (3) A maximum of one (1) garage suite, guest house, in-law suite, secondary suite, or surveillance suite may be situated on a single lot in districts where the use is provided for as permitted or discretionary.
- (4) A secondary suite shall remain accessory to and subordinate to the main dwelling and shall not exceed 80.0 m² (860.1 sq. ft.)
- (5) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.
- (6) A secondary suite includes, but is not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.
- (7) A secondary suite has an entrance separate from the entrance to the main dwelling, either from a common indoor landing or directly from the exterior of the structure.
- (8) A secondary suite may include the conversion of a portion of existing space in the main dwelling, or the addition of new floor space to an existing dwelling.
- (9) The minimum parcel size for a secondary suite is 360.0 m² (3875.0 sq. ft.).
- (10) The minimum lot width requirement for secondary suites is 12.2 m (40.0 ft.).
- (11) The minimum floor area for a secondary suite is 30.0 m² (322.9 sq. ft.)
- (12) A secondary suite cannot exceed the maximum height of the main dwelling.
- (13) Prior to development permit approval the developer may be required to submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.
- (14) One on-site parking stall shall be provided for the secondary suite, in addition to the parking requirements for the main dwelling pursuant to **Section 6.12** of this Bylaw. Tandem parking may be permitted at the discretion of the Development Authority.
- (15) No additional approach will be permitted to provide access or egress to the suite.

7.36 Suites, Surveillance

- (1) The issuance of a development permit for a surveillance suite, as defined in this Bylaw, shall be in accordance with the following criteria and regulations:

- (a) A development permit for a surveillance suite will only be issued if the surveillance suite is clearly compatible with and subordinate to the main use of the subject parcel. Moreover, in the opinion of the Development Authority, the placement of a surveillance suite shall be compatible with all existing, main development/land uses on adjacent properties and shall not interfere with future main development/land uses of adjacent properties.
- (b) Where a surveillance suite is allowed in accordance with this Bylaw, the Development Authority may issue a development permit for one surveillance suite per associated development or parcel.
- (c) Detached surveillance suites shall be sited in accordance with siting regulations specified in the land use district within which the subject parcel is located or in accordance with the following requirements, whichever are greater:
 - (i) a minimum of 1.8 m (6.0 ft.) from any buildings; and
 - (ii) a minimum of 1.8 m (6.0 ft.) from the rear and side property lines; and
 - (iii) no closer than the front line of the main building to the front property line.
- (d) The maximum floor area of any non-basement surveillance suite, as defined in this Bylaw, shall be 46.6 m² (500.0 sq. ft.).
- (e) The quality of exterior treatment and design of any surveillance suite shall be to the satisfaction of the Development Authority, who shall ensure that the design, character and appearance of any surveillance suite is compatible with the development(s)/use(s) with which the suite is associated as well as all development(s)/use(s) on adjacent properties.

7.37 Vehicle Washing Establishments

- (1) A person applying to develop a site as a car washing establishment where allowed under this Bylaw shall comply with the following provisions of this Section.

- (2) Site Location

In addition to those Districts where vehicle washing establishments are permitted or discretionary, a vehicle washing establishment may be allowed as a discretionary use as part of a shopping centre if the Development Officer is satisfied that it will not adversely affect an adjoining land use or the function for the shopping centre in relation to traffic circulation.

- (3) Site Area

The minimum site area shall be 557.4 m² (6,000.0 sq. ft.) and shall contain storage space for ten (10) vehicles prior to their entry into any part of the cleaning process for which they are bound. In the case of service stations including car washes, a minimum site area shall be 111.5 m² (1,200.0 sq. ft.).

(4) Site and Building Requirements

All site and building requirements shall be to the satisfaction of the Development Authority.

7.38 Wind Conversion Systems, Large

- (1) Prior to making a decision on an application for a development permit for a large wind energy conversion system, the Development Authority shall consider input from:
 - (a) any adjacent municipality should the proposed development be located within 2 km (1.2 mi.) of the municipality; and
 - (b) landowners within 2 km (1.2 mi.) of the proposed development.
- (2) When making an application for a development permit for a Large Wind Energy Conversion System, the developer shall provide to the Development Authority appropriate reports and/or approvals from the following:
 - (a) Transport Canada
 - (b) Nav Canada
 - (c) Alberta Culture and Tourism
 - (d) Alberta Environment and Parks
 - (e) Alberta Transportation
- (3) Should a large wind energy conversion system discontinue producing power for a minimum of two (2) years, the system operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the system be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw, and subject to the enforcement provisions of this Bylaw.
- (4) A large wind energy conversion system shall comply with all the setbacks related to roads and highways that govern the principal use in the district in which it is located.
- (5) Where, in the opinion of the Development Authority, the setbacks referred to in **Section 7.38(4)** above are not sufficient to reduce the impact of a large wind energy conversion system from a road or highway, the Development Authority may increase the required setback.

- (6) The turbine base shall be no closer to the property line than four times the height of the wind turbine tower. Where in the opinion of the Development Authority the setback from the property line should be varied, the Development Authority may require an acoustical study to establish appropriate setbacks.
- (7) The minimum vertical blade clearance from grade shall be 7.4 m (24.6 ft.) for a wind energy conversion system employing a horizontal axis rotor unless otherwise required by the Development Authority.
- (8) To ensure public safety, the Development Authority may require that:
 - (a) a secure fence not less than 1.8 m (5.9 ft.) in height with a lockable gate surround a wind energy conversion system tower if the tower is climbable or subject to vandalism that could threaten tower integrity;
 - (b) no ladder or permanent tower access device be located less than 3.7 m (12.1 ft.) from grade;
 - (c) a locked device be installed on the tower to preclude access to the top of the tower; and
 - (d) such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate.

The use of tubular towers, with locked door access, may, at the sole discretion of the Development Authority, make unnecessary the above requirements.

- (9) All power lines on the site of a large wind energy conversion system to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.
- (10) Unless otherwise required by the Development Authority, a large wind energy conversion system shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a system to the sole requirements of the Development Authority.
- (11) No lettering, advertising or other symbol shall appear on the towers or blades. On other parts of the large wind energy conversion system, the only lettering or symbol allowed will be the manufacturer's and/or owner's identification or symbol and then, only upon the approval of and at the sole discretion of the Development Authority.
- (12) The Development Authority may approve a large wind energy conversion system on a case-by-case basis having regard for:
 - (a) information provided in the application;
 - (b) the proximity of the proposed development to other land uses;
 - (c) the cumulative effect of all wind energy conversion systems approved or

- proposed in the area;
 - (d) underlying utilities; and
 - (e) information received from the circulation of the application and from the public.
- (13) Large wind energy systems must comply with applicable air traffic safety regulations. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process.

7.39 Wind Conversion Systems, Micro

- (1) Notwithstanding any other provision in this Land Use Bylaw, micro wind energy conversion systems, which are systems which have a rated capacity of less than 0.5 kW, may only be roof-mounted or ground-mounted within a side or rear yard.
- (2) Micro wind energy conversion systems shall be required to conform to setback requirements for accessory buildings.
- (3) Maximum height shall be the maximum height provisions that apply within the District in which the micro wind energy conversion system is located.
- (4) One micro wind energy conversion system is allowed per lot. A second system may be permitted at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the site.

7.40 Wind Conversion Systems, Small

- (1) Small wind energy conversion systems shall only be allowed as accessory developments.
- (2) For property sizes between 0.1 ha (0.25 ac.) and 0.2 ha (0.5 ac.) the wind turbine tower height shall be limited to 25.0 m (82.0 ft.). For property sizes of 0.2 ha (0.5 ac.) or more, there is no limitation on wind turbine tower height, subject to the set-back requirements below, and provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or any distributor of the system.
- (3) The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure, including guy wire anchors, may extend closer than 3.0 m (9.8 ft.) to the property boundaries of the installation site. Additionally, the outer and innermost guy wires must be marked and clearly visible

to a height of 2.0 m (6.6 ft.) above the guy wire anchors. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.

- (4) The mean value of the sound pressure level from small wind energy systems shall not exceed more than 6 decibels (dBA) above background sound, as measured at the exterior of the closest neighbouring inhabited dwelling (at the time of installation or during operation), for wind speeds below 10 m per second (22 mph) and except during short-term events such as utility outages and/or severe wind storms.
- (5) Development permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, footings, anchoring method and drawn to scale. An engineering analysis of the wind turbine tower showing compliance with the Alberta Building Code and certified by a licensed professional mechanical, structural, or civil engineer shall also be submitted. Documentation of this analysis supplied by the manufacturer shall be accepted.
- (6) Small wind energy systems must comply with applicable air traffic safety regulations. A statement on compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Small wind turbine towers shall not be artificially lit except as required by Nav Canada.
- (7) Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to existing electrical codes. This information is frequently supplied by the manufacturer.
- (8) No small wind energy system that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.
- (9) One Small Wind Energy System is allowed per single detached dwelling on a lot.

7.41 Wireless Communication Facilities

- (1) The municipality will encourage developers of wireless communications facilities to demonstrate good planning and design with foremost regard to safety of the general public; adherence to established construction standards in industry; minimizing impacts to the natural environment; minimizing the visual impacts on nearby residents; and ensuring public consultation in the early development stages. A letter of support will be provided to licensing and approving authorities for applications meeting these criteria. A letter of non-support will be provided to licensing and approving authorities for applications not meeting these criteria.
- (2) Developers of a wireless communications facility that plan for the facility and can accommodate other wireless operators on the site will be given priority status.
- (3) The application for development of a wireless communications facility is encouraged to engage existing owner/operators of these structures for co-location opportunities. Existing operators are encouraged to participate in the process by charging reasonable rates for this privilege.
- (4) Guyed-tower structures are to be located on properties that allow for a distance from the base to boundary setbacks that is no less than equal to the final structure height. In all cases that base and anchor structures must be designed for the soil conditions present. A professional engineered design with supporting soil profiles must accompany the application for development. Precise location (Latitude and Longitude) of the base and anchors must be revealed.

Self-support towers are to be located respecting the building and safety codes for the community. In all cases the base structures must be designed for the soil conditions present. A professional engineered design with supporting soil profiles must accompany the application for development.
- (5) Multiple tower structures will require individual development permit applications.
- (6) Applications for the development of wireless facilities must include in the development application letters from the following authorities:
 - (a) Transport Canada governing painting and lighting of the applicant's tower for aeronautical safety;
 - (b) Nav Canada governing aircraft communication and instrumentation immunity from the applicant's tower transmissions;
 - (c) Industry Canada governing the frequency of operations and public safety from non-ionized radiation in accordance with Safety Code 6. Licensed Exempt operators must provide a stamped letter from a licensed professional RF engineer guaranteeing these conditions will be met; and

- (7) Appropriate fencing around the base, anchors and site limiting public access to the tower and exposure to high RF energy fields must be provided with consideration of community aesthetics.
- (8) The application for development must include consideration to minimizing environmental damage through the following measures:
 - (a) Consultation with Federal and Provincial environmental agencies to ensure the site selected and the resultant construction does not impact upon sensitive ecologies nor interfere with migrating birds or animals. Confirming letters from these agencies must accompany the application for development.
 - (b) The application for development shall include a signed letter from the applicant detailing corrective action(s) to remediate any environmental damages.
- (9) As a condition of obtaining a development permit the applicant agrees to the following:
 - (a) The site will be reclaimed within six (6) months of cessation of operation.
 - (b) The site reclamation will comply with Alberta Environmental Laws to be provided by Alberta Environment or their agent.
- (10) A public consultative process shall commence within the intent to establish a wireless facility advertisement in the local newspapers and b letter to the neighbouring property owners 120 days prior to the anticipated date of construction. The municipality will arrange for the public meetings at its discretion and at the sole expense of the applicant.

7.42 Work Camps

- (1) Work camps may be allowed in Districts where they are listed as discretionary uses only:
 - (a) in areas within or immediately adjacent to existing hamlets;
 - (b) where the development of a work camp will not unduly conflict with adjacent uses and/or developments; and
 - (c) where the development of a work camp will extend or upgrade municipal services.
- (2) Notwithstanding any other provision in this Bylaw, project-oriented work camps of fifteen (15) sleeping units or less may be permitted for a maximum of twenty-eight (28) days.
- (3) All work camps shall be considered temporary developments.

- (4) All work camps require a development permit and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.
- (5) No development permit for a work camp shall be approved unless:
 - (a) it is for a temporary period of time as specified by the Development Authority;
 - (b) all required access provisions are provided to the satisfaction of the Development Authority at the sole cost to the developer;
 - (c) the developer provides undertakings and guarantees acceptable to the Development Authority, that the work camp will be removed and the subject site returned to its state before the work camp was developed upon its removal; and
 - (d) it is an accessory development to an approved industrial or commercial development for construction employees and located on the site of that industrial or commercial development.
- (6) The Development Authority may establish whatever conditions for the approval of a work camp that it, at its sole discretion, deems reasonable to ensure the work camp will be a temporary development.
- (7) The Development Authority may, at its sole discretion, establish any conditions of approval for a work camp to ensure that the site of the development will be restored to its previous situation after the development ceases operations.
- (8) Work camps shall not be allowed in close proximity to residential developments, determined at the sole discretion of the Development Authority.
- (9) All parking must be provided on the lot and areas for parking developed to the satisfaction of the Development Authority.
- (10) All points of access and egress shall be located to the satisfaction of the Development Authority.
- (11) Maximum parcel coverage shall be such that space is available for all the parking on the lot, together with the applicable setbacks and such area as required for landscaping as determined by the Development Authority.
- (12) Adjacent buildings in work camps shall be located sufficient distance from each other as required for fire protection purposes as determined by the Alberta Safety Codes Act and by the Development Authority.

- (13) Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.

7.43 Work Camps, Recreational Vehicle

- (1) Provisions in this section apply to recreational vehicle campground work camps.
- (2) Each recreational vehicle stall be a minimum width of 10.0 m (32.8 ft.) and a minimum area of 250.0 m² (2,691.0 ft²),
- (3) All stalls shall maintain a minimum set back of 30.0 m (98.4 ft.) from the shoreline of any body of water.
- (4) Minimum Yard Setbacks:
Front, side, corner and rear yard setbacks on the site shall be 7.6 m (25.0 ft.).
- (5) The maximum number of recreational vehicles permitted per stall shall be one (1).
- (6) All recreational vehicle campground workcamps shall be considered temporary developments.
- (7) All recreational vehicle campground workcamps require a development permit and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.
- (8) A development permit for a recreational vehicle campground workcamp may be issued for up to three (3) years. If all conditions have not been satisfied to the satisfaction of the Development Authority then the permit will no longer be considered valid. The permit must be renewed annually. An application may be made for a continuance of the use for one (1) additional year, after which a new development permit approval is required.
- (9) The Development Authority may establish whatever conditions for the approval of a recreational vehicle campground workcamp that it, at its discretion, deems reasonable to ensure that the workcamp will be a temporary development.
- (10) If all of the conditions of the development permit have not been fulfilled to the satisfaction of the Development Authority then the permit will not be considered valid.
- (11) An application for a development permit for a recreational vehicle campground work camp must provide the following information:

- (a) the location, type and purpose of the camp;
 - (b) adjacent land uses;
 - (c) the method for connecting the proposed development to municipal water, sewage, waste disposal and storm water systems;
 - (d) the number of persons proposed to live in the camp;
 - (e) the start date for the development, date of occupancy by residents, and removal date for the camp; and
 - (f) reclamation measures to be completed once the camp is no longer needed to the satisfaction of the Development Authority.
- (12) 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, including any necessary approvals pursuant to the Alberta Safety Codes Act that may be applicable.
- (13) As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development.
- (14) All internal roads shall be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6.0 m (20.0 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.65 m (12.0 ft.) usable top.
- (15) The developer shall provide on-site potable water supply to the satisfaction of the Development Authority and in accordance with Westlock County's current servicing standards as well as all applicable provincial regulations.
- (16) The developer shall provide sewage disposal facilities to the satisfaction of the Development Authority and in accordance with Westlock County's current servicing standards as well as all applicable provincial regulations.
- (17) All stalls designated for year round use must have on-site connections to municipal sewer and water systems.
- (18) The developer shall be required to enter into a development agreement with the Town as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade, or pay to construct

or upgrade the necessary County roads to access the development when determined necessary by the Development Authority.

- (19) A site plan detailing the protection of existing treed areas and site topography is required prior to issuance of a development permit.
- (20) All other site requirements shall be as required by the Development Authority.
- (21) All recreational vehicle campground workcamps must:
 - (a) ensure that all required access, including internal roadways and intersection improvements, are provided to the satisfaction of the Development Authority at the sole cost to the developer;
 - (b) be designed so that all points of access and egress are located to the satisfaction of the Development Authority and when required, Alberta Transportation;
 - (c) be able to accommodate a minimum of twenty (20) persons and a maximum of five hundred (500) persons;
 - (d) be secured by the installation of appropriate security and buffering measures such as berms, fences and landscaping. The form of the buffering will be determined by and to the satisfaction of the Development Authority;
 - (e) if required by the development authority, provide on-site security staff to the satisfaction of the Development Authority;
 - (f) all parking must be provided on the lot and areas for parking developed to the satisfaction of the Development Authority. Normally, onsite parking for private vehicles will adhere to the same standard as parking for a Hotel/Motel;
 - (g) post security with Westlock County sufficient to remove and/or reclaim the site if needed after the work camp has been removed from the site; and
 - (h) be separated from adjacent land uses.
- (22) Maximum parcel coverage shall be such that space is available for all the parking on the lot, together with the applicable setbacks and required landscaping as determined by the Development Authority.

- (23) Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.
- (24) The development must comply with current Building and Fire Code requirements as amended from time to time.
- (25) Because of the number of temporary workers and related traffic impacts the applicant will also be required to provide a report which details the following:
 - (a) discussions with and impact on the local RCMP
 - (b) discussions with and impact on the local Emergency Medical Services
 - (c) discussions with and impact on the local Fire Department
 - (d) discussions with and impact on the local road system including a Traffic Impact Assessment.
- (26) Any other conditions required shall be to the satisfaction of the Development Authority.

8 | Land Use Districts

8.1 Establishment of Land Use Districts

- (1) For the purpose of this Bylaw, Westlock County is divided into the following districts:

Agricultural (AG) District
Highway Commercial (HC) District
Natural Use (N) District
Country Residential (CR) District
Country Residential Lakeside (CR1) District
Country Residential Estate (CR2) District
Country Residential Airport (CR3) District
Urban General (UG) District
Industrial (M) district
Direct Control (DC-M) District
Airport (MA) District

- (2) The Boundaries of the districts listed in subject 8.1(1) are as delineated on the Land Use District Maps, being Part 9, hereto.

- (3) Where uncertainty exists as to the boundaries of districts as shown on the Land Use District Maps, the following rules shall apply:

Rule 1. Where a boundary is shown as following a road, lane, stream 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 covered 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 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 determine 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 measurements and directions as the circumstances may require.
- (5) After Council has fixed a district boundary pursuant to the provisions of Subsection 8.1(4), the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.
- (6) The Development Officer shall maintain a list of the decisions with respect to boundaries, or portions thereof, fixed by the Council.
- (7) Where two or more districts overlap, the more restrictive requirements shall prevail.

8.2 AGRICULTURAL (AG) DISTRICT

The general purpose of this district is to allow activities associated with primary production, and to preserve higher capability agricultural land from development that might be incompatible with primary production.

(1) Permitted Uses

- (a) Agri-industrial uses
- (b) Buildings and uses accessory to permitted uses
- (c) Day homes
- (d) Extensive agriculture, but not including a manufactured home or a one family dwelling (which shall be discretionary uses)
- (e) Home occupations, minor
- (f) Manufactured homes
- (g) Sea cans
- (h) Single detached dwellings
- (i) Solar energy conversion systems
- (j) Wind energy conversion systems, micro

(2) Discretionary Uses

- (a) Abattoirs
- (b) Animal breeding and/or boarding facilities
- (c) Bed and breakfast establishments
- (d) Buildings and uses accessory to discretionary uses
- (e) Cemeteries
- (f) Clustered farm units
- (g) Commercial use, secondary
- (h) Confined feeding operations
- (i) Country residential uses
- (j) Day care facilities
- (k) Family care facilities
- (l) Farmsteads
- (m) Group care facilities
- (n) Group homes
- (o) Guest ranches
- (p) Home occupations, major
- (q) Institutional uses
- (r) Intensive agriculture
- (s) Institutional, Public and Quasi-public uses
- (t) Natural resources extraction industries

- (u) Public and quasi-public uses
- (v) Public park
- (w) Public utility buildings and uses
- (x) Recreation camp
- (y) Recreational uses
- (z) Religious assemblies
- (aa) Rural commercial uses
- (bb) Suites, Garage
- (cc) Suites, guest house
- (dd) Suites, In-law
- (ee) Suites, Secondary
- (ff) Suites, Surveillance
- (gg) Uses as identified in area structure plans adjacent to lakes
- (hh) Wind energy conversion systems, small
- (ii) Wind energy conversion systems, large
- (jj) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(3) Regulations

(a) Minimum Parcel Area - Permitted Uses

32 ha (79.1 ac.) except where the parcel is subject to the following exemptions:

- (i) where a discretionary use is allowed, then the size of the parcel after the discretionary use is removed;
- (ii) where the parcel is fragmented by a natural or physical barrier, then the size of the fragmented parcel.

(b) Minimum Parcel Area - Discretionary Uses - as required by relevant provisions of this Bylaw or Municipal Development Plan, or where not defined in this Bylaw or the Municipal Development Plan, at the discretion of the Municipal Planning Commission.

(c) Minimum Front Yard

From a rural road	40.84 m (134 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line

(d) Minimum Side Yards

From a rural road	18.3 m (60 ft) from the property line
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From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	10% of mean parcel width provided that no side yard need exceed 6.09 metres (20 feet)

- except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.

(e) Minimum Rear yards

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	7.6 m (25 ft) from the property line

(f) Minimum Required Side and Rear Yards for Agri-industrial uses

- i. On a lot which includes a residential use or is adjacent to a lot which includes a residential use the minimum yards shall be as follows:
 1. Minimum rear yard-20 m (65.62 ft.)
 2. Minimum side yard-20 m (65.62 ft.)

(g) Notwithstanding Subsections (c) through (f), where a new agri-industrial use is proposed adjacent to an existing residential development, a minimum 100m (328.08 ft.) buffer must be provided between the new agri-industrial, use and the property line of the residential parcel unless the residential development is owned by the proponent of the agri-industrial use.

(h) On parcels of land in excess of 1.21 ha (3 acres), the maximum number of birds and livestock or equivalent allowed will be as identified in **Section 7.19**. Farm operations in excess of this limitation shall become subject to the regulations pertaining to confined feeding operations.

(i) Minimum Floor Area

Single detached dwellings – at the discretion of the Development Authority

Manufactured homes – at the discretion of the Development Authority

All other uses – as provided for in the general and special conditions sections of this Bylaw. Where no other provisions apply, the minimum floor area shall be at the discretion of the Development Authority.

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- (j) Development proposals adjacent to a primary highway, a secondary road or a rural road shall comply with the provisions of **Sections 6.5 and 6.6**.
- (k) All applications for development shall conform to the appropriate policies in the Municipal Development Plan.

8.3 URBAN GENERAL (UG) DISTRICT

The general purpose of this district is to allow a wider variety of urban-type uses generally within the hamlets of Busby, Dapp, Fawcett, Jarvie, Nestow, Pibroch, Pickardville, Tawatinaw and Vimy, as shown on the Land Use District Maps – Part 9.

(1) Permitted Uses

- (a) Buildings and uses accessory to permitted uses
- (b) Day homes
- (c) Home occupations, minor
- (d) Manufactured Homes in the Hamlet of Vimy
 - Block 6, Lots 12 to 49 inclusive
 - Block 7, Lots 1 to 24 inclusive
 - Block 8, Lots 1 to 14 inclusive
 - on Plan 792-1526
- (e) Manufactured Homes in those Manufactured Home Parks which have been issued a development permit
- (f) Single detached dwellings
- (g) Solar energy conversion systems
- (h) Wind energy conversion systems, micro

(2) Discretionary Uses

- (a) Amusement establishments, indoor
- (b) Amusement establishments, outdoor
- (c) Animal hospital
- (d) Auctioneering establishments
- (e) Automotive and equipment repair shop
- (f) Bed and breakfast establishments
- (g) Boarding houses
- (h) Buildings and uses accessory to discretionary uses
- (i) Campgrounds, basic
- (j) Car wash establishments
- (k) Cemeteries
- (l) Commercial uses
- (m) Commercial use, secondary
- (n) Communication tower facilities
- (o) Day care facilities
- (p) Drinking establishments
- (q) Drive-in businesses
- (r) Dwellings, apartment
- (s) Dwellings, duplex

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- (t) Dwellings, rowhouse
- (u) Eating and drinking establishments
- (v) Entertainment establishments
- (w) Family care facilities
- (x) Government services
- (y) Greenhouses
- (z) Group care facilities
- (aa) Health services
- (bb) Home occupations, major
- (cc) Hotels
- (dd) Household repair services
- (ee) Indoor recreation facilities
- (ff) Institutional, public and quasi-public uses
- (gg) Light industrial uses
- (hh) Liquor sales and storage establishments
- (ii) Manufactured Homes

Except that Manufactured Homes in Pickardville shall be limited to the following:

All of Plan 5769 C.L.
All of Pt. of S.E. 36-58-27-W4 (2.00 acre parcel)
All of Pt. of S.E. 36-58-27-W4 (.67 acre parcel)
All of Plan 6149 N.Y.
All of Plan 912 0703
All of Pt. of S.E. 36-58-27-W4 (1.58 acre parcel)
All of Plan 602 E0 Block 1 and 2
All of Plan 6887 CE Block 3 Lots 1 - 10
All of Plan 6887 CE Block 4

- (jj) Manufactured Home Parks
- (kk) Offices
- (ll) Parks and playgrounds
- (mm) Personal service shops
- (nn) Places of religious assembly
- (oo) Private clubs
- (pp) Protective and emergency services
- (qq) Public education facilities
- (rr) Public utility buildings and uses
- (ss) Recreational buildings and uses
- (tt) Recreational vehicle campgrounds
- (uu) Sea cans
- (vv) Service stations
- (ww) Suites, Garage
- (xx) Suites, guest house
- (yy) Suites, In-law

- (zz) Suites, Secondary
- (aaa) Suites, Surveillance
- (bbb) Trucking and cartage establishments
- (ccc) Vehicle repair establishments
- (ddd) Wireless communications facilities
- (eee) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(3) Regulations

- (a) No use shall be established that is, or will become, obnoxious by way of noise, odour or fumes.
- (b) Minimum Lot Size for One Family Dwellings

Use	Width:		Area:	
	Metres	(Feet)	Sq. Metres	(Sq. Feet)
Residential (unserved)	30.48	(100)	1858	(20,000)
Residential (both services)	15.24	(50)	557.4	(6,000)*
Residential (sewerage)	30.48	(100)	929	(10,000)
Residential (water)	30.48	(100)	1393.5	(15,000)

* except as identified in **Section 6.9**

- (c) Minimum Lot Size for all other uses - as required by the Development Authority.
- (d) Minimum Floor Area

Single detached dwellings - 74.32 sq. metres (800 sq. ft.)

Duplexes - 111.48 sq. metres (1200 sq. ft.) combined area of both dwelling units

Manufactured homes – 74.32 sq. metres (800 sq. ft.)

Rowhouses – 70.0 sq. metres (750.0 sq. ft.) per dwelling unit

Apartments – 51.0 sq. metres (549 sq. ft.) per dwelling unit

All other uses – as provided for in the general and special conditions sections of this Bylaw. Where no other provisions apply, the minimum floor area shall be at the discretion of the Development Authority.

- (e) Maximum site coverage

Residential Uses: 40%

All other uses: As required by the Development Authority

(f) Minimum Yard Dimensions

- Residential Uses: Front yards – 7.6 m (25 ft)
 Rear yards – 7.6 m (25 ft)
 Side yard – 10% of lot width but not less than 1.5 m (5 ft) each
 Side yard on Corner Parcel – 4.5 m (15 ft) on each side of flanking road
- Commercial Uses: Retail stores built adjacent to existing similar uses may be built without front or side yard setbacks where there is lane access. Where there is no lane access, one side yard of at least 4.5 m (15 ft) shall be provided.

All other uses: As required by the Development Authority.

(g) Maximum Building Height – at the discretion of the Development Authority

(h) Minimum Construction Standards

All development must be provided with sanitary facilities to satisfy Provincial regulations.

8.4 HIGHWAY COMMERCIAL (HC) DISTRICT

The general purpose of this District is to control development in the vicinity of Provincial Highways. Development should be restricted to that which is generally required to serve the motoring public.

(1) Permitted Uses

- (a) Buildings and uses accessory to permitted uses
- (b) Bulk fuel storage and sales
- (c) Commercial uses
- (d) Community halls
- (e) Commercial use, secondary
- (f) Contractor service, limited
- (g) Contractor service, general
- (h) Extensive agriculture
- (i) Drive-in businesses
- (j) Drive-in restaurants
- (k) Eating and drinking establishment
- (l) General retail establishments
- (m) Highway commercial uses
- (n) Home occupations, minor
- (o) Protective and emergency services
- (p) Public or quasi-public buildings and uses
- (q) Public utility buildings and uses
- (r) Rural commercial uses
- (s) Service stations
- (t) Solar energy conversion systems
- (u) Trucking and cartage establishments
- (v) Wind energy conversion systems, micro

(2) Discretionary Uses

- (a) Animal hospital
- (b) Amusement establishment, outdoor
- (c) Auctioneering establishments
- (d) Automotive and equipment repair shop
- (e) Automotive and recreational vehicle sales/rentals establishment
- (f) Bed and breakfast establishments
- (g) Buildings and uses accessory to discretionary uses
- (h) Campground, basic
- (i) Cemeteries
- (j) Communication tower facility
- (k) Country residences, single lot

- (l) Equipment rental establishment
- (m) Extensive recreation
- (n) Greenhouses
- (o) Heavy truck and equipment storage
- (p) Home occupations, major
- (q) Indoor recreation facilities
- (r) Industrial vehicle and equipment sales/rentals establishment
- (s) Livestock sales yards
- (t) Manufactured homes
- (u) Outdoor storage
- (v) Recreation camps
- (w) Recreational uses
- (x) Recreational vehicle campground
- (y) Recreational vehicle storage
- (z) Recreational vehicle work camp
- (aa) Recycling depots
- (bb) Religious assemblies
- (cc) Sea cans or shipping containers
- (dd) Single detached dwellings
- (ee) Suites, garage
- (ff) Suites, guest house
- (gg) Suites, in-law
- (hh) Suites, secondary
- (ii) Suites, surveillance
- (jj) Vehicle repair establishments
- (kk) Veterinary clinics
- (ll) Warehouse sales establishments
- (mm) Wind energy conversion systems, small
- (nn) Wireless communications facilities
- (oo) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses.

(3) Regulations

- (a) Minimum Lot Area – Permitted Uses – 28.3 ha (70 ac.) except where the lot is fragmented by a natural or physical barrier.
- (b) Minimum Lot Area – Discretionary Uses – as required by the Subdivision Authority, unless the lot area is regulated by the Special Provisions
- (c) Minimum Yard Dimensions

- (i) Front – 72 m (240 ft.) from the centre line of the Highway or 40 m (131 ft.) from the right-of- way, whichever is greater
- (ii) Side – as required by the Development Authority
- (iii) Rear – as required by the Development Authority
- (d) The location of any shelter belt shall be determined by the Development Authority.
- (e) Minimum Floor Area
 - Single detached dwellings – at the discretion of the Development Authority
 - Manufactured homes – at the discretion of the Development Authority
 - All other uses – as provided for in the general and special conditions sections of this Bylaw. Where no other provisions apply, the minimum floor area shall be at the discretion of the Development Authority.

8.5 NATURAL USE (N) DISTRICT

The general purpose of this district is to protect natural areas while allowing minimal residential development to provide residents with undisturbed natural environments.

(1) Discretionary Uses

- (b) Buildings and uses accessory to discretionary uses
- (c) Manufactured Homes
- (d) Public parks and playgrounds
- (e) Municipal recreational buildings and uses
- (f) Private and public nature reserves
- (g) Public-serving recreation area
- (h) Public utility buildings and uses
- (i) Single detached dwellings
- (j) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(2) Regulations

- (a) Minimum Parcel Area

64 ha (158.1 acres) except where the parcel is subject to the following exemptions:

- (i) where the parcel is fragmented by a natural or physical barrier, then the size of the fragmented parcel.

- (b) Minimum Front Yard

From a rural road	40.84 metres (134 feet) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line

- (c) Minimum Side Yard

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	10% of mean parcel width provided that no side yard need exceed 6.09 metres (20 feet) -except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.

(d) Minimum Rear yard

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	7.6 m (25 ft) from the property line

- (e) Development proposals adjacent to a primary highway, a secondary road or a rural road shall comply with the provisions of **Sections 6.5 and 6.6**.
- (f) Subdivision and development for agricultural, industrial or commercial uses shall not be permitted.
- (g) All applications for development shall conform with the appropriate policies in the Municipal Development Plan.

8.6 COUNTRY RESIDENTIAL (CR) DISTRICT

The general purpose of this District is to provide for specific areas where multi-lot country residential development may take place within the County, not including multi-lot country residential development adjacent to lakes.

(1) Permitted Uses

- (a) Buildings and uses accessory to permitted uses
- (b) Day homes
- (c) Home occupations, minor
- (d) Single detached dwellings
- (e) Solar energy conversion systems
- (f) Wind energy conversion systems, micro

(2) Discretionary Uses

- (a) Buildings and uses accessory to discretionary uses
- (b) Extensive agriculture
- (c) Home occupations, major
- (d) Institutional Buildings and Uses
- (e) Manufactured homes
- (f) Public and quasi-public buildings and uses
- (g) Public parks
- (h) Public utility buildings and uses
- (i) Recreational uses
- (j) Relocated buildings
- (k) Sea cans
- (l) Suites, Garage
- (m) Suites, guest house
- (n) Suites, In-law
- (o) Suites, Secondary
- (p) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(3) Regulations

- (a) Minimum Lot Size:
 - (i) Permitted uses - 0.4 ha (1.0 ac.)

- (ii) Discretionary uses - as regulated by the land use provisions, or, if not specified, to be determined by the Development Authority.

(b) Minimum Front Yard

From a rural road	40.84 metres (134 feet) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line

(c) Minimum Side Yard

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	10% of mean parcel width, but not less than 1.5m (5 ft) each

(d) Minimum Rear Yard

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	7.6 m (25 ft) from the property line

(e) Minimum Floor Area

- (i) Single detached dwellings – 74.32 sq. m (800 sq. ft.)
- (ii) Manufactured homes – 74.32 sq. m (800 sq. ft.).
- (iii) All other uses – as provided for in the general and special conditions sections of this Bylaw. Where no other provisions apply, the minimum floor area shall be at the discretion of the Development Authority.

(f) Maximum Building Height

- (i) Dwelling units – 10.67 m (35 ft.) or 2 storeys, whichever is shorter
- (ii) Accessory buildings (excluding garage suites) - 10.67 m (35 ft.).
- (iii) Garage suites – at the discretion of the development authority

(g) Maximum Lot Coverage - 40%

(h) Minimum Setback From Lakes:

Notwithstanding anything in this Bylaw to the contrary, no development other than accessory boathouses, docks, swimming facilities, and similar developments shall occur within 22.86 m (75 ft.) of the bed and shore of any lake.

(i) Recreational Vehicles

(k) No more than one (1) recreational vehicles may be located for more than fourteen (14) days at a time on any lot in the CR District unless a development permit has been granted to allow more recreational vehicles.

(ii) The year-round placement of one (1) recreational vehicle on a parcel in the CR District shall be allowed without a development permit.

(iii) Notwithstanding any other provisions in this section, the placement and use of Recreational Vehicles shall conform to the regulations in **Section 7.22** of the Land Use Bylaw.

(j) Restrictive Covenants

Notwithstanding any other provision of this Bylaw to the contrary, where a restrictive covenant is on the title of a lot, the Development Authority may require, as a condition of approval, that the development satisfy any and/or all requirements of the restrictive covenant.

8.7 COUNTRY RESIDENTIAL LAKESIDE (CR1) DISTRICT

The general purpose of this District is to provide for specific areas where multi-lot country residential development may take place adjacent to lakes within the County.

(1) Permitted Uses

- (a) Buildings and uses accessory to permitted uses
- (b) Day homes
- (c) Home occupations, minor
- (d) Single detached dwellings
- (e) Solar energy conversion systems
- (f) Wind energy conversion systems, micro

(2) Discretionary Uses

- (a) Buildings and uses accessory to discretionary uses
- (b) Extensive agriculture
- (c) Home occupations, major
- (d) Institutional Buildings and Uses
- (e) Manufactured homes
- (f) Park models
- (g) Public and quasi-public buildings and uses
- (h) Public parks
- (i) Public utility buildings and uses
- (j) Recreational uses
- (k) Relocated buildings
- (l) Suites, Garage
- (m) Suites, guest house
- (n) Suites, In-law
- (o) Suites, Secondary
- (p) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(3) Regulations

- (a) Minimum Lot Size:
 - (i) Permitted uses – 0.2 ha (0.5 ac.)
 - (ii) Discretionary uses - as regulated by the land use provisions, or, if not specified, to be determined by the Development Authority.

(b) Minimum Front Yard

From a rural road	40.84 metres (134 feet) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line

(c) Minimum Side Yard

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	10% of mean parcel width, but not less than 1.5m (5 ft) each

(d) Minimum Rear Yard

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	7.6 m (25 ft) from the property line

(e) Minimum Floor Area

- (i) Single detached dwellings – 55.0 sq. m (590 sq. ft.)
- (ii) Manufactured homes – 50.0 sq. m (590 sq. ft.).
- (iii) All other uses – as provided for in the general and special conditions sections of this Bylaw. Where no other provisions apply, the minimum floor area shall be at the discretion of the Development Authority.

(f) Maximum Building Height

- (i) Dwelling units - 10.67 m (35 ft.) or 2 storeys, whichever is shorter
- (ii) Accessory buildings (excluding garage suites) – 4.6 m (15 ft.)
- (iii) Garage suites – at the discretion of the development authority

(g) Maximum Lot Coverage - as required by the Development Authority.

(h) Recreational Vehicles

- (i) No more than one (1) recreational vehicles may be located for more than fourteen (14) days at a time on any lot in the CR District unless a development permit has been granted to allow more recreational vehicles.

- (ii) The year-round placement of one (1) recreational vehicle on a parcel in the CR District shall be allowed without a development permit.
- (iii) Notwithstanding any other provisions in this section, the placement and use of Recreational Vehicles shall conform to the regulations in **Section 7.22** of the Land Use Bylaw.

(i) Restrictive Covenants

Notwithstanding any other provision of this Bylaw to the contrary, where a restrictive covenant is on the title of a lot, the Development Authority may require, as a condition of approval, that the development satisfy any and/or all requirements of the restrictive covenant.

8.8 COUNTRY RESIDENTIAL ESTATE (CR2) DISTRICT

The general purpose of this District is to provide for specific areas where multi-lot country residential estate development may take place within the County.

(1) Permitted Uses

- (a) Buildings and uses accessory to permitted uses
- (b) Day homes
- (c) Home occupations, minor
- (d) Single detached dwellings
- (e) Solar energy conversion systems
- (f) Wind energy conversion systems, micro

(2) Discretionary Uses

- (a) Buildings and uses accessory to discretionary uses
- (b) Extensive agriculture
- (c) Home occupations, major
- (d) Institutional buildings and uses
- (e) Public and quasi-public buildings and uses
- (f) Public parks
- (g) Public utility buildings and uses
- (h) Recreational uses
- (i) Relocated buildings
- (j) Suites, garage
- (k) Suites, guest house
- (l) Suites, In-law
- (m) Suites, secondary
- (n) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(3) Regulations

- (a) Minimum Lot Size:
 - (i) Permitted uses – 0.4 ha (1 ac.)
 - (ii) Discretionary uses - as regulated by the land use provisions, or, if not specified, to be determined by the Development Authority.

(b) Minimum Front Yard

From a rural road	40.84 metres (134 feet) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line

(c) Minimum Side Yard

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	10% of mean parcel width, but not less than 1.5m (5 ft) each

(d) Minimum Rear Yard

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	7.6 m (25 ft) from the property line

(e) Minimum Floor Area

- (i) Single detached dwellings – 120.0 sq. m (1291 sq. ft.)
- (ii) All other uses – as provided for in the general and special conditions sections of this Bylaw. Where no other provisions apply, the minimum floor area shall be at the discretion of the Development Authority.

(f) Maximum Building Height

- (i) Dwelling units - 10.67 m (35 ft.) or 2 storeys, whichever is shorter
- (ii) Accessory buildings (excluding garage suites) - 10.67 m (35 ft.).
- (iii) Garage suites – at the discretion of the development authority

(g) Maximum Lot Coverage - as required by the Development Authority.

(h) Recreational Vehicles

- (i) No more than one (1) recreational vehicle may be located for more than fourteen (14) days at a time on any lot in the CR2 District unless a development permit has been granted to allow more recreational vehicles.

- (ii) The year-round placement of one (1) recreational vehicle on a parcel in the CR2 District shall be allowed without a development permit.
- (iii) In addition to the provisions in this section, the placement and use of Recreational Vehicles shall conform to the regulations in **Section 7.22** of the Land Use Bylaw.

(i) Restrictive Covenants

Notwithstanding any other provision of this Bylaw to the contrary, where a restrictive covenant is on the title of a lot, the Development Authority may require, as a condition of approval, that the development satisfy any and/or all requirements of the restrictive covenant.

8.9 COUNTRY RESIDENTIAL AIRPORT (CR3) DISTRICT

The general purpose of this District is to provide for multi-lot country residential estate development which includes airplane hangars adjacent to the Westlock airport within the Westair subdivision.

(1) Permitted Uses

- (a) Airplane hangars attached to dwellings
- (b) Buildings and uses accessory to permitted uses
- (c) Day homes
- (d) Home occupations, minor
- (e) Single detached dwellings
- (f) Solar energy conversion systems
- (g) Wind energy conversion systems, micro

(2) Discretionary Uses

- (a) Buildings and uses accessory to discretionary uses
- (b) Extensive agriculture
- (c) Home occupations, major
- (d) Institutional Buildings and Uses
- (e) Public and quasi-public buildings and uses
- (f) Public parks
- (g) Public utility buildings and uses
- (h) Recreational uses
- (i) Relocated buildings
- (j) Suites, Garage
- (k) Suites, guest house
- (l) Suites, In-law
- (m) Suites, Secondary
- (n) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(3) Regulations

- (a) Minimum Lot Size:
 - (i) Permitted uses – 0.4 ha (1.0 ac.)
 - (ii) Discretionary uses - as regulated by the land use provisions, or, if not specified, to be determined by the Development Authority.

(b) Minimum Front Yard

From a rural road	40.84 metres (134 feet) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line

(c) Minimum Side Yard

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	10% of mean parcel width, but not less than 1.5m (5 ft) each

(d) Minimum Rear Yard

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	7.7 m (25 ft) from the property line

(e) Minimum Floor Area

- (i) Single detached dwellings – 120.0 sq. m (1291.0 sq. ft.)
- (ii) All other uses – as provided for in the general and special conditions sections of this Bylaw. Where no other provisions apply, the minimum floor area shall be at the discretion of the Development Authority.

(f) Maximum Building Height

- (i) Dwelling units - at the discretion of the Development Authority
- (ii) Accessory buildings (excluding garage suites) - at the discretion of the Development Authority
- (iii) Garage suites – at the discretion of the Development Authority

(g) Maximum Lot Coverage - as required by the Development Authority.

(h) Recreational Vehicles

- (i) No more than one (1) recreational vehicle may be located for more than fourteen (14) days at a time on any lot in the CR3 District unless a development permit has been granted to allow more recreational vehicles.
- (ii) The year-round placement of one (1) recreational vehicle on a parcel in the CR3 District shall be allowed without a development permit.
- (iii) In addition to the provisions in this section, the placement and use of Recreational Vehicles shall conform to the regulations in **Section 7.22** of the Land Use Bylaw.

(i) Restrictive Covenants

Notwithstanding any other provision of this Bylaw to the contrary, where a restrictive covenant is on the title of a lot, the Development Authority may require, as a condition of approval, that the development satisfy any and/or all requirements of the restrictive covenant.

8 | land use districts

8.10 INDUSTRIAL (M) DISTRICT

The general purpose of the District is to provide for specific areas where industrial development may take place within the County.

(1) Permitted Uses

- (a) Agricultural industries
- (b) Buildings and uses accessory to permitted uses
- (c) Light industrial uses
- (d) Public and quasi-public uses
- (e) Public utility buildings and uses
- (f) Rural industrial uses
- (g) Office uses
- (h) Solar energy conversion systems

(2) Discretionary Uses

- (a) Heavy industrial uses
- (b) Medium industrial uses
- (c) Natural resource extraction industries
- (d) Sea cans and shipping containers
- (e) Suites, surveillance
- (f) Transfer stations
- (g) Trucking and cartage establishments
- (h) Wind energy conversion systems, small
- (i) Wind energy conversion systems, large
- (j) Wireless communications facilities
- (k) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses

(3) Regulations

- (a) Minimum Lot Size – to be determined by the Development Authority
- (b) Minimum Front Yard

From a rural road	40.84 m (134 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line

(c) Minimum Side Yard

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	10% of mean parcel width provided that no side yard need exceed 6.09 metres (20 feet)

except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.

(d) Minimum Rear Yard

From a rural road	18.3 m (60 ft) from the property line
From Highways	40.8 m (134.0 ft) from the boundary line of the right-of-way or as required by Alberta Transportation
From an internal road	7.6 m (25 ft) from the property line
Adjacent to another parcel	7.6 m (25 ft) from the property line

(e) Minimum Required Side and Rear Yards for Agri-industrial, Agricultural industry, and Rural industrial uses

- i. On a lot which is adjacent to a residence or residential district the minimum yards shall be as follows:
 3. Minimum rear yard-20 m (65.62 ft.)
 4. Minimum side yard-20 m (65.62 ft.)

(f) Notwithstanding Subsections (c) through (f), where a new industrial use is proposed adjacent to an existing residential development or residential district, a minimum of 100m (328.08 ft.) buffer must be provided between the new industrial use and the property line of the residential parcel. At the discretion of the Development Authority this setback may be reduced if the residential development is owned by the proponent of the Agri-industrial use.

8.11 DIRECT CONTROL (DC-M) DISTRICT

The general purpose of this District is to provide for specific areas where industrial development may take place within the County, but under the direct control of Westlock County Council.

(1) Uses

Developments comprising the following uses may be allowed by Council entirely at their discretion subject to what conditions they deem fit:

- (a) Buildings and uses accessory to approved uses
- (b) Commercial uses
- (c) Light industrial uses
- (d) Office uses
- (e) Public and quasi-public uses
- (f) Public utility buildings and uses
- (g) Other uses which in the opinion of Council, are similar to the above mentioned uses.

(2) Regulations

- (c) All regulations shall be at the discretion of Westlock County Council, who, in making their decision, shall take into account the proposed use, the need to mitigate any land use conflict between the proposed use and adjacent properties, and the regulations applying to development on adjacent properties.

8.12 AIRPORT (MA) DISTRICT

The general purpose of this District is to provide for development at the Westlock Municipal Airport within the boundaries of Westlock County, while protecting the aerodrome from conflicting uses and uses that may have the potential to compromise aerodrome operations or future expansion of the airport.

(1) Permitted Uses

- (a) Airport
- (b) Aircraft hangar
- (c) Offices uses

(2) Discretionary Uses

- (a) Aircraft sales and service
- (b) Airport commercial uses
- (c) Aircraft training facilities and uses
- (d) Aviation-related private clubs and lodges
- (e) Buildings and uses accessory to permitted or discretionary uses
- (f) Extensive agriculture
- (g) Light industrial uses that neither conflict with nor have the potential to compromise aerodrome operations or future expansion of the airport and that are neither noxious, injurious, nor hazardous
- (h) Military use
- (i) Public buildings and uses compatible with an aerodrome
- (j) Restaurant
- (k) Storage of aircraft, aircraft equipment and parts
- (l) Suites, surveillance
- (m) Temporary commercial or recreational development
- (n) Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted or discretionary uses.

(3) Regulations

- (a) Minimum Lot Requirements -
 - Minimum Lot Width: 30.0 m (98.43')
 - Minimum Lot Depth: 30.0 m (98.43')
 - Minimum Lot Area: 900 sq.m (9,687.84 sq.ft.)
- (b) Minimum Front Yard – 10.5 m (34.45')

For the purpose of the Airport District, the front yard shall be measured from the property line of the lot nearest the taxiway

- (c) Minimum Side Yard –
 - Interior Lots: 3.0 m (9.84 ft)
 - Corner Lots: 3.0 m (9.84 ft) on the side abutting another lot; 6.0m (19.69 ft) on the side abutting a road, taxiway or aerodrome property

- (d) Minimum Rear Yard – 7.6 m (24.93 ft)

For the purposes of the Airport District, the rear yard shall be measured from the property line of the lot nearest the vehicle access road, opposite the yard identified above as the front yard

- (e) All applications for development shall conform with the appropriate policies in the Municipal Development Plan.
- (f) The development of any access to a roadway or taxiway is subject to prior written approval by the Development Authority.
- (g) Maximum Height – Maximum building heights will be in accordance with provincial guidelines for height restrictions in proximity to aerodromes, taxiways and runways.
- (h) Maximum Lot Coverage – Not to exceed 40%
 - (i) The use or operation of a development on any land situated within the Airport District shall not cause any objectionable or dangerous condition that would interfere with the safe and efficient operation of the airport and without restricting the generality of the foregoing, the use shall not cause excessive:
 - (i) smoke, dust, steam or other emissions
 - (ii) toxic and noxious matters
 - (ii) radiation, fire and explosive hazards 35
- (j) Minimum Construction Standards:
 - (i) Construction shall conform to Canada Mortgage and Housing Corporation Standards for sound insulation for buildings situated in Noise Exposure Forecast (NEF) areas.
 - (ii) No operation or activity shall emit air and water contaminants in excess of the standards prescribed by the Environmental Protection and Enhancement Act.

- (k) All applications for development within the Airport District must be referred to the body responsible for airport operations at the time, prior to approval of the application. Should a proposed development, in the opinion of the operating body, have the potential to interfere with airport operations or compromise aerodrome operations or future expansion of the airport, and the application cannot be amended to the satisfaction of the operating body, the application will be refused.

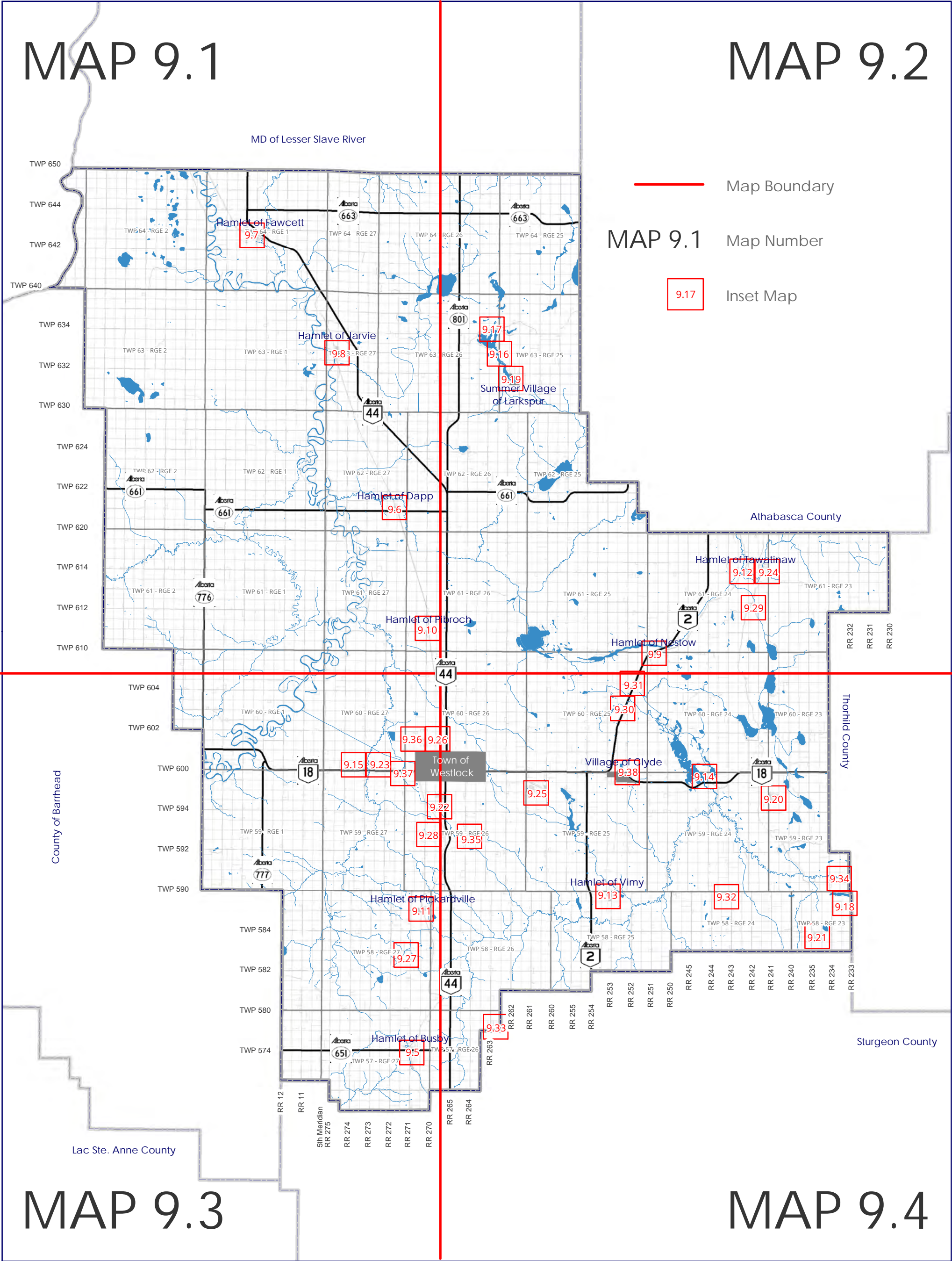
9 | Maps

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9.2	Land Use Districts
9.3	Land Use Districts
9.4	Land Use Districts
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9.6	Hamlet of Dapp
9.7	Hamlet of Fawcett
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9.36	NE 7-60-26-W4
9.37	Pt. NW 31-59-26-W4
9.38	Pt. NW 36-59-25-W4

MAP 9.1

MAP 9.2



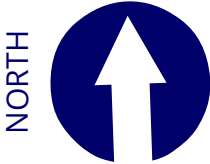
MAP 9.3

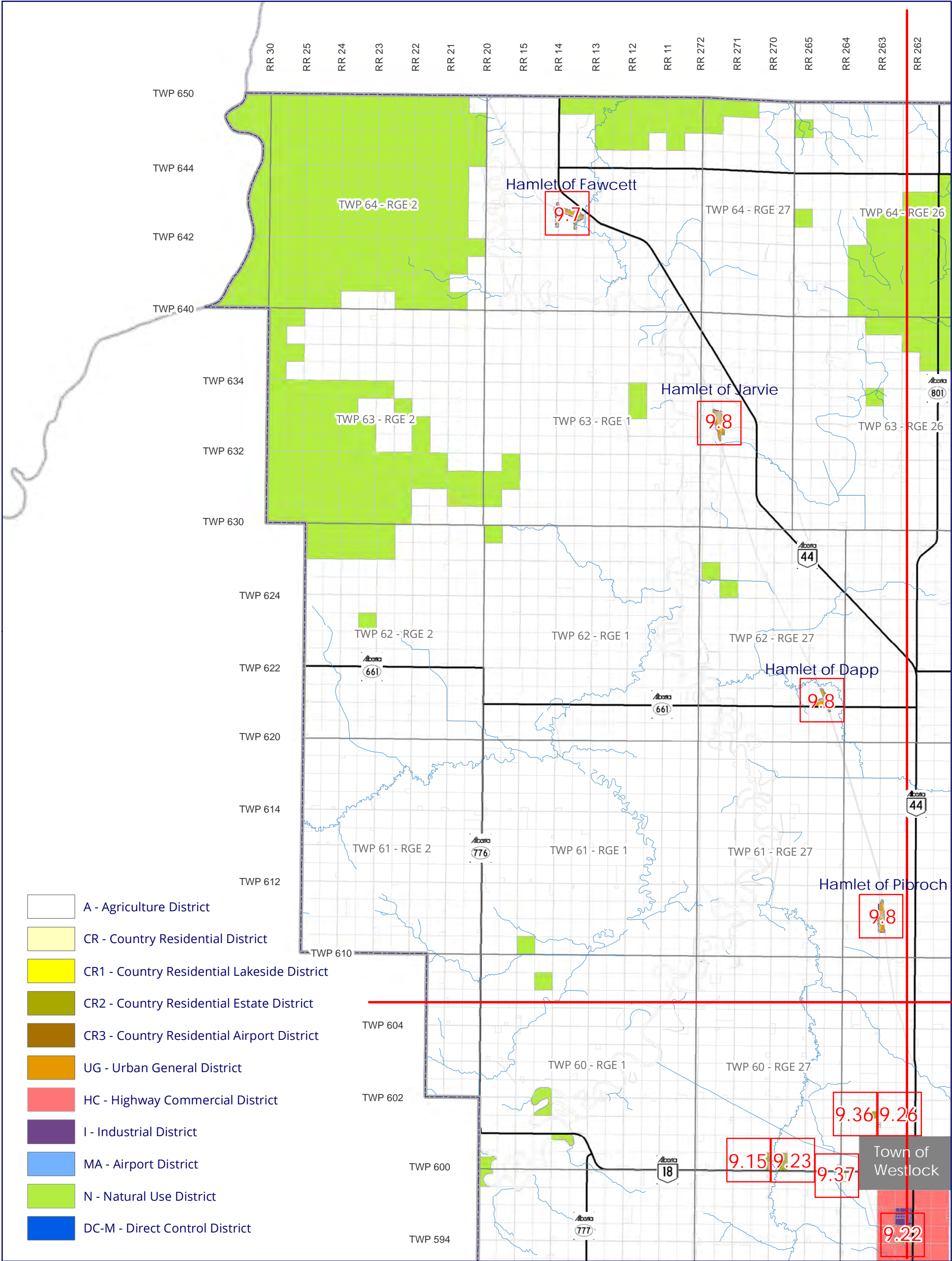
MAP 9.4

WESTLOCK COUNTY

Land Use Bylaw Map 9.0
Land Use Districts Index Map

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Projection: UTM NAD 83 12N

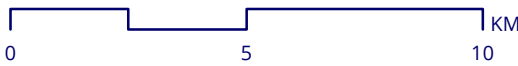


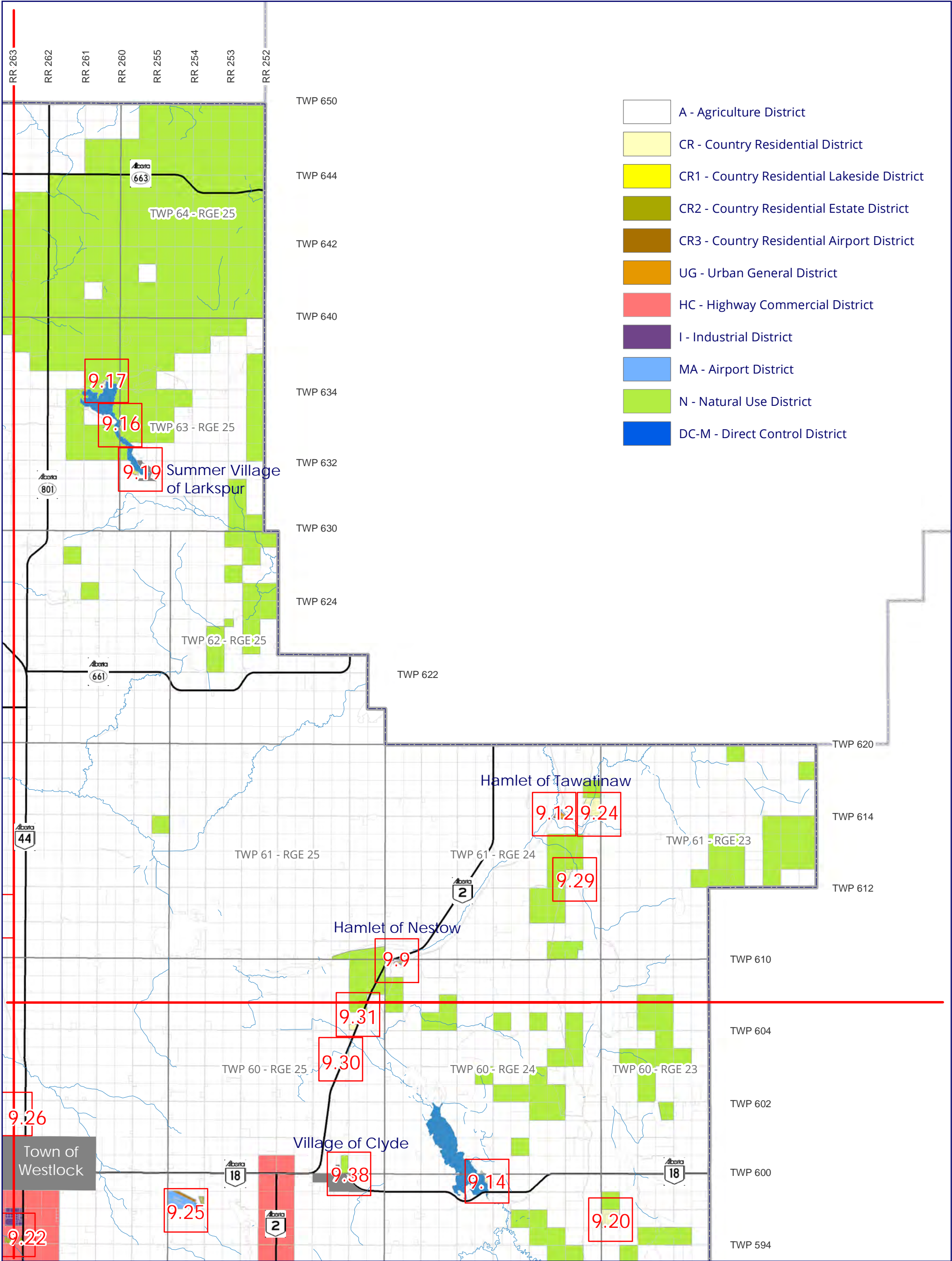


WESTLOCK COUNTY

Land Use Bylaw Map 9.1
Land Use Districts Index Map

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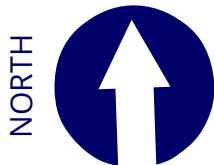


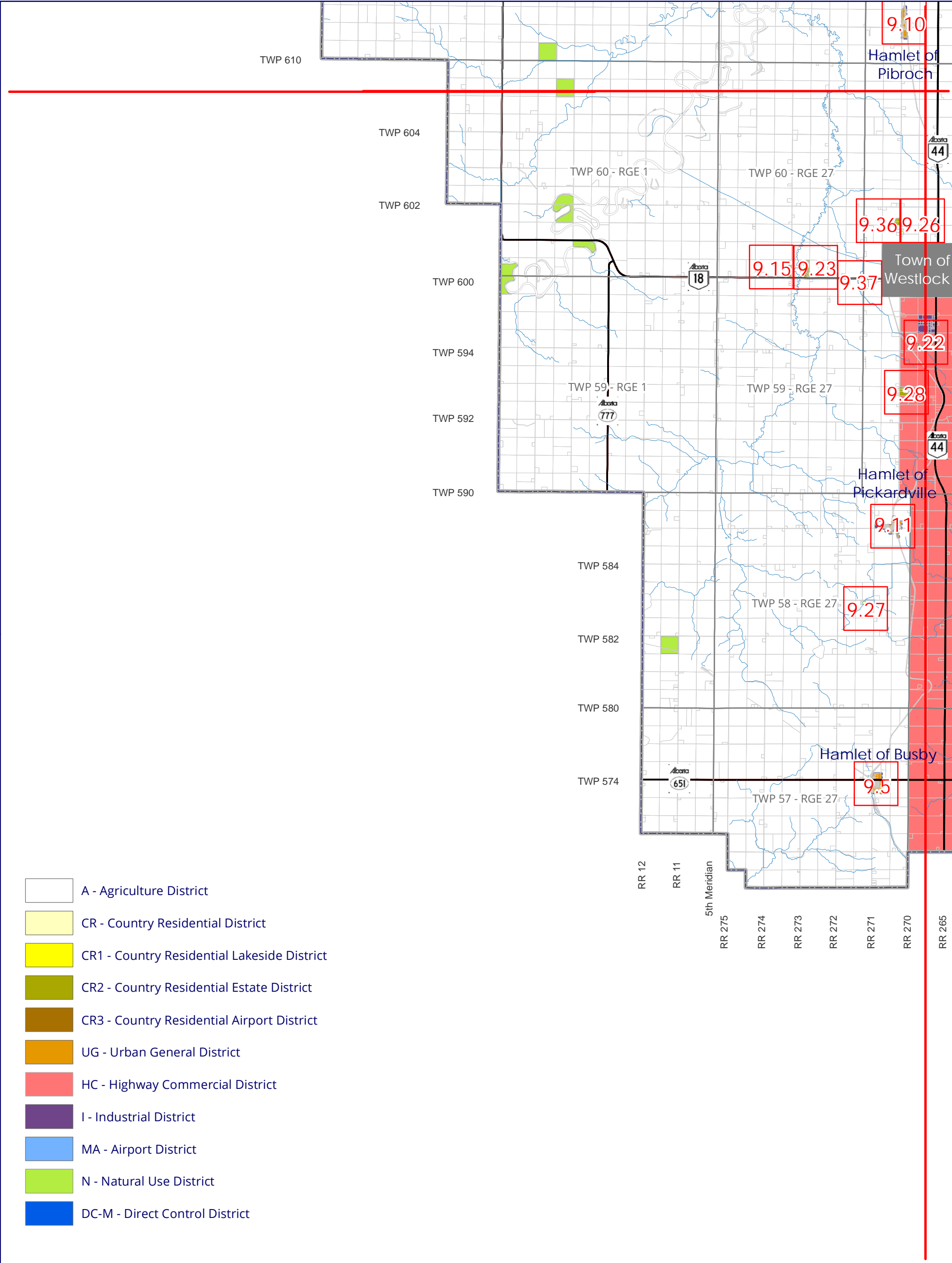
WESTLOCK COUNTY

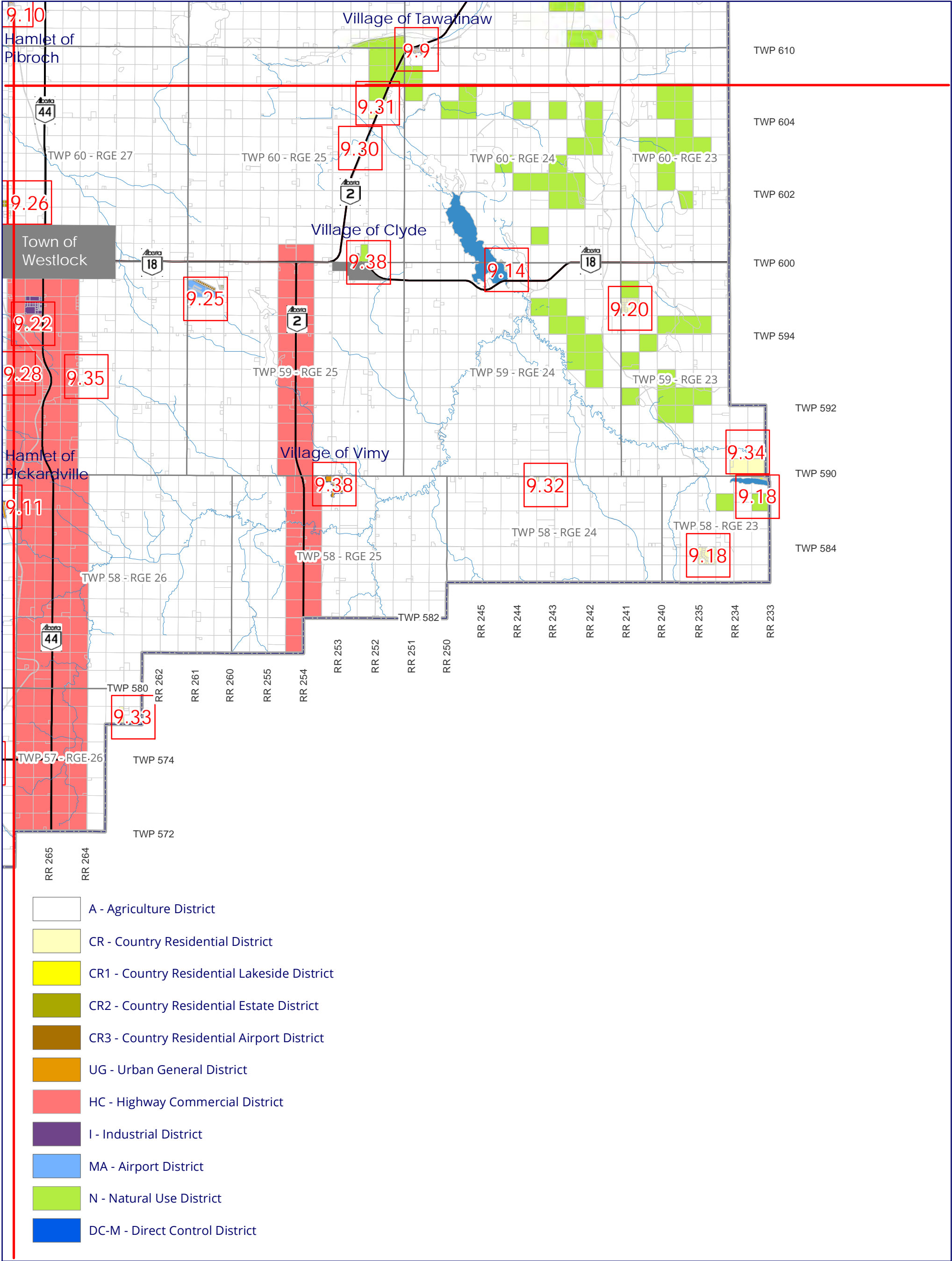
Land Use Bylaw Map 9.2

Land Use Districts Index Map

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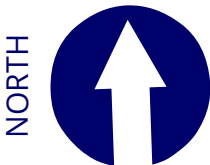
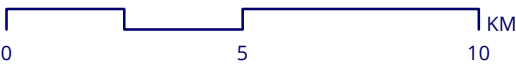


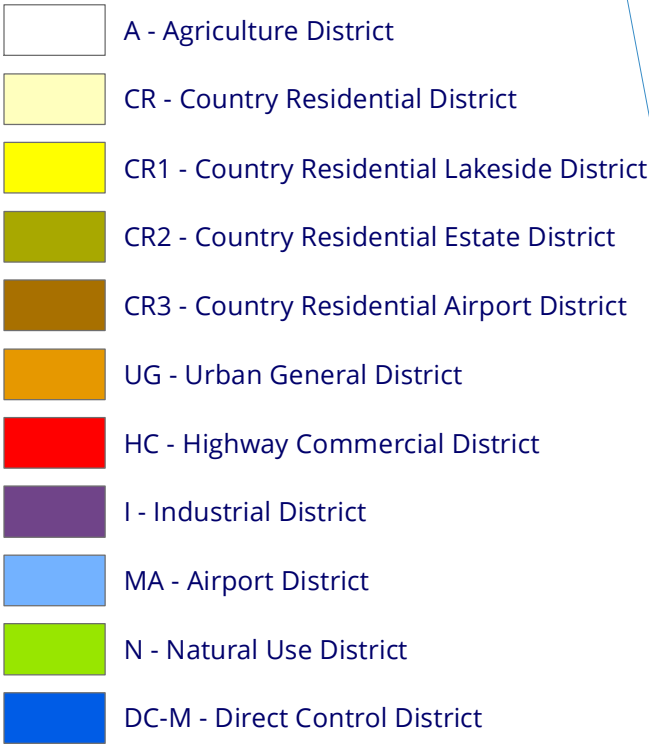
WESTLOCK COUNTY

Land Use Bylaw Map 9.4

Land Use Districts Index Map

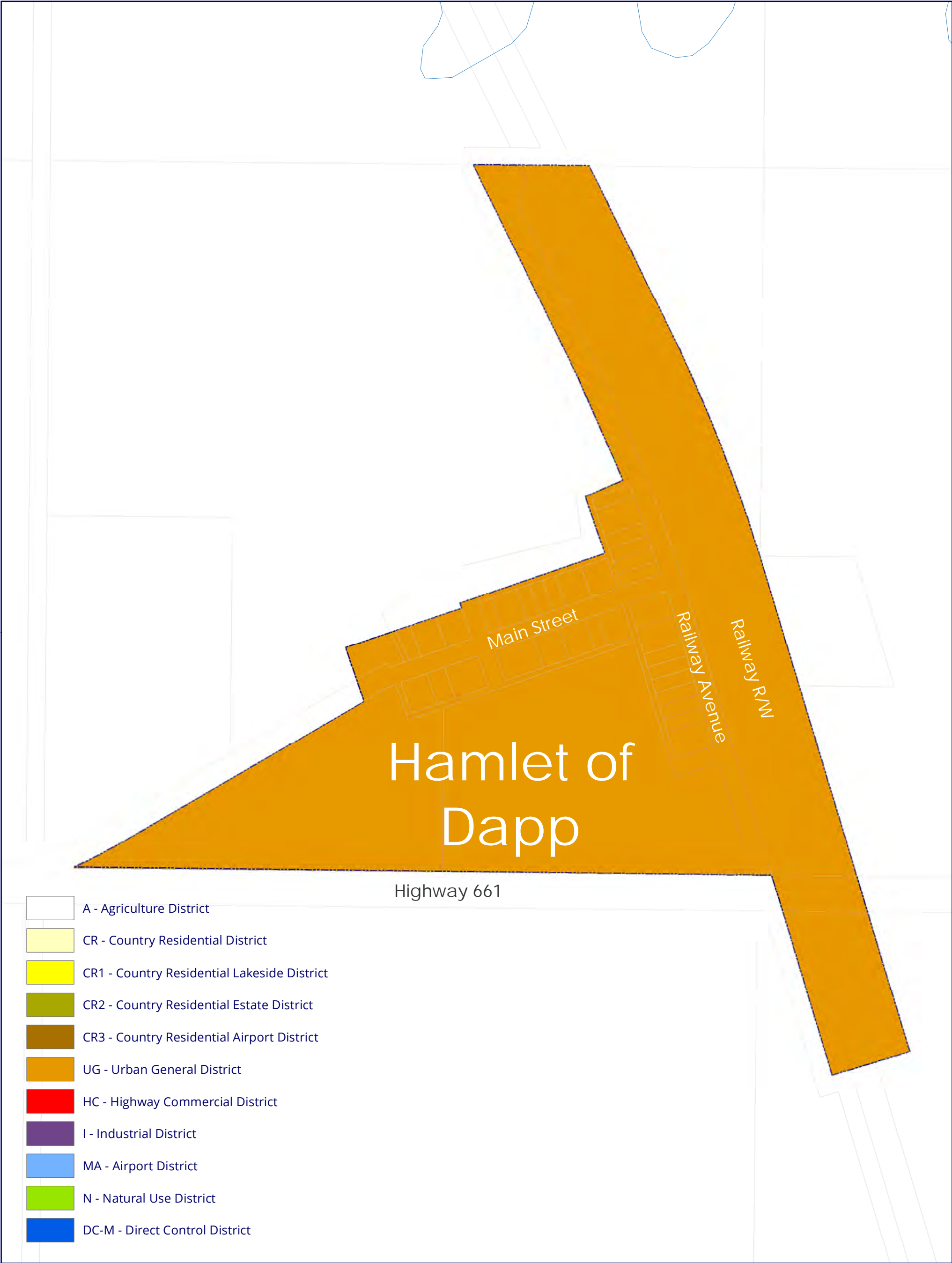
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Land Use Bylaw Map 9.5 Hamlet of Busby

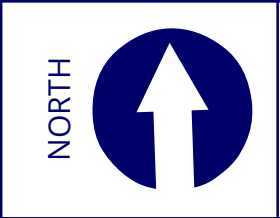
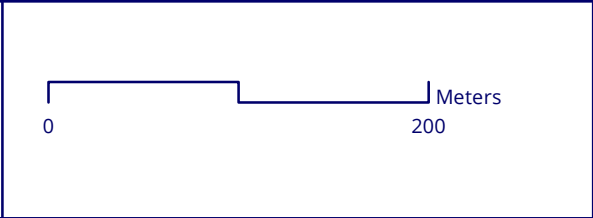


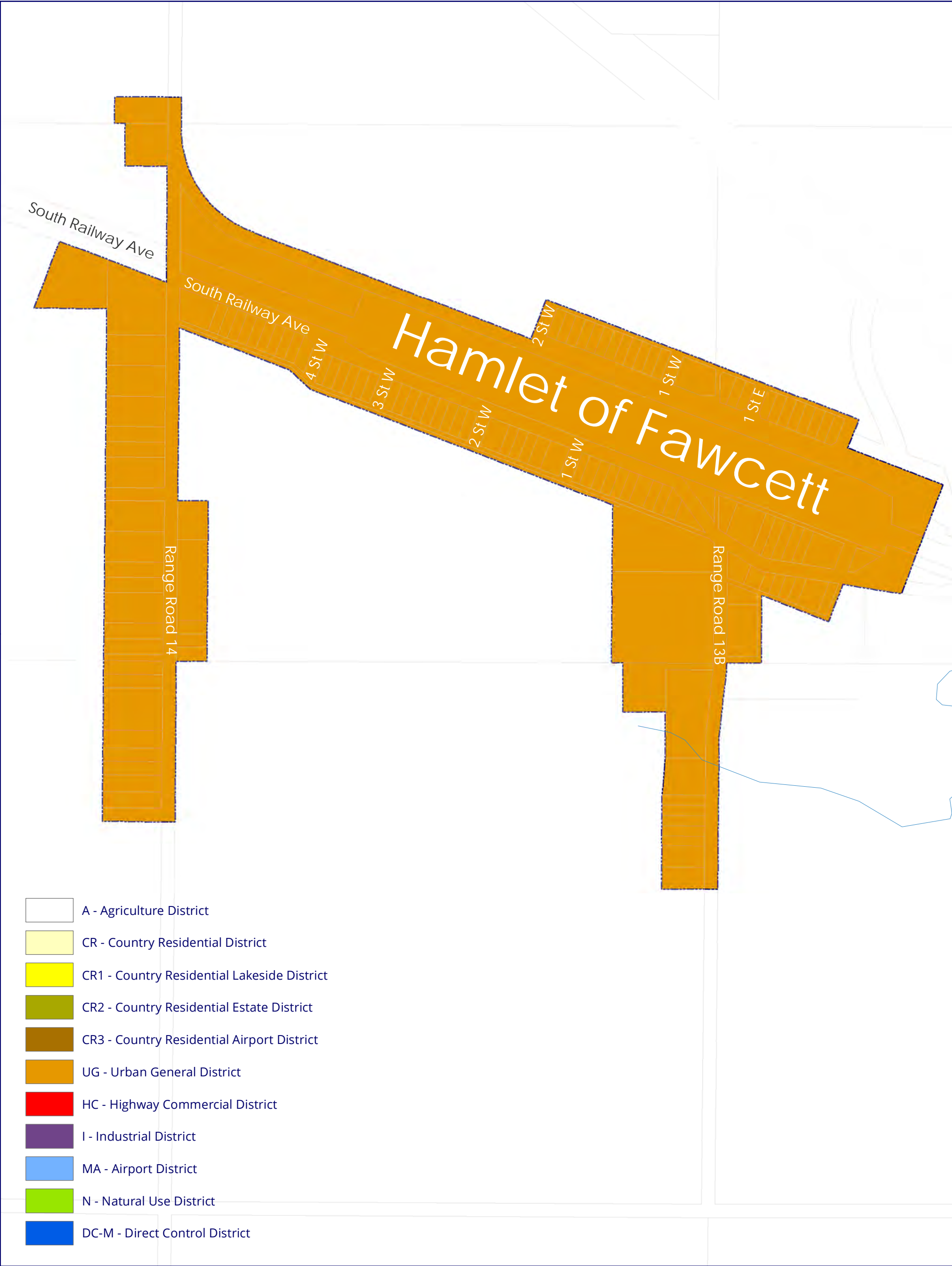


WESTLOCK COUNTY

Land Use Bylaw Map 9.6

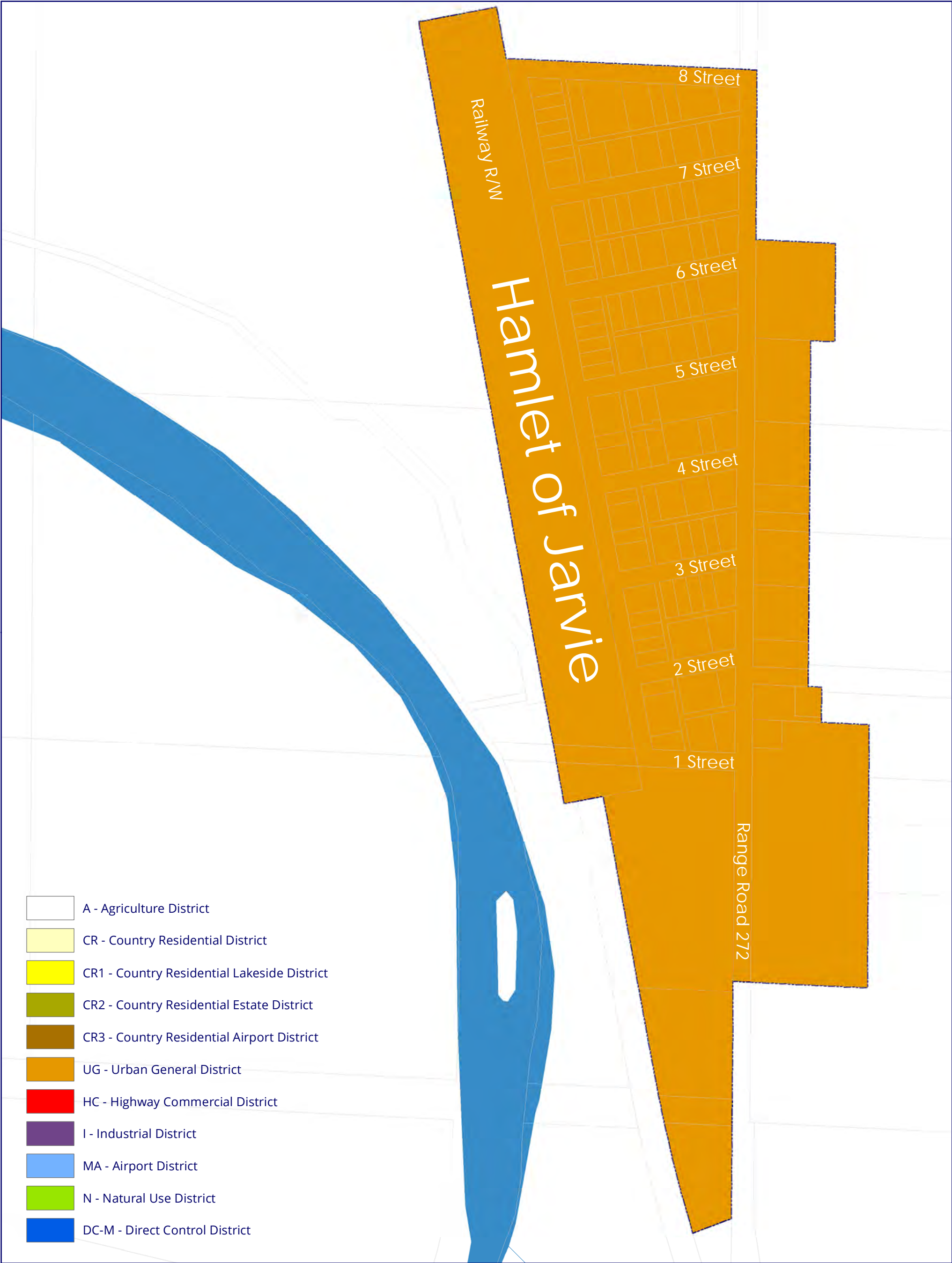
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WESTLOCK COUNTY

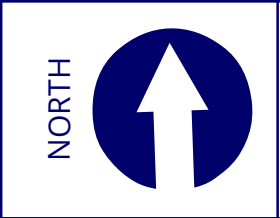
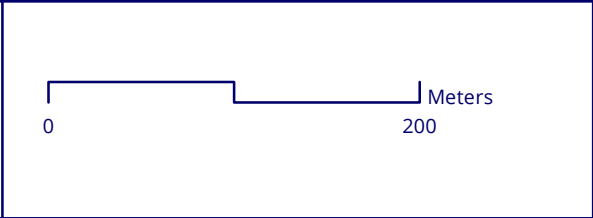
Land Use Bylaw Map 9.7
Hamlet of Fawcett



WESTLOCK COUNTY

Land Use Bylaw Map 9.8 Hamlet of Jarvie

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Projection: UTM NAD 83 12N



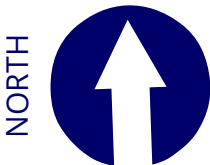


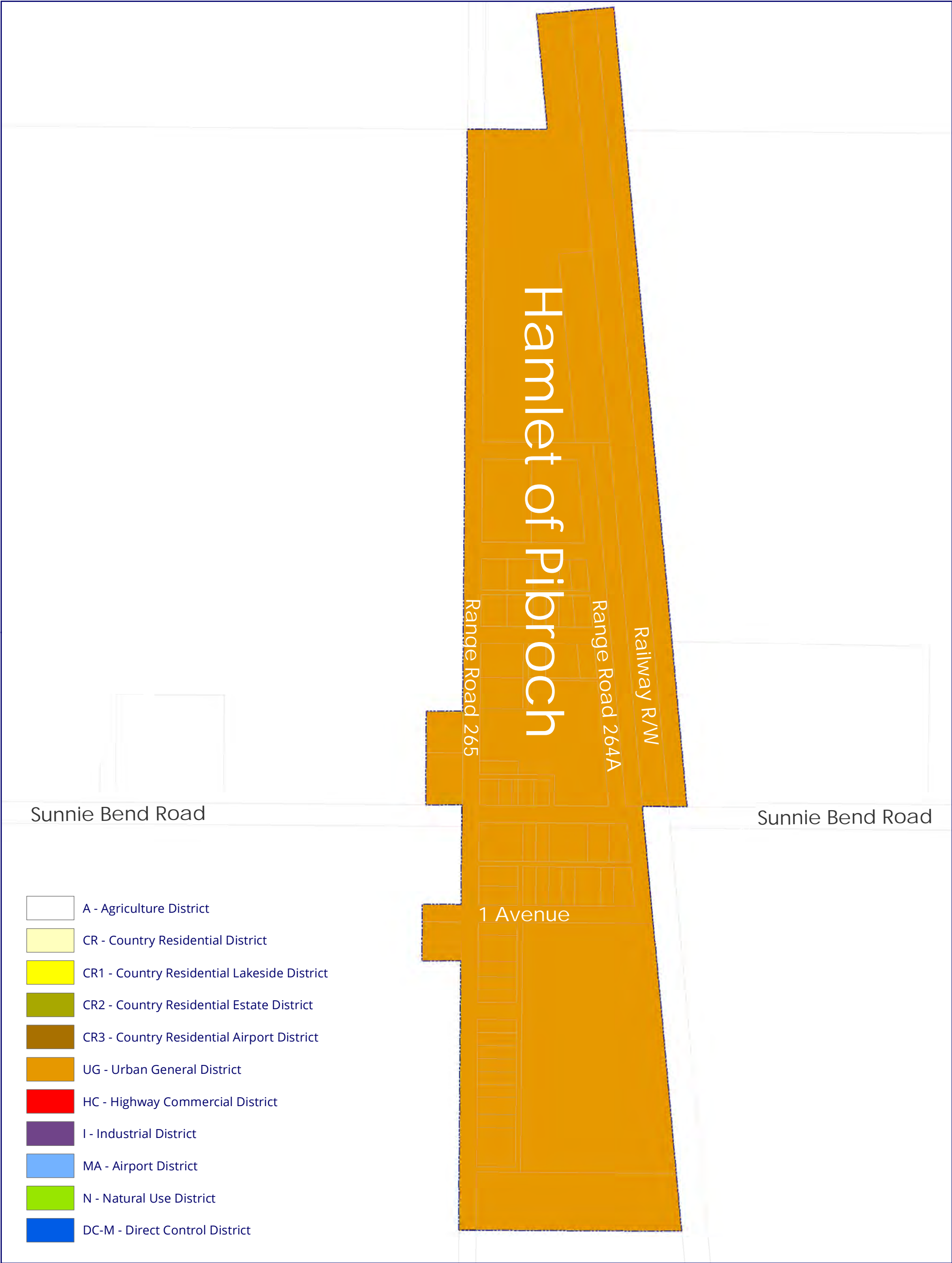
- A - Agriculture District
- CR - Country Residential District
- CR1 - Country Residential Lakeside District
- CR2 - Country Residential Estate District
- CR3 - Country Residential Airport District
- UG - Urban General District
- HC - Highway Commercial District
- I - Industrial District
- MA - Airport District
- N - Natural Use District
- DC-M - Direct Control District

WESTLOCK COUNTY

Land Use Bylaw Map 9.9 Hamlet of Nestow

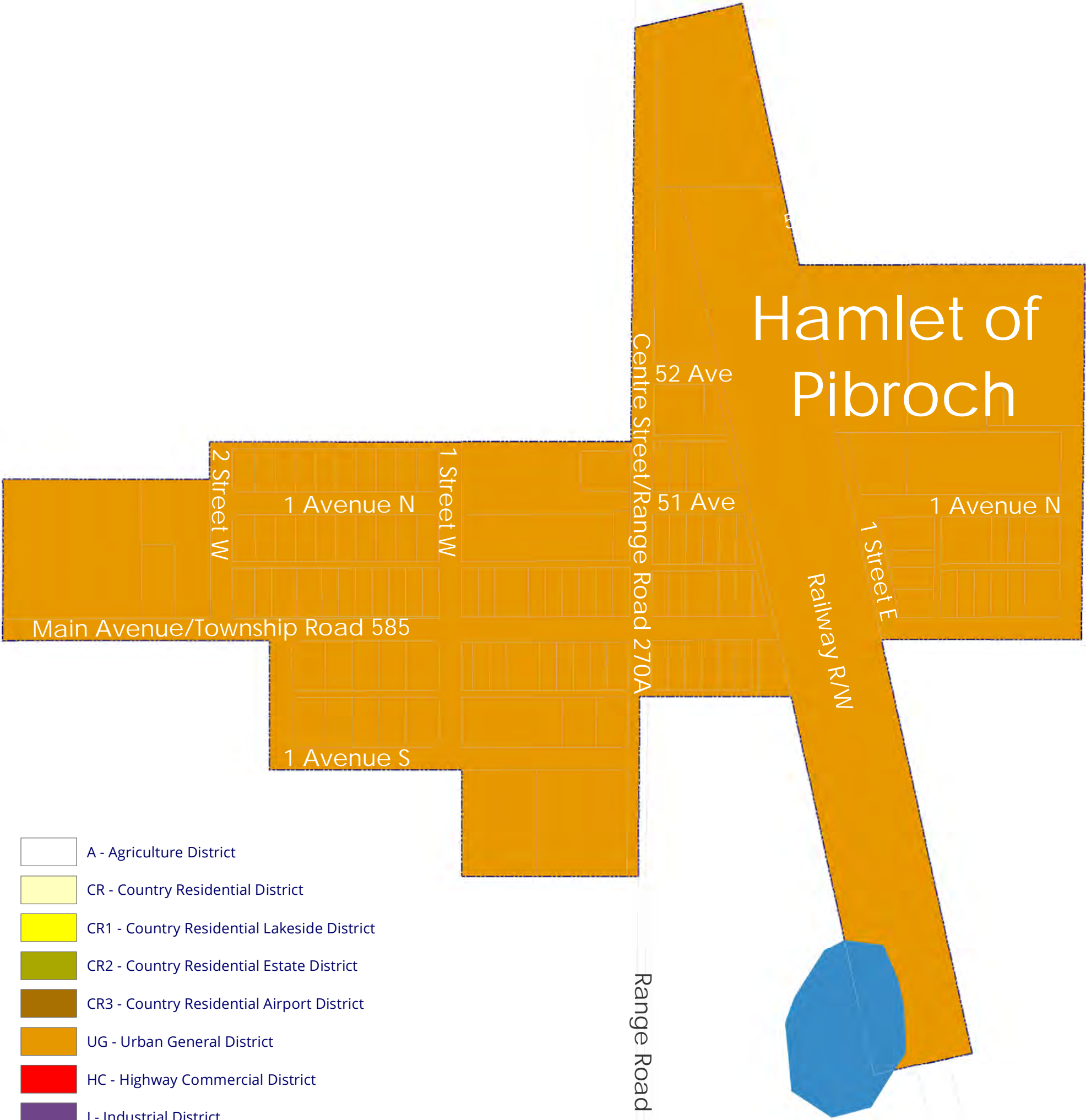
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WESTLOCK COUNTY

Land Use Bylaw Map 9.10
Hamlet of Pibroch



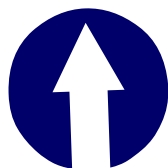
WESTLOCK COUNTY

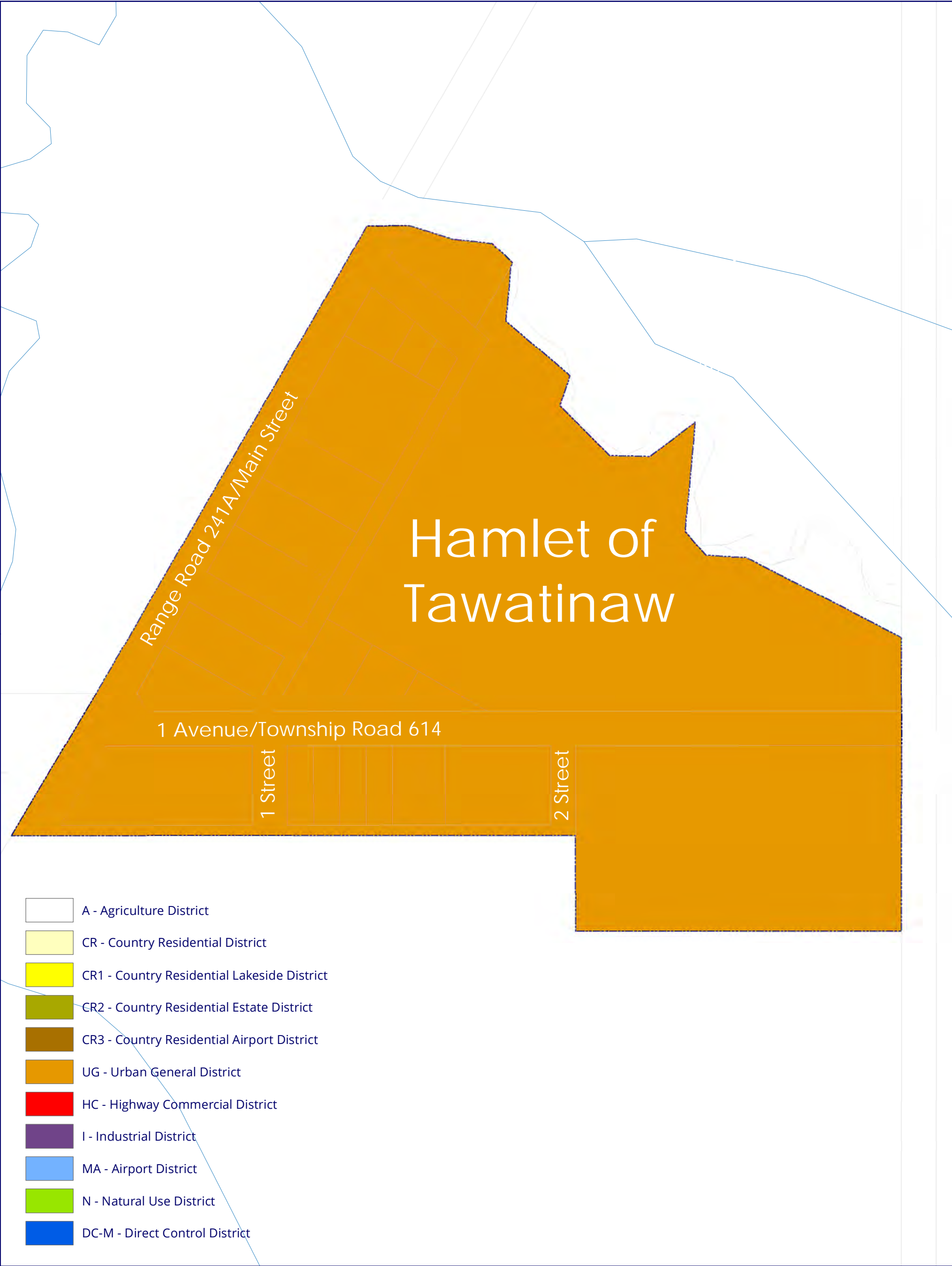
Land Use Bylaw Map 9.11 Hamlet of Pickardville

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N



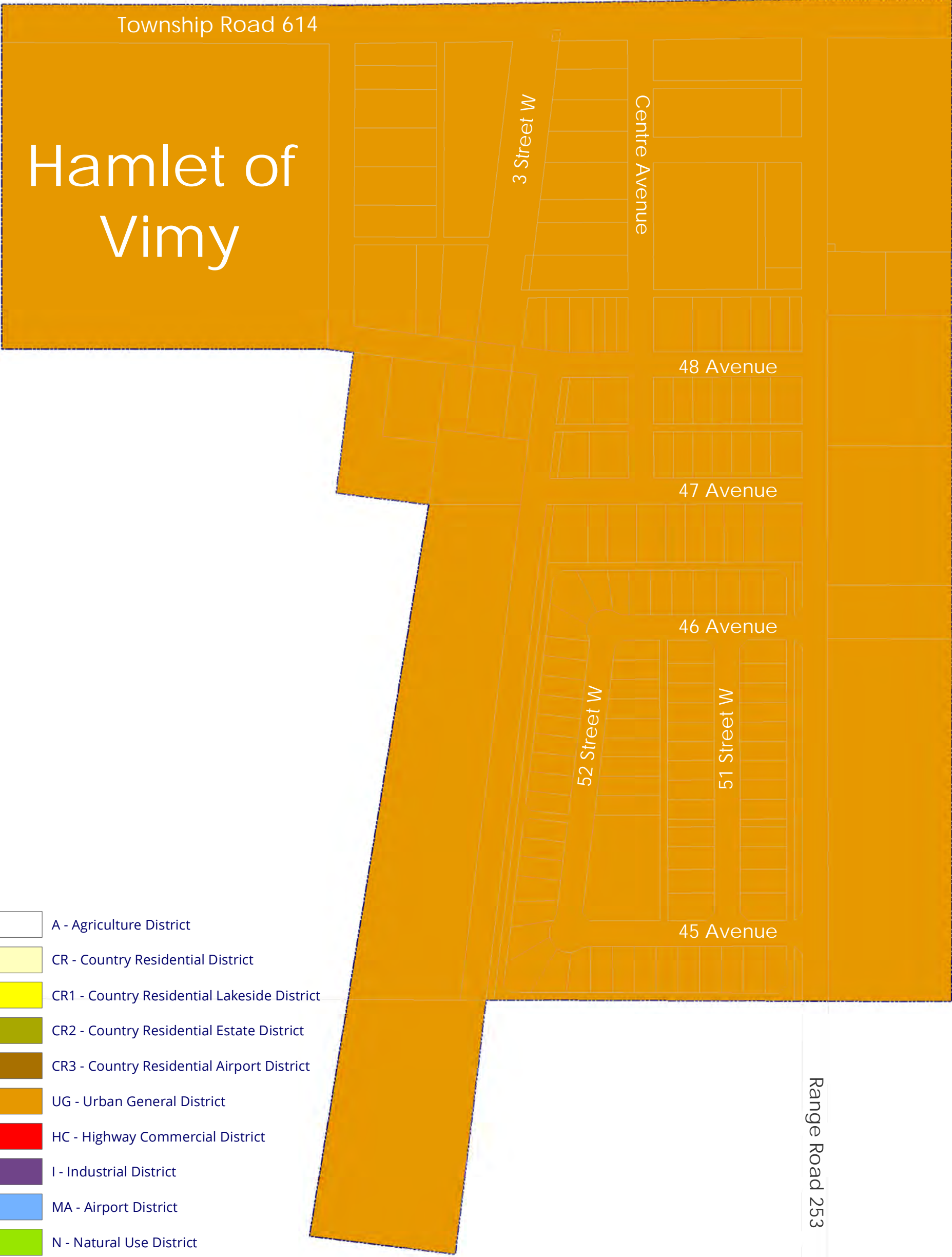
NORTH





WESTLOCK COUNTY

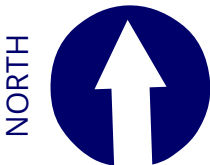
Land Use Bylaw Map 9.12
Hamlet of Tawatinaw

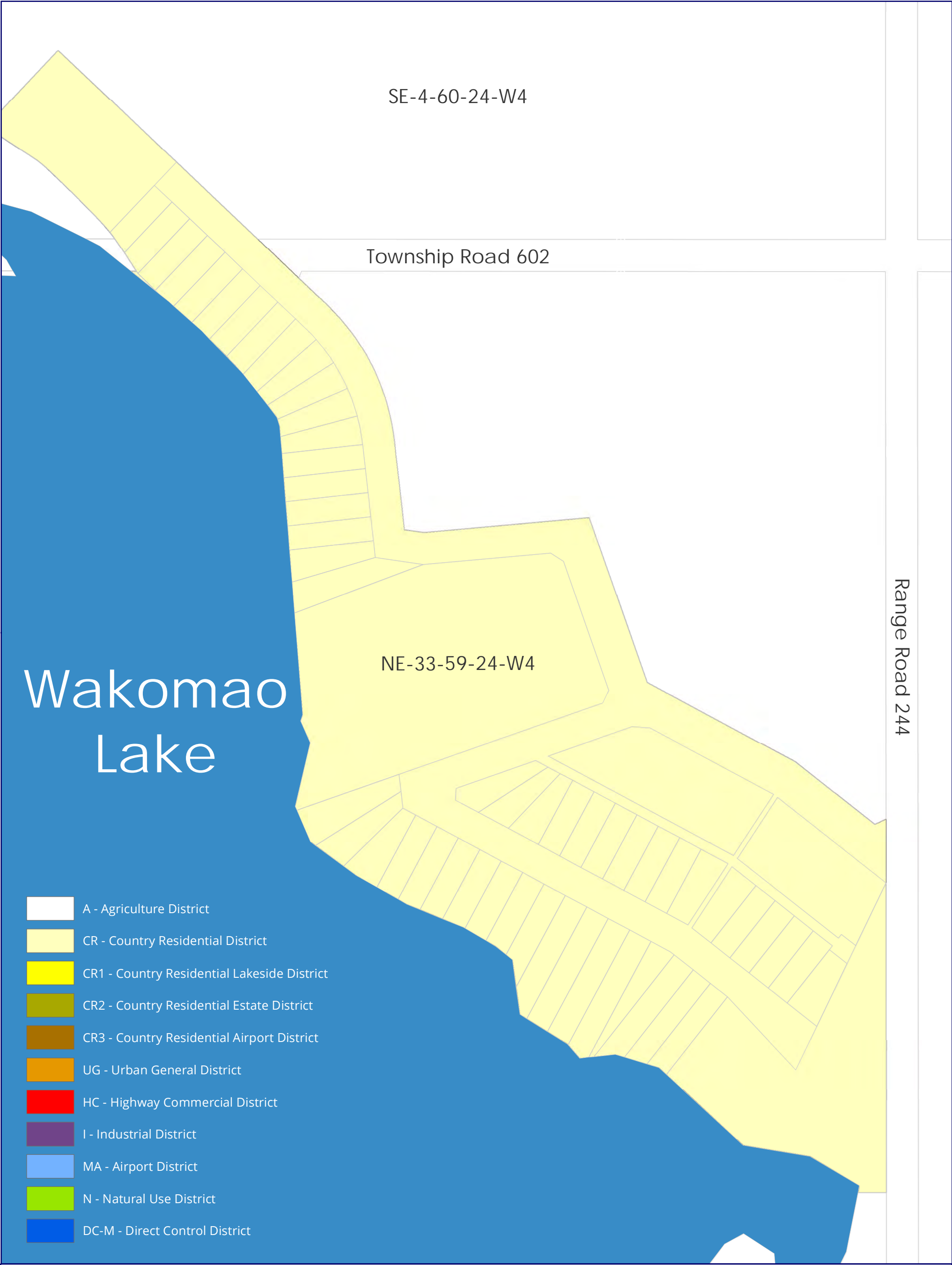


WESTLOCK COUNTY

Land Use Bylaw Map 9.13 Hamlet of Vimy

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

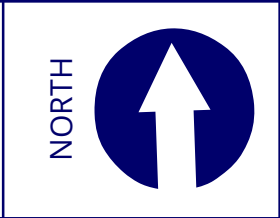
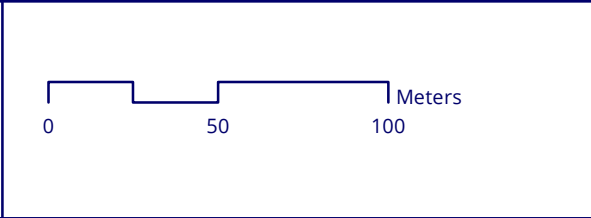


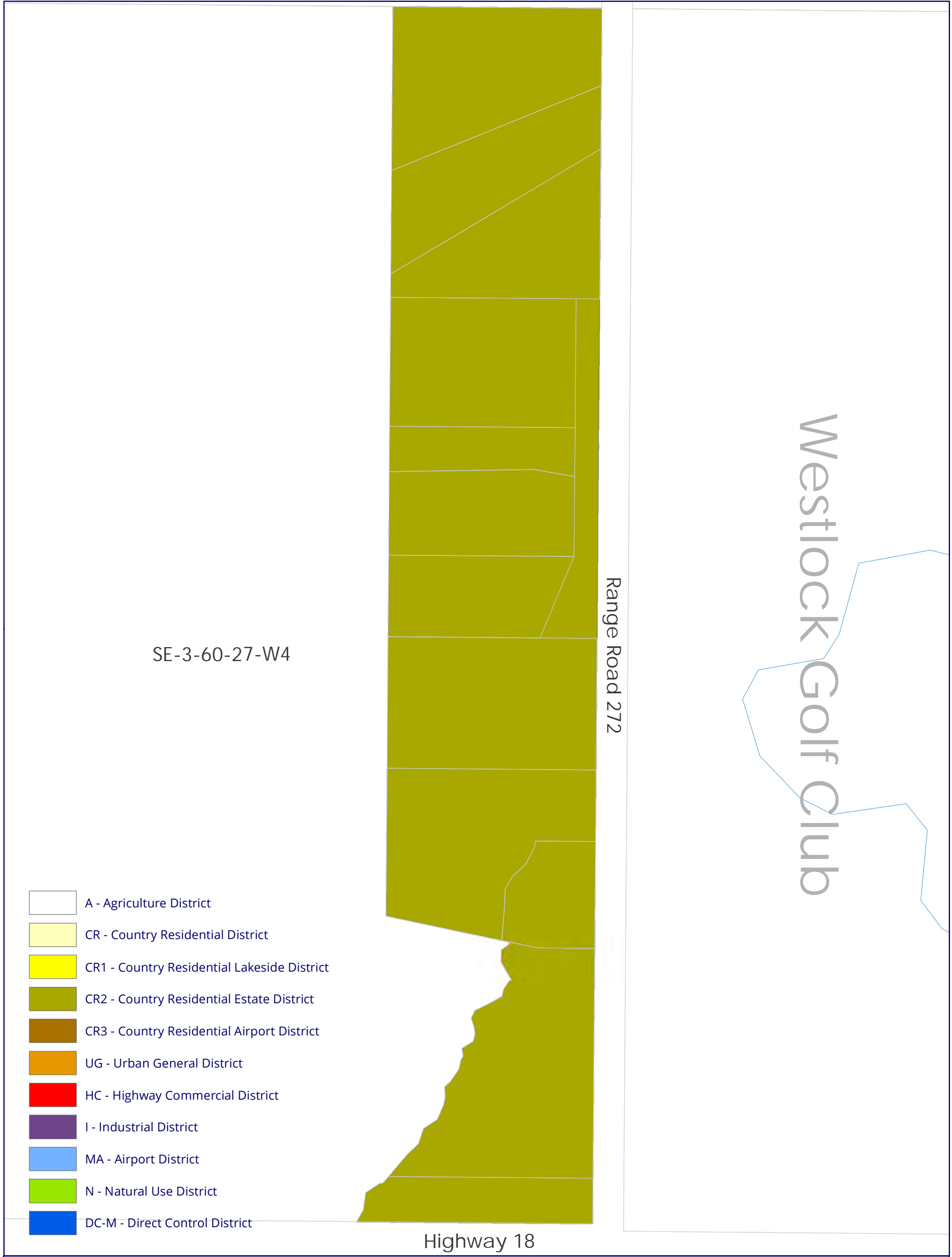


WESTLOCK COUNTY

Land Use Bylaw Map 9.14
NE 33-59-24-W4 & Pt. SE 4-60-24-W4

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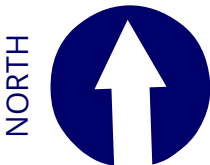


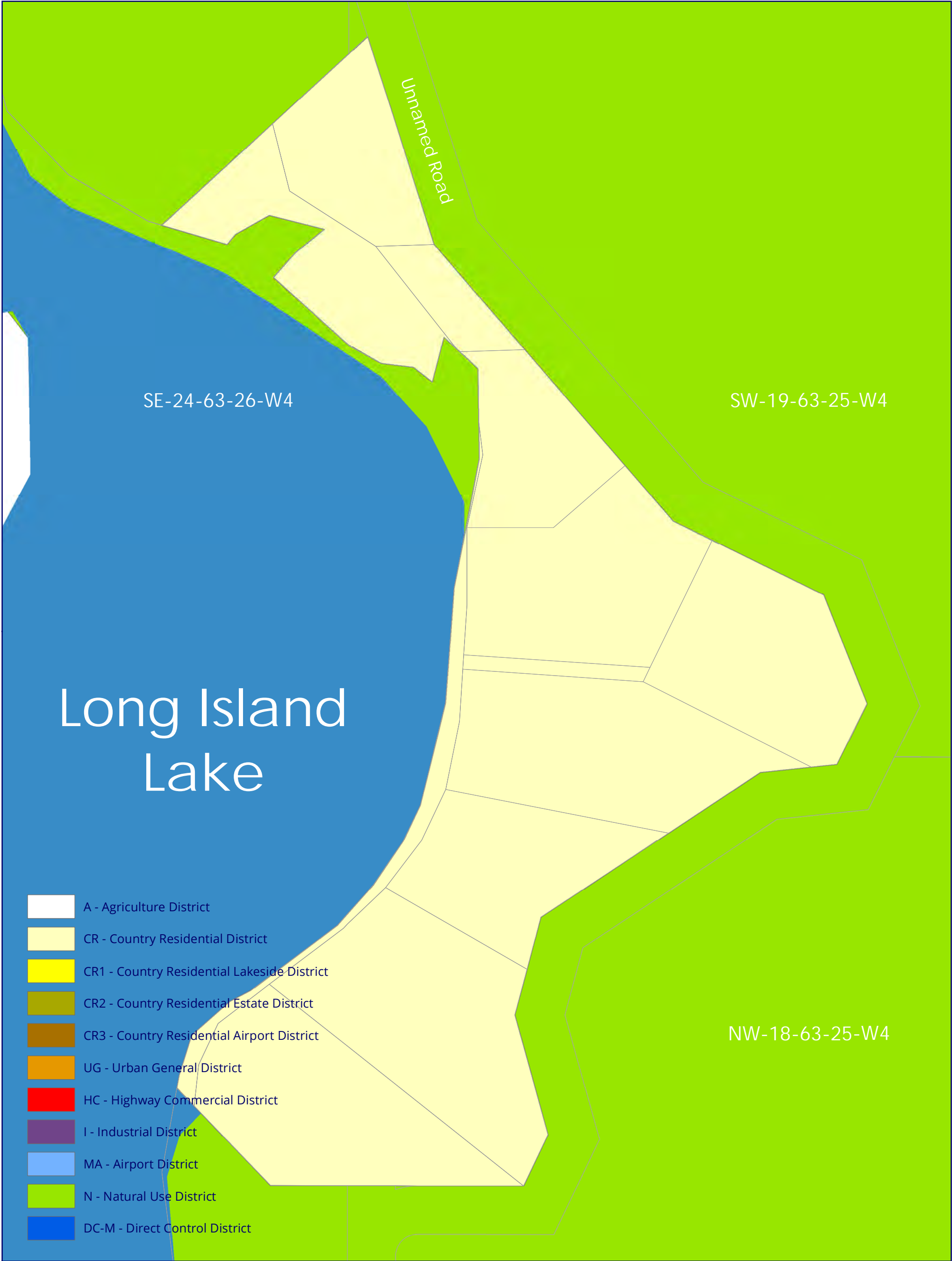


WESTLOCK COUNTY

Land Use Bylaw Map 9.15 SE 3-60-27-W4

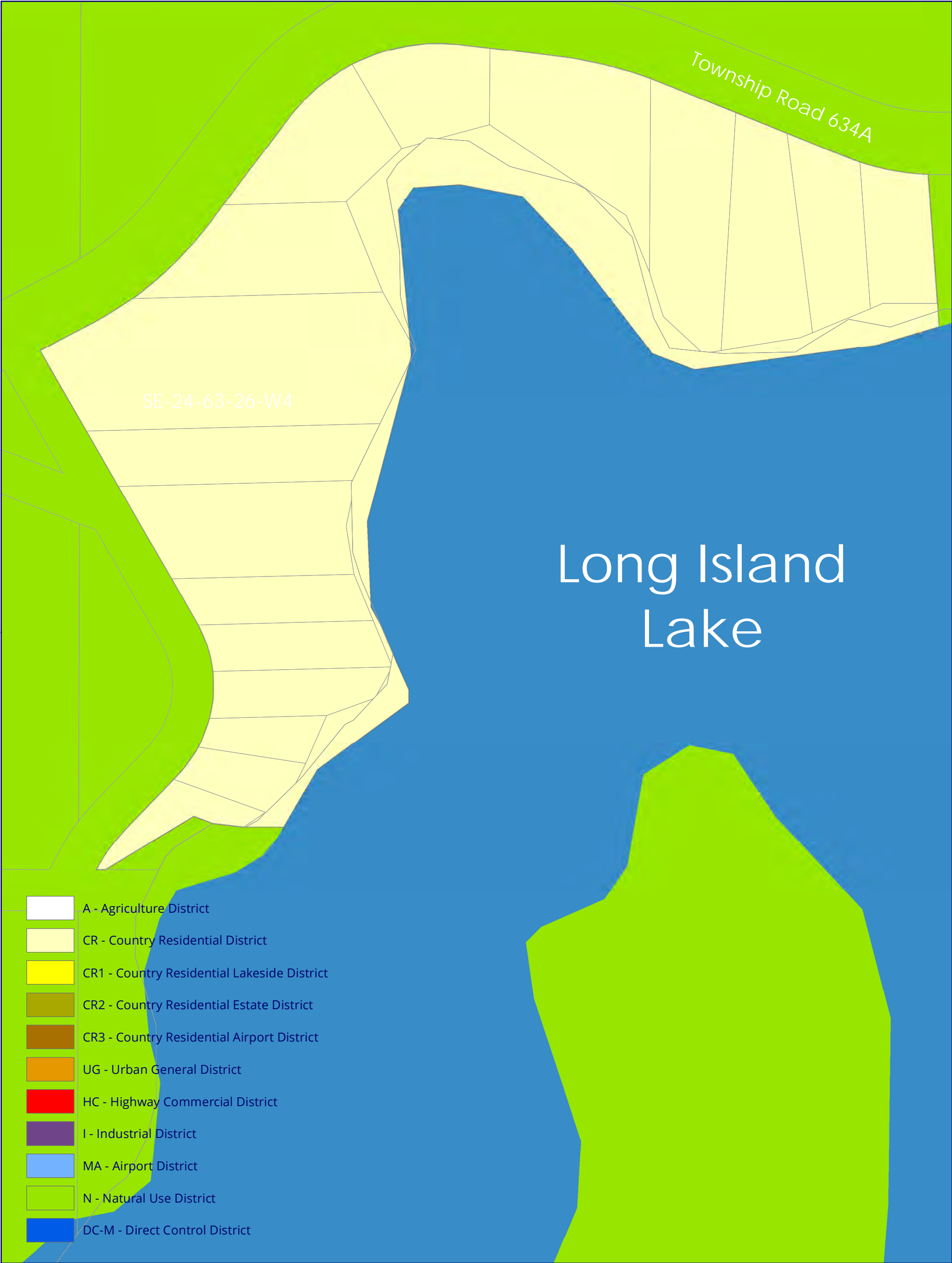
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WESTLOCK COUNTY

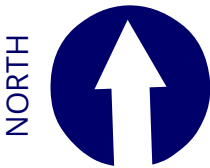
Land Use Bylaw Map 9.16
Pts NW 18 & SW 19-63-25-W4 &
Pts NE 13 & SE 24-63-26-W4



WESTLOCK COUNTY

Land Use Bylaw Map 9.17 SE 25-63-26-W4

Digital Information: Geogratias and Altalis
Projection: UTM NAD 83 12N



Thorhild County

SE 3-59-23-W4

Township Road 590

Half Moon Lake

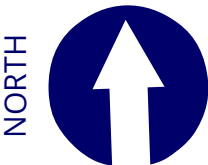
NE 33-58-23-W4

- A - Agriculture District
- CR - Country Residential District
- CR1 - Country Residential Lakeside District
- CR2 - Country Residential Estate District
- CR3 - Country Residential Airport District
- UG - Urban General District
- HC - Highway Commercial District
- I - Industrial District
- MA - Airport District
- N - Natural Use District
- DC-M - Direct Control District

WESTLOCK COUNTY

Land Use Bylaw Map 9.18
NE 33-58-23-W4

Digital Information: Geogratias and Altalis
Projection: UTM NAD 83 12N



Long Island Lake

Park Drive

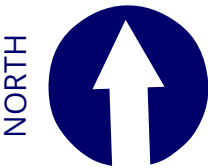
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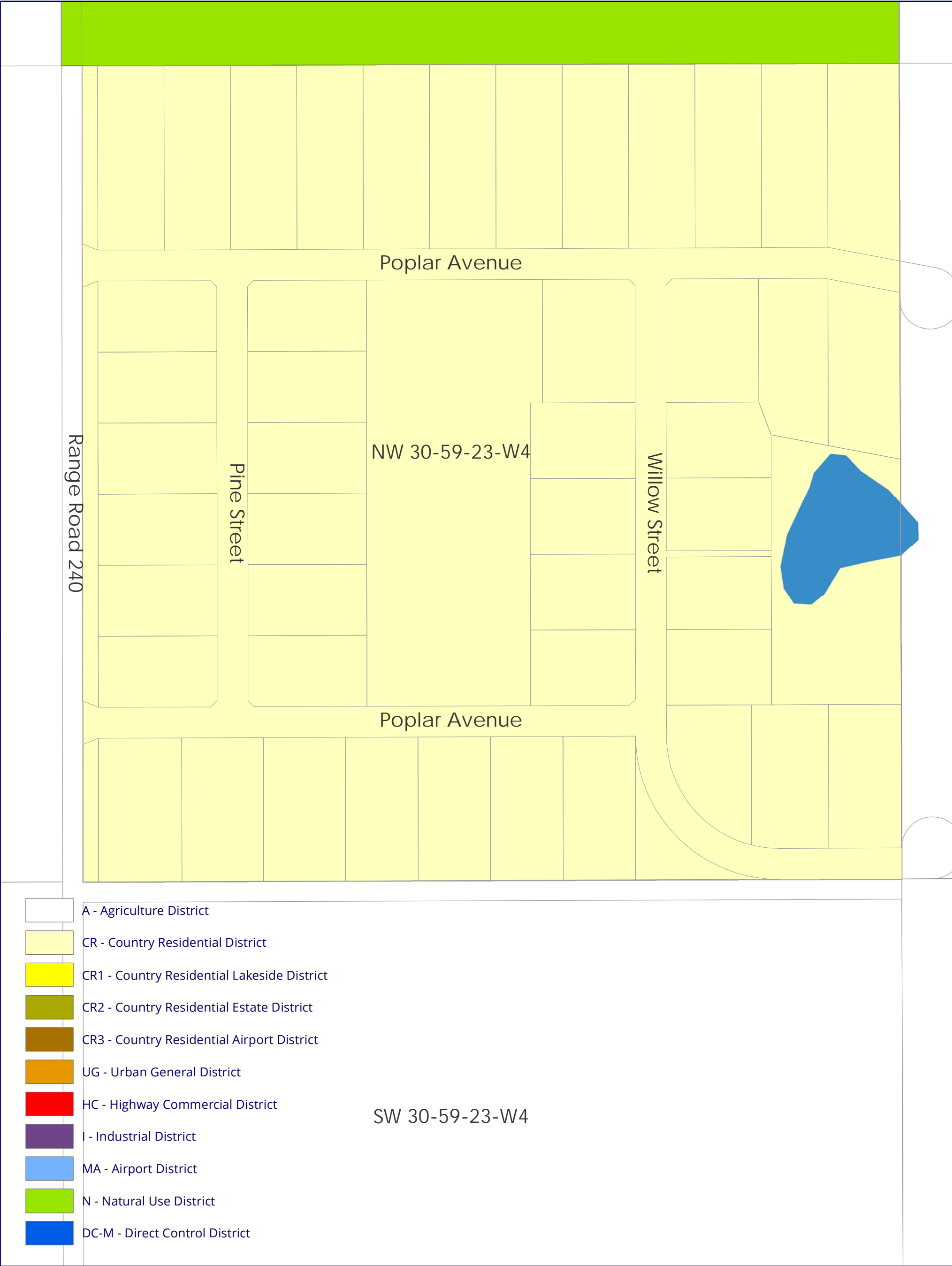
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WESTLOCK COUNTY

Land Use Bylaw Map 9.19
NW 7-63-25-W4

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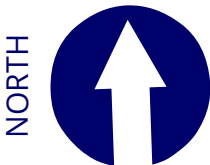


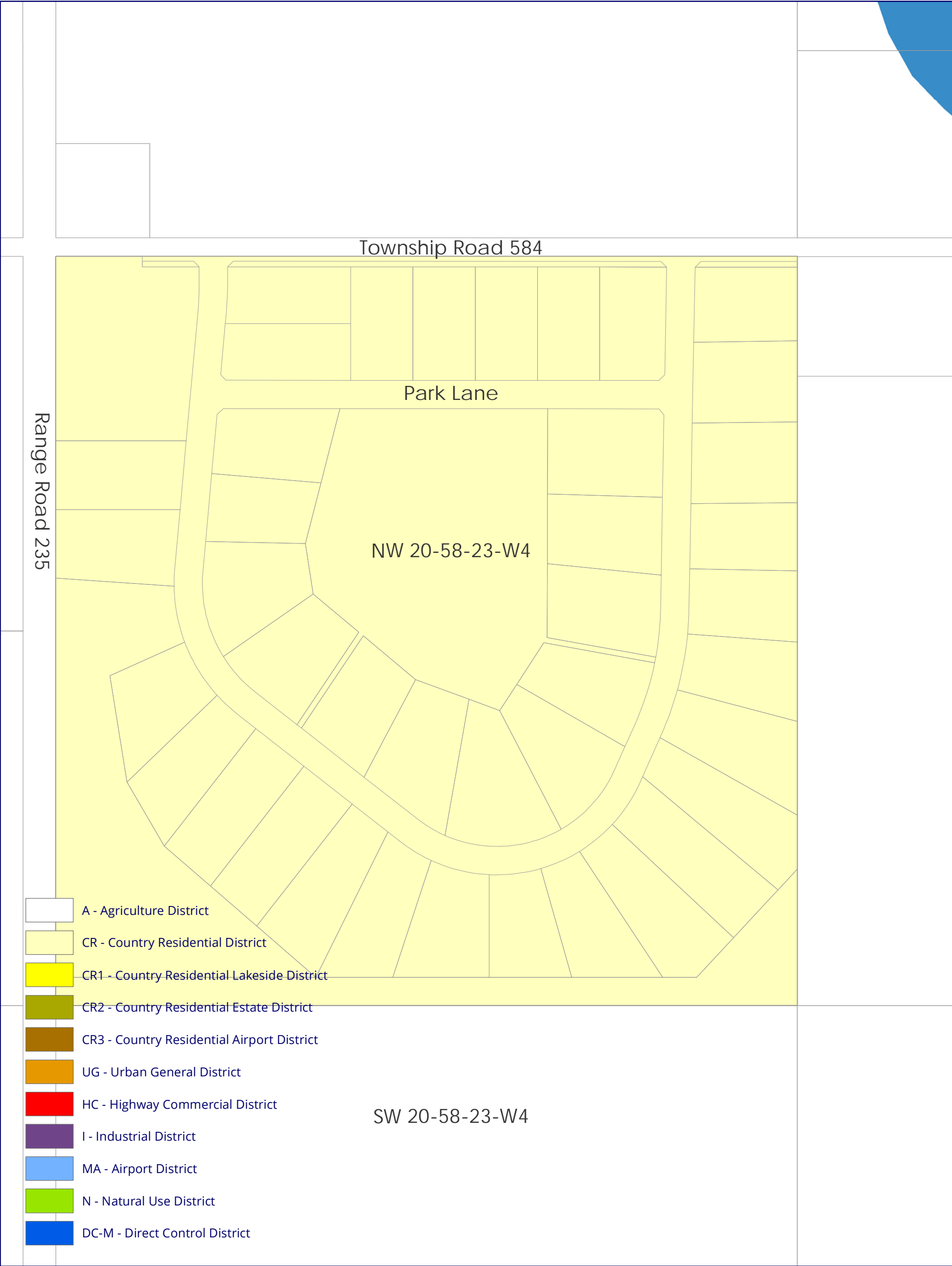


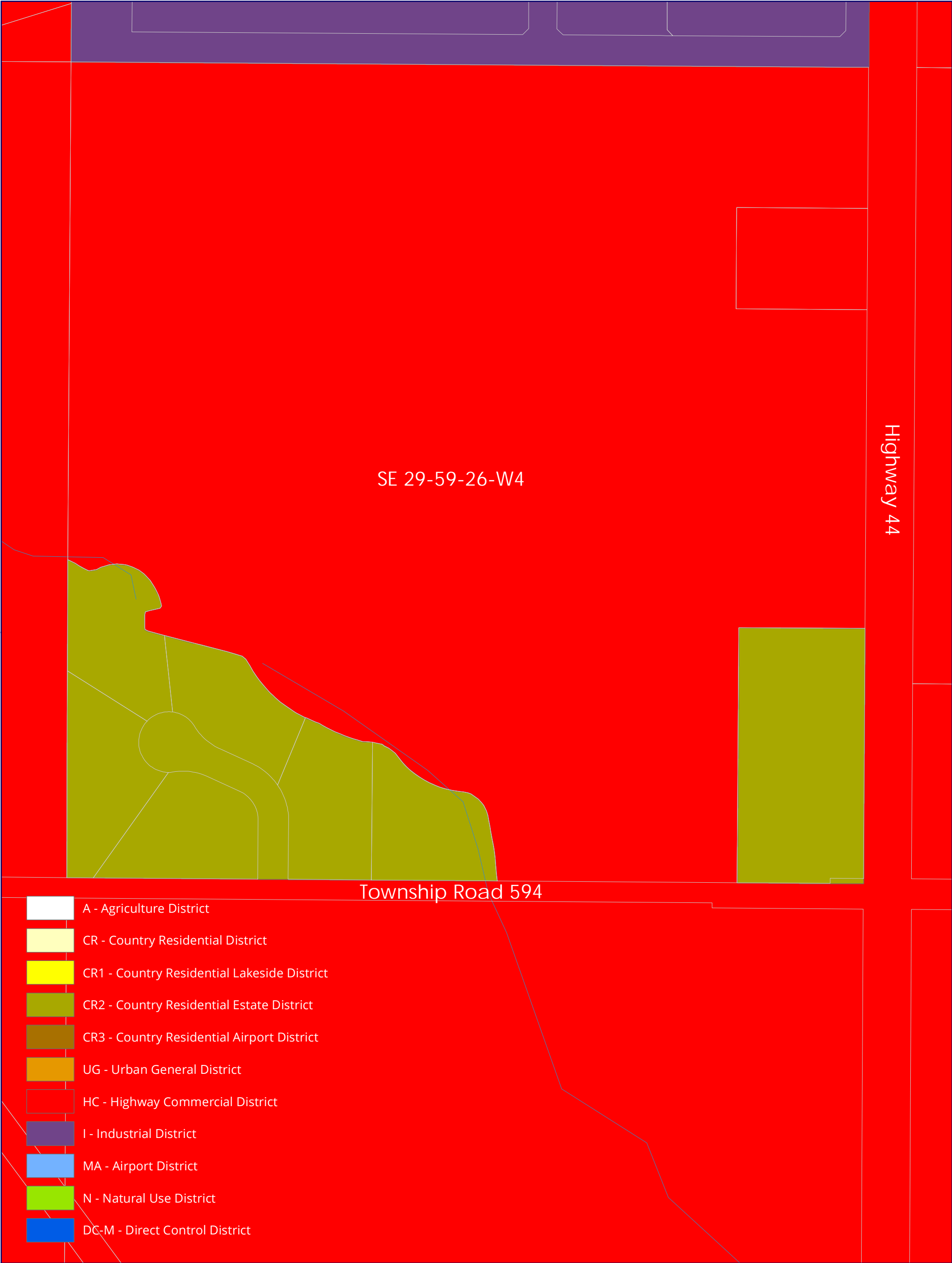
WESTLOCK COUNTY

Land Use Bylaw Map 9.20
NW 7-63-25-W4

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N







WESTLOCK COUNTY

Land Use Bylaw Map 9.22
SE 29-59-26-W4

Westlock Golf Club

SW 2-60-27-W4

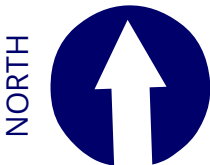
Highway 18

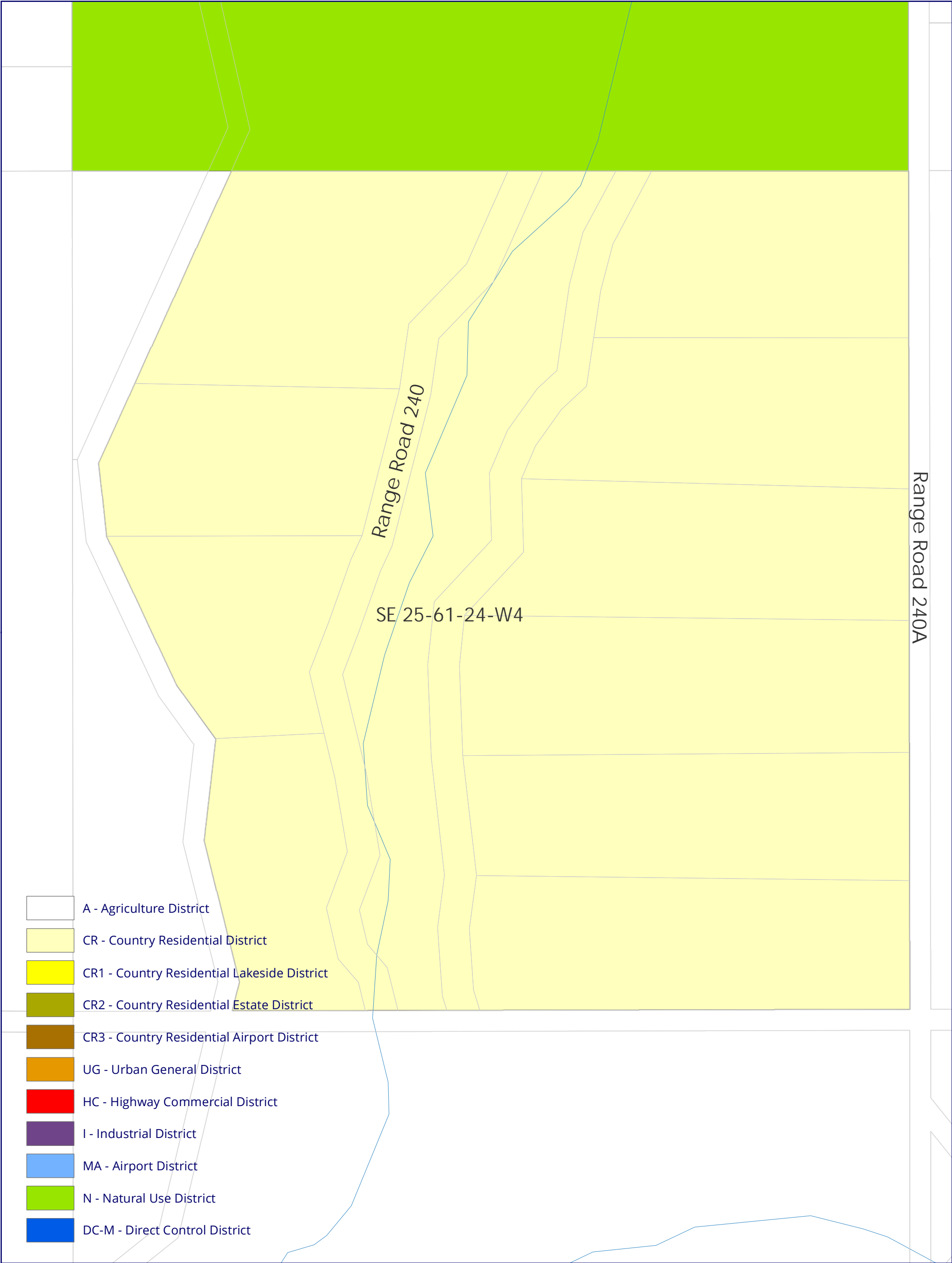
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- DC-M - Direct Control District

WESTLOCK COUNTY

Land Use Bylaw Map 9.23
SE 2-60-27-W4

Digital Information: Geogratis and Altalis
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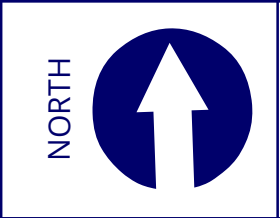
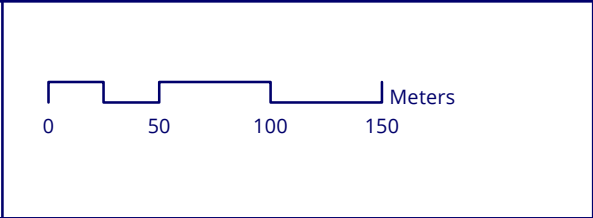


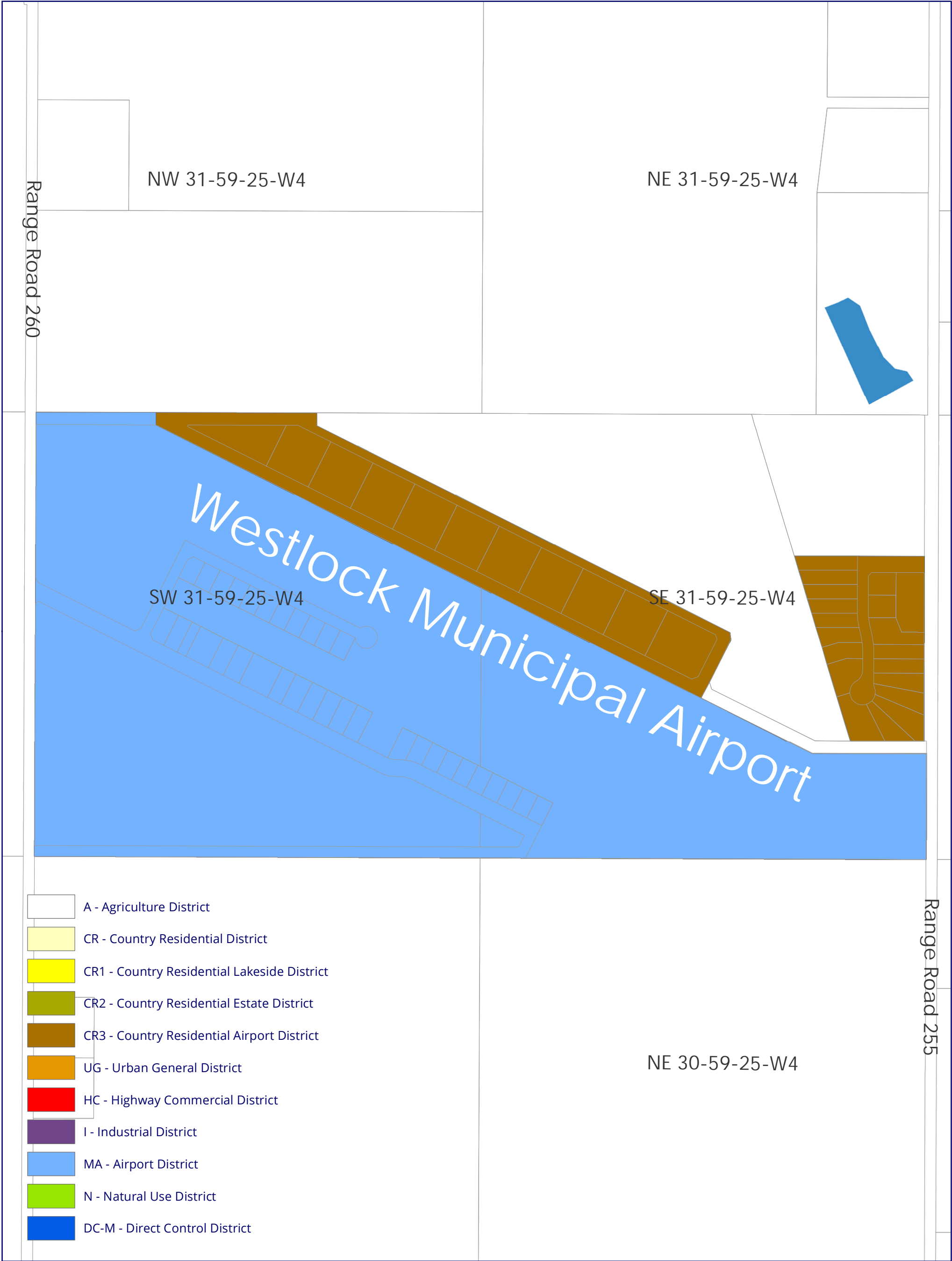


WESTLOCK COUNTY

Land Use Bylaw Map 9.24 SE 25-61-24-W4

Digital Information: Geogratias and Altalis
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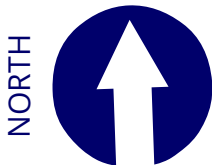




WESTLOCK COUNTY

Land Use Bylaw Map 9.25 Pt S1/2 31-59-25-W4

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N



Range Road 265

NW 8-60-26-W4

SW 8-60-26-W4

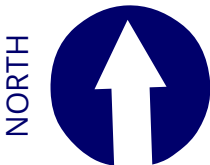
- A - Agriculture District
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- UG - Urban General District
- HC - Highway Commercial District
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- DC-M - Direct Control District

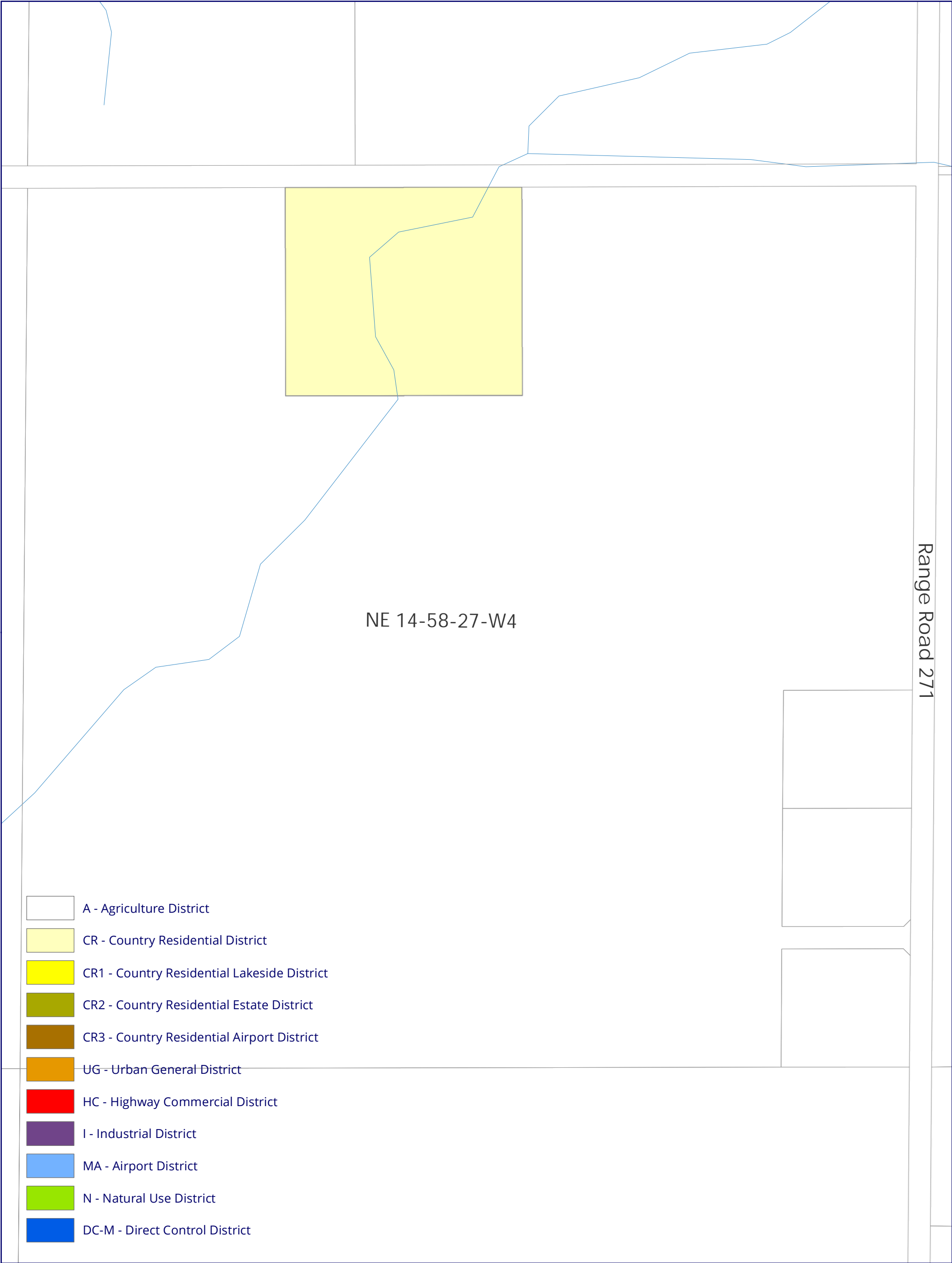
Town of Westlock

WESTLOCK COUNTY

Land Use Bylaw Map 9.26
N1/2 SW 8-60-26-W4

Digital Information: Geogratis and Altalis
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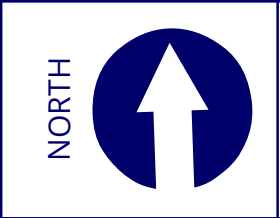
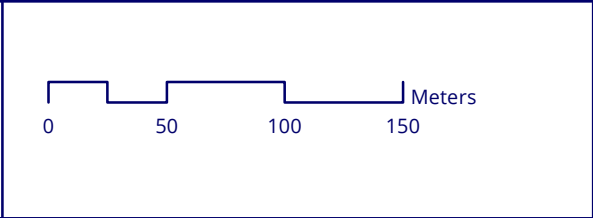


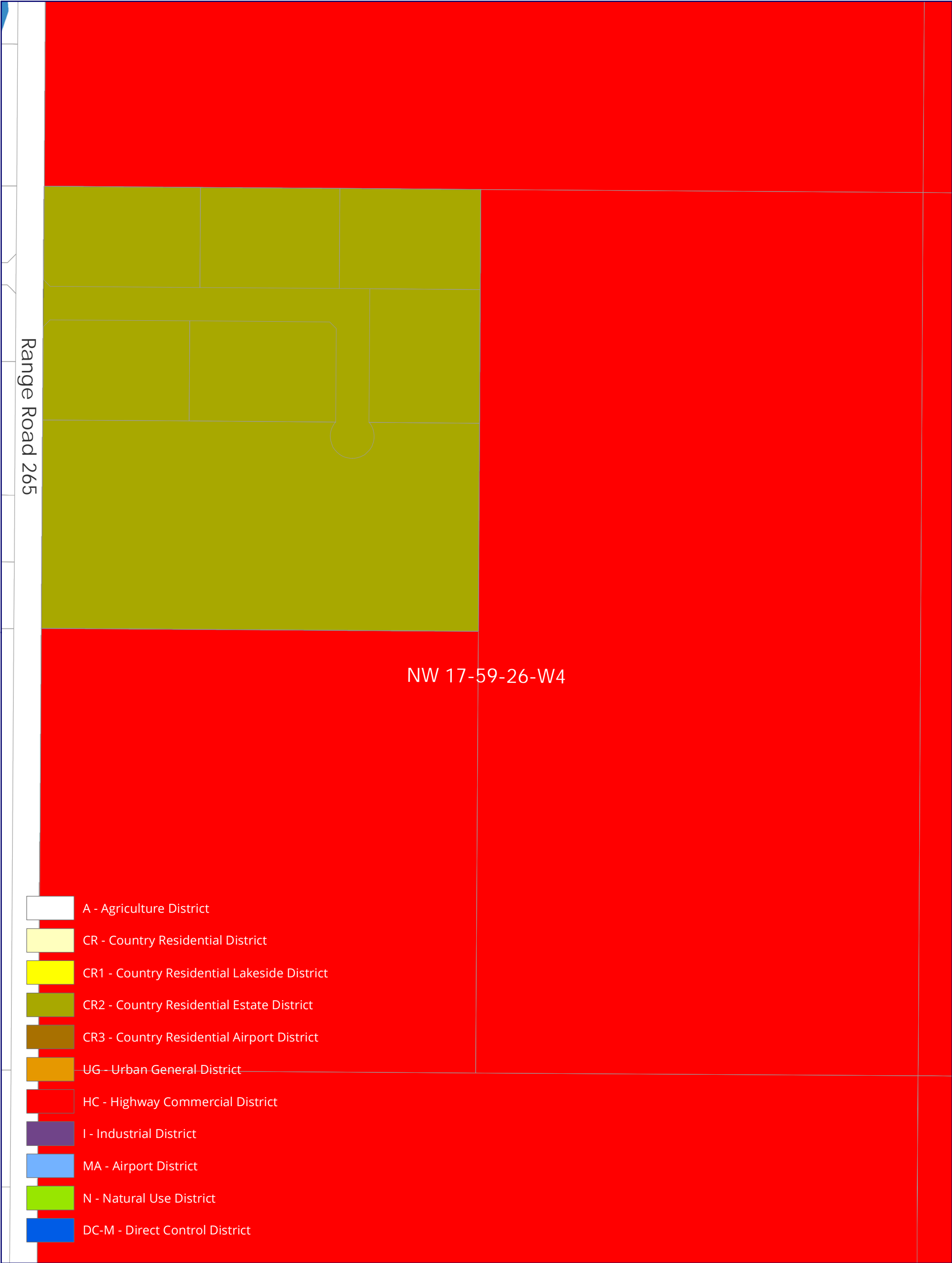


WESTLOCK COUNTY

Land Use Bylaw Map 9.27 NE 14-58-27-W4

Digital Information: Geogratias and Altalis
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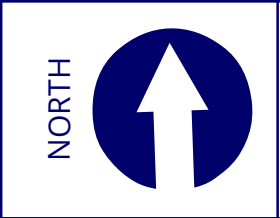
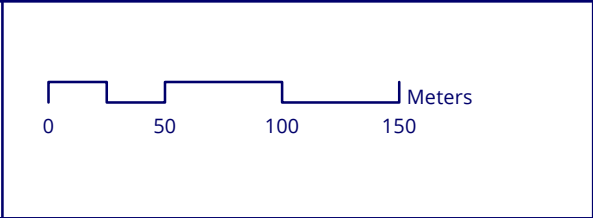


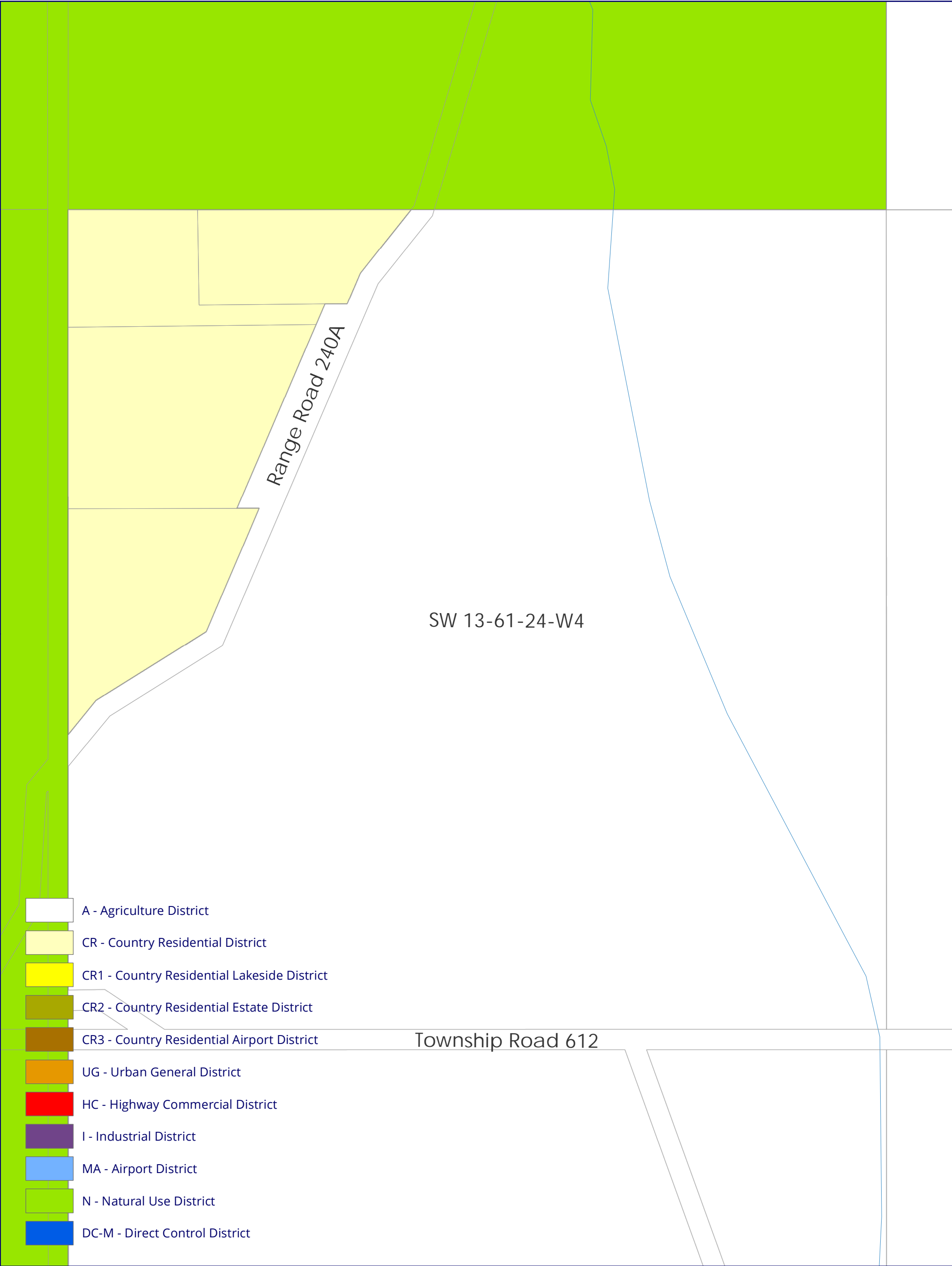


WESTLOCK COUNTY

Land Use Bylaw Map 9.28
N1/2 of W1/2 NW 17-59-26-W4

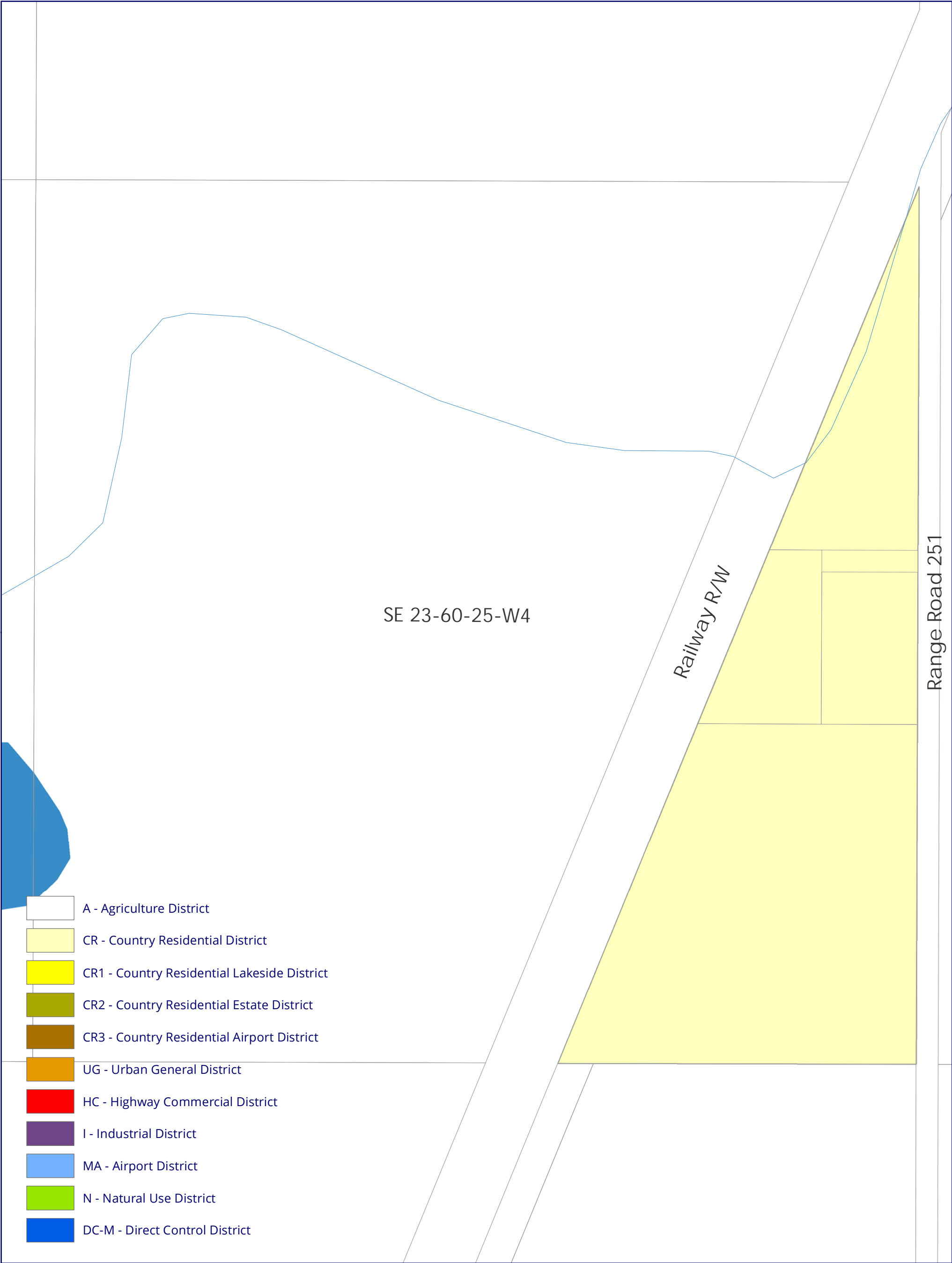
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WESTLOCK COUNTY

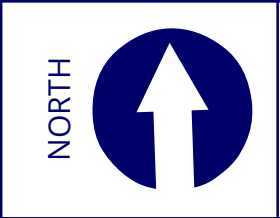
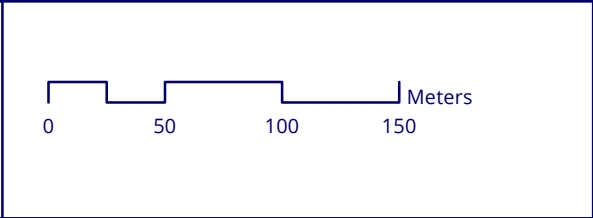
Land Use Bylaw Map 9.29
Pt SW 13-61-24-W4



WESTLOCK COUNTY

Land Use Bylaw Map 9.30 SE 23-60-25-W4

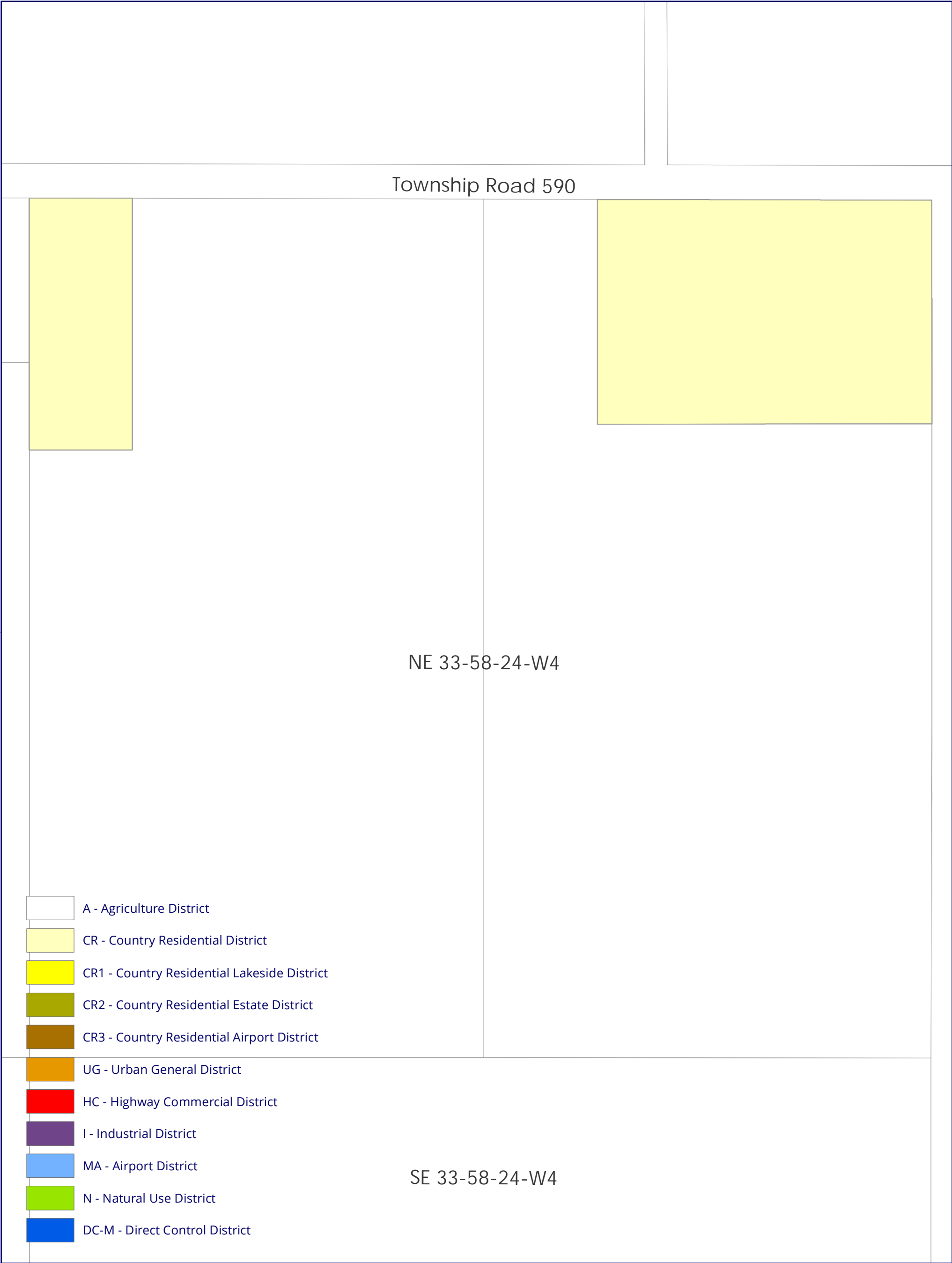
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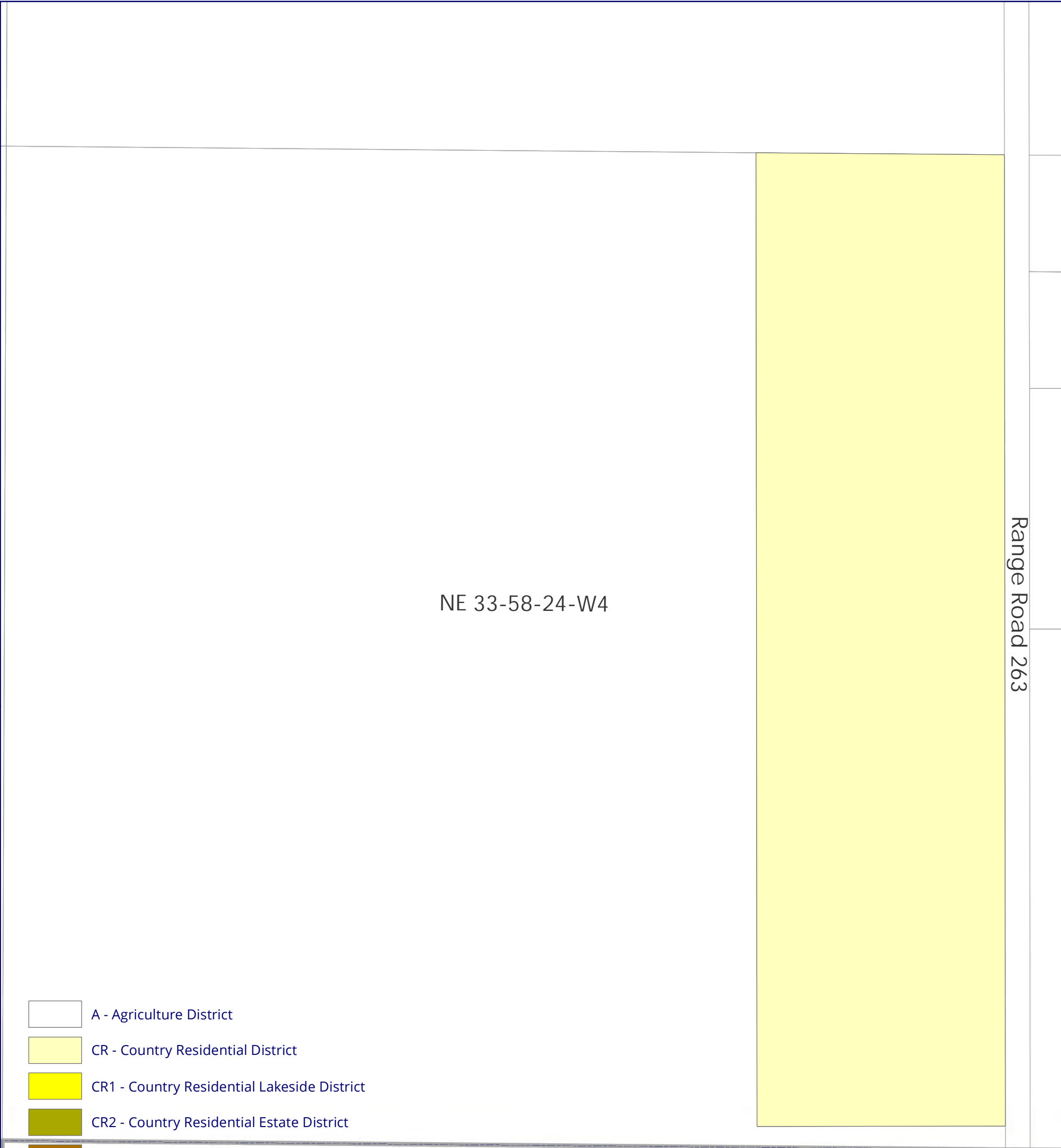
WESTLOCK COUNTY

Land Use Bylaw Map 9.31
SW 25-60-25-W4











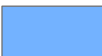


WESTLOCK COUNTY

Land Use Bylaw Map 9.32
Pt NE 33-58-24-W4



NE 33-58-24-W4

Range Road 263

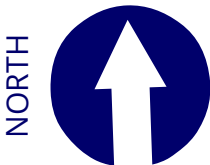
-  A - Agriculture District
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-  DC-M - Direct Control District

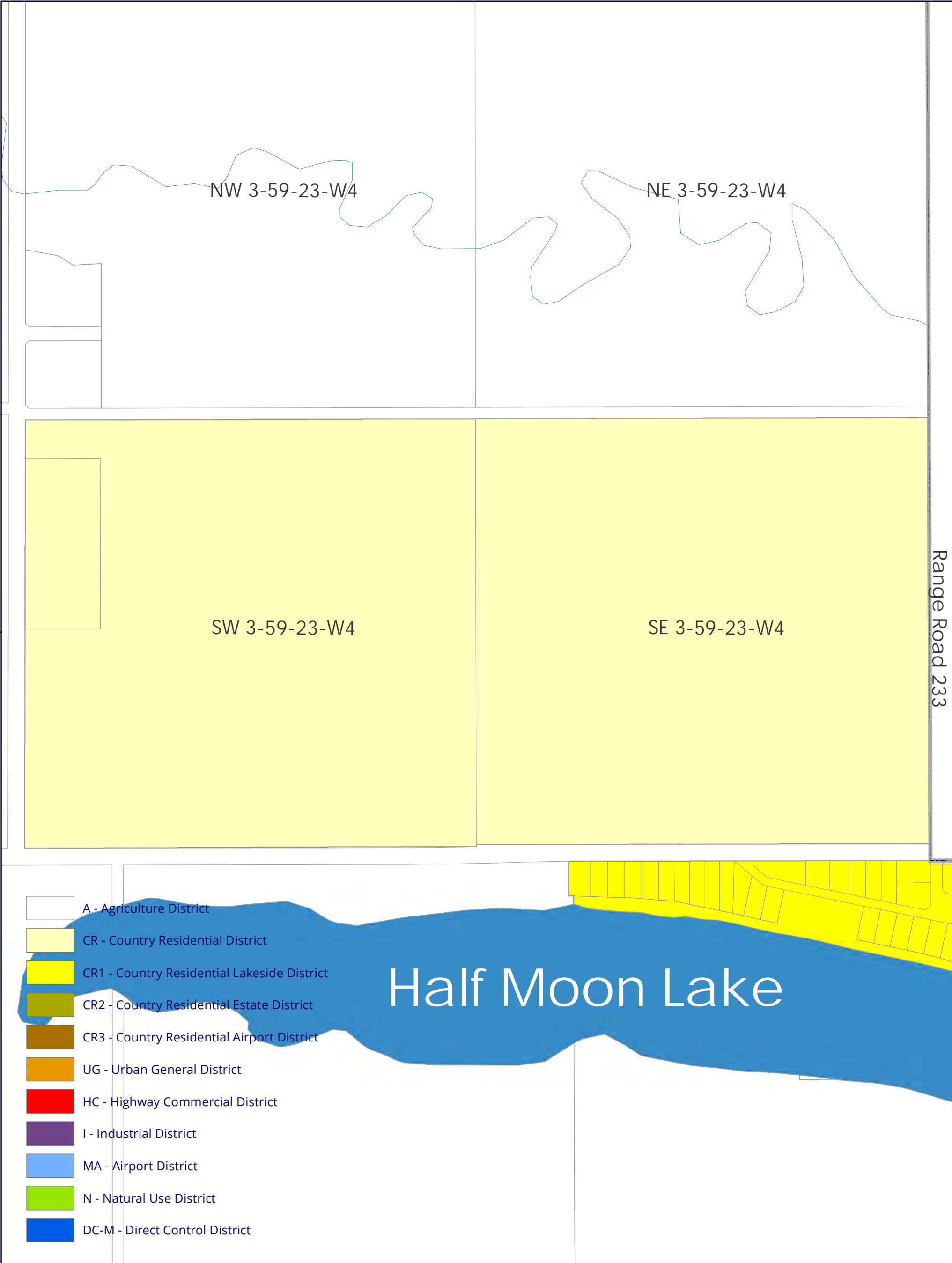
Sturgeon County

WESTLOCK COUNTY

Land Use Bylaw Map 9.33
SE 33-57-26-W4

Digital Information: Geogratias and Altalis
Projection: UTM NAD 83 12N





WESTLOCK COUNTY

Land Use Bylaw Map 9.34 S1/2 3-59-23-W4

Range Road 263

NW 15-59-26-W4

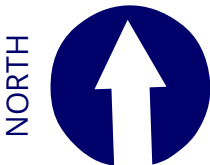
SW 15-59-26-W4

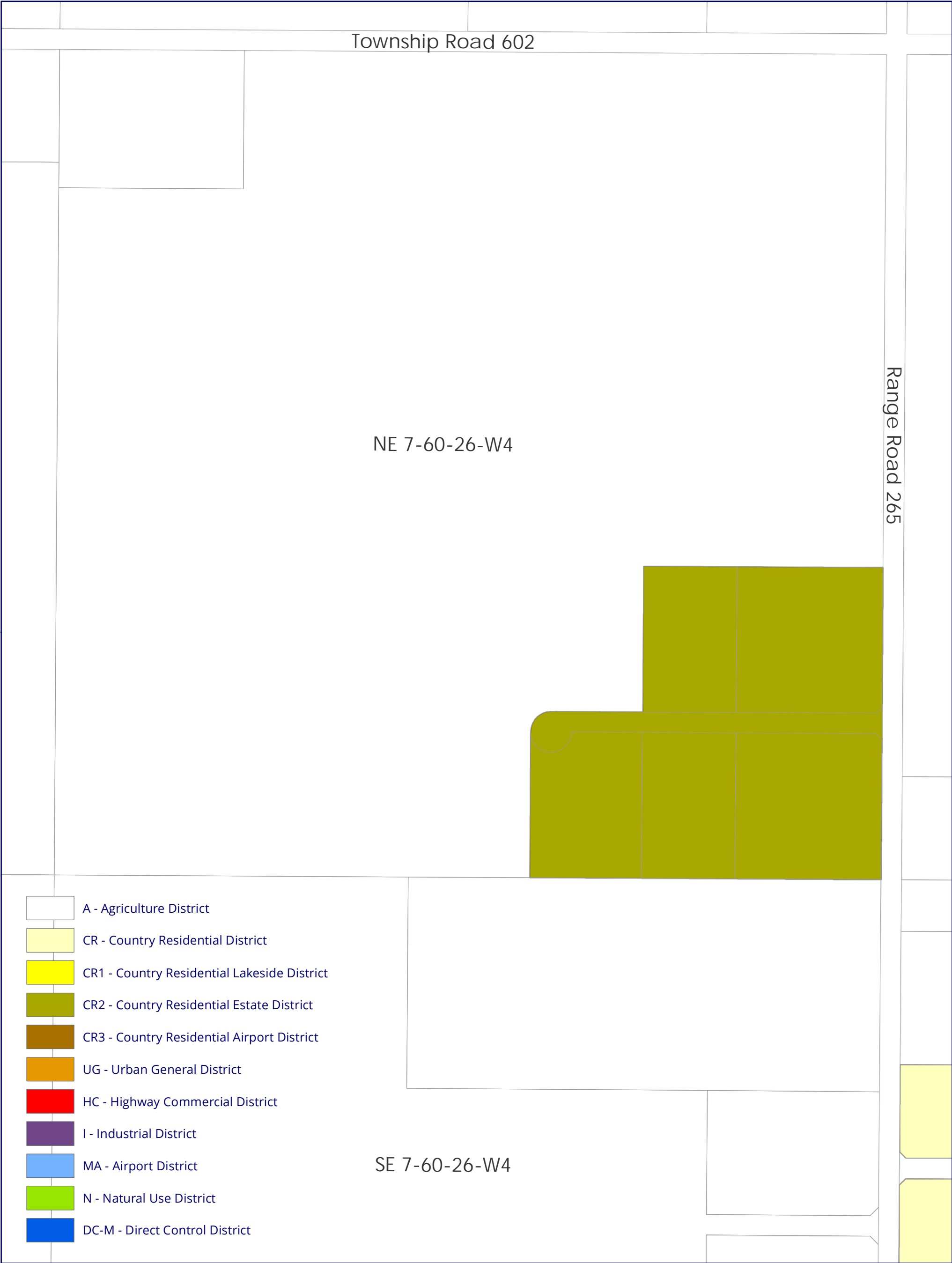
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WESTLOCK COUNTY

Land Use Bylaw Map 9.35 NW 15-59-26-W4

Digital Information: Geogratix and Altalis
Projection: UTM NAD 83 12N





WESTLOCK COUNTY

Land Use Bylaw Map 9.36
NE 7-60-26-W4

Highway 18

NW 31-59-26-W4

SW 31-59-26-W4

- A - Agriculture District
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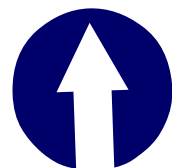
WESTLOCK COUNTY

Land Use Bylaw Map 9.37
Pt NW 31-59-26-W4

Digital Information: Geogatis and Altalis
Projection: UTM NAD 83 12N



NORTH





Appendix A – Guidelines for Environmental Reserves and Environmental Reserve Easements

Sustainable Resource Development Recommended Guidelines for Minimum Environmental Reserve/Easement Widths

In reference to Section 664 of the *Municipal Government Act*, the following are recommended where a boundary to a proposed subdivision is a water body or watercourse.

Table 1. Standard recommended minimum widths for Environmental Reserves or Environmental Reserve Easements based on type of water feature.

Water Feature	Minimum ER Width ²	Notes
Reservoirs & Regulated Lakes	30 m from right of way or easement boundary	A regulated lake is a lake where water levels are established to a predetermined elevation and actively managed through use of a licensing requirement (e.g. to pump water into the water body).
Lake (natural & controlled)	30 m from natural boundary	On controlled lakes, 30 m from sill elevation of licensed control structure.
Swamp/wetland ¹	Variable, include wet meadow zone	Wet meadow zone can be extensive in some situations, and in these instances the ER should be wide enough to preserve ecological function.
Large River (≥ 15 m width)	30+ m	See additional requirements for hazardous lands.
Small River/Large Stream (6-15 m)	15 m	See additional requirements for hazardous lands.
Medium Stream (3 - 6 m)	10 m	See additional requirements for hazardous lands.
Small Stream (≤ 3 m)	6 m	See additional requirements for hazardous lands.
Ephemeral watercourse (no defined channel)	0 m	Use bylaw to regulate tree cutting within a defined distance from feature to maintain riparian vegetation and drainage.
Braided Stream	10 m from outside boundary of active floodway	

¹ Sustainable Resource Development views the term "swamp" to mean any area with hydrological conditions of sufficient duration to have developed saturated soils and hydrophytic vegetation (i.e. wetlands or peatlands).

² In addition to the recommended ER width for the water feature itself, associated landscape features may require the ER width to be modified to factor in additional inherent hazards to development.

For lands described in section 664(1)(b) of the *Municipal Government Act* (unsuitable for development because they are subject to flooding, have high risk of erosion, or have existing topographical or geo-technical constraints) the following are recommended.

Table 2. Additional factors that may necessitate an increase in the width of an Environmental Reserve or Environmental Reserve Easement.

Hazardous Lands	ER Modifier	Notes
Floodplain	<ul style="list-style-type: none"> The width of the 1:100 year flood line or 30m from the natural boundary of a watercourse or lake, whichever is less. The width of meander belt for watercourses that tend to meander or entire floodplain if it is highly constrained within a confined valley. 	<ul style="list-style-type: none"> Residential development within a floodplain is discouraged. Development within flood fringe area should only be considered if flood proofing undertaken to reduce risk of flood damage. Flood risk mapping or delineation of the 1:100 year flood line generally defines the extent of expected flood occurrence (see Alberta Environment policy and guidelines). The width of a meander belt is determined by multiplying bankfull width by 20 for each reach, and is split equally on either side of creek along axis of meander belt.
Erosion prone areas	Provide for a toe erosion allowance.	Consider highly erosive soils and annual recession rates.
Gully, ravine, coulee, or valley escarpments	Provide for a stable slope allowance. Apply construction and building setbacks from this line.	Boundary of stable slope allowance measured from top of crest of plateau (terrace), valley slope or tableland.
Steep Slopes ($>15\%$)	3X escarpment height or as recommended by a geotechnical report on slope stability, rate of erosion, etc.	