Land Use Bylaw







September 2013

BYLAW 16.13

OFFICE CONSOLIDATION - April 2019

How to Use the Yellowhead County Land Use Bylaw

The following is intended for information purposes only and does not form part of the Yellowhead County Land Use Bylaw.

The Yellowhead County Land Use Bylaw establishes regulations for the use of land and buildings in Yellowhead County. Regulations differ depending on the location and type of development contemplated. Land Use District Maps provide direction for development and use of land on specific parcels throughout the County. The Land Use Bylaw also includes general regulations which apply to some or all development. It is important when reviewing the Land Use Bylaw to consider both the general and specific regulations that may apply to your property.

The Land Use Bylaw reflects County regulation only – other bylaws, regulations and Acts of the County, province and federal government must also be observed. Where possible, the Land Use Bylaw attempts to outline these other requirements. This is not to say, that the Land Use Bylaw contains an exhaustive list; instead, it is up to each individual to ensure that the laws of each level of government governing the use of land and development are observed.

When using the Land Use Bylaw, it is suggested that the user follow these steps:

1.	Locate the subject property on the Land Use District Maps. Note the district title that applies to the property.
2.	Cross check with the Table of Contents in the Land Use Bylaw to determine the location of the specific Land Use District. The Land Use Districts are included in PART FOURTEEN. Each Land Use District includes a list of permitted and discretionary uses, subdivision and development regulations and other specific regulations as necessary. These regulations are used to determine the use of land and the types of development that can occur in each Land Use District.
3.	Review the General Regulations included in this bylaw to determine if there are any general regulations that may apply to the subject property or development. General regulations address issues such as parking, on-site and off-site servicing requirements, signs, etc. may apply to all developments but are not generally listed in each land use district.
4.	Review the Special Land Use Provisions included in this bylaw to determine if there are provisions that may apply to your development. The Special Land Use Provisions address issues such as accessory buildings, home occupations, kennels, and tourist accommodations.
5.	Discuss your proposed land use or development with staff from Yellowhead County's Planning and Development Department. The County's Development Officers are pleased to explain the process and to assist you with specific issues. The Development Officers may also assist you with other Land Use Bylaw situations such as enforcement of County regulations.

If you require assistance with the regulations or processes contained in the Land Use Bylaw, please call or visit Yellowhead County's Planning and Development Department. The official version of the Land Use Bylaw and amendments is located at the County's offices. This version of the Land Use Bylaw should be consulted in all cases where an officially certified version of the Bylaw is required.

Yellowhead County Land Use Bylaw 16.13
(Adopted September 23, 2013)

OFFICE CONSOLIDATION
March 22, 2019

This document is consolidated into a single publication for the convenience of users. When making reference to this document, users are directed to contact Yellowhead County for any additional amendments. In case of any dispute, the original Bylaws should be consulted.

Including amending bylaw numbers:

Bylaw No.	Textual Amendment	Adopted
10.14	Define notice of decision timeline	June 24, 2014
18.14	Telecommunications towers	November 25, 2014
04.18	Landfill and composting district	March 13, 2018
01.19	Cannabis related uses	March 12, 2019
02.19	Municipal Government Act conformance	April 9, 2019

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PART ONE – ADMINISTRATION

SECTION 1 TITLE

(1) This Land Use Bylaw is entitled “Yellowhead County Land Use Bylaw No. 16.13”.

SECTION 2 PURPOSE

(1) The purpose of this Bylaw is to regulate and control the use and development of land and buildings within Yellowhead County to achieve the orderly and economic development of land, and:

- (a) to divide the municipality into districts;
- (b) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (c) to allow for the establishment of direct control districts;
- (d) to establish supplementary regulations governing specific land uses;
- (e) to establish a process of issuing decisions on development permit applications;
- (f) to establish a process of issuing decisions on subdivision applications;
- (g) to establish a process for appeal of development and subdivision decisions; and
- (h) to establish a process for making amendments to this Bylaw.

SECTION 3 PREVIOUS BYLAW

(1) Land Use Bylaw No. 2.06 and amendments thereto is hereby repealed.

SECTION 4 EFFECT AND APPLICATION OF THIS BYLAW

(1) This Bylaw comes into effect upon the date of final reading by the Council of Yellowhead County.

SECTION 5 COMPLIANCE WITH OTHER LEGISLATION

(1) Compliance with the Bylaw does not exempt any person undertaking a development from complying with all applicable Municipal, Provincial and Federal laws, and respecting any easements, covenants, agreements and other contracts affecting the land or development.

SECTION 6 UNITS OF MEASUREMENT

(1) The standard measurement used in this Bylaw is metric and any reference to imperial measurement is for convenience purposes only.

SECTION 7 SEVERABILITY

(1) If one or more provisions of this Bylaw are for any reason held to be invalid by a court of competent jurisdiction, all remaining provisions are to remain in full force and effect.

PART TWO – INTERPRETATION

SECTION 8 RULES OF INTERPRETATION

(1) Where reference is made to other legislation or documents, the reference is to the legislation or documents as amended from time to time.

(2) The words “shall”, “must” and “is” require mandatory compliance except in cases where a variance has been granted pursuant to the *Act*.

(3) Where a regulation involves two or more conditions, provisions or events connected by the word “and” means that all the connected items shall apply in combination.

(4) Where a regulation involves two or more conditions, provisions or events connected by the word “or” means that the connected items may apply individually.

(5) Words, phrases, and terms not defined in this section may be given their definition in the *Act* or the Alberta Building Code. Other words shall be given their customary meaning.

(6) The Development Authority may approve a development permit for a use that is similar to a permitted or discretionary use in a land use district, and which conform to the general purpose and intent of this district if such use is not a defined use in Section 10.

SECTION 9 LAND USE DISTRICT BOUNDARIES

(1) Where a land use district boundary is shown on the Land Use District Maps as approximately following a property line, it follows the property line or lease boundary in the case of a Municipal, Provincial or Federal lease.

(2) Where a land use district boundary is shown on the Land Use District Maps as the Yellowhead County Municipal boundary, it follows the Yellowhead County municipal boundary.

(3) Where a land use district boundary is shown on the Land Use District Maps as approximately following a road, lane, railway, pipeline, power line, utility right of way, or easement, it follows the centre line, unless otherwise clearly indicated on the Land Use District Maps.

(4) Where a land use district boundary is shown on the Land Use District Maps as approximately following the edge, shoreline, or high water mark of a river, lake or other water body, or a topographic contour line or a top of bank line, it follows that line. In the event of a natural change to these features, it moves with the edge or shoreline.

(5) In circumstances not defined above, the land use district boundary shall be determined by a Development Officer measuring the boundary from some known location on the Land Use District Maps.

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

SECTION 10 DEFINITIONS

(1) Words used in the present tense include the other tenses and derivative forms.

(2) Words used in the singular include the plural and vice versa.

(3) Words have the same meaning whether they are capitalized or not.

(4) Individual uses are grouped into definitions with common functional or physical effects or characteristics. These uses define the range of uses that are permitted, discretionary, or prohibited, with or without conditions, within various districts of this Bylaw.

(5) Examples listed in a land use definition are not intended to be exclusive or restrictive.

(6) Where a specific use applied for does not conform to the wording of any use or generally conforms to the wording of two or more uses, the use conforms to and is included in that use which, at the discretion of a Development Officer, is most appropriate in character and purpose.

(7) The following words, terms and phrases included in this Bylaw shall have the following meaning assigned to them as follows:

In this Bylaw:

A

ABATTOIR means premises where livestock is slaughtered and the meat is cut, cured, smoked, aged, wrapped, or frozen;

ACT means the Municipal Government Act Chapter M-26 RSA 2000 and any amendments thereto;

ACCESSORY means that which is secondary and subordinate to a principal use;

ACCESSORY BUILDING means a building separate and subordinate to the principal building, the use of which is incidental to that of the principal building and is located on the same lot; for example, a garage, carport, shed, storage building, shop, sundeck, patio or balcony, permanently installed hot tub or swimming pool and other similar buildings;

ACCESSORY STRUCTURE means television antenna, radio antenna, flag pole, tower and other similar structures;

ACCOMMODATION UNIT means a room or suite of rooms operated as a temporary place to stay, with or without compensation, and does not include a Residence. It usually contains sleeping and sanitary facilities, may contain cooking and eating facilities, and may or may not be a Dwelling Unit. Visitor Accommodation Units shall be deemed to be accommodation units. Accommodation use means the use of an Accommodation Unit as defined in the Bylaw;

ADJACENT LAND means land or portion of land that is contiguous to the parcel of land that is the subject of the application and includes land or portion of land that

would be contiguous if not for public roadway, railway, utility right of way, river or stream, and in the opinion of the Development or Subdivision Authority any other land;

AGRICULTURAL BUILDING means a building, such as a barn or machine shop, used for an intensive or extensive agricultural operation. This may be considered a principal building in the Rural District.

AGRICULTURE (EXTENSIVE) means those agricultural operations producing crops or livestock, which require larger tracts of land (i.e. one or more quarter sections).

AGRICULTURE (INTENSIVE) means a commercial agricultural operation, other than a confined feeding operation, which requires smaller tracts of land due to the intensive nature of the operation. This includes exotic animal husbandry, apiaries, nurseries, greenhouses, market gardens, small scale poultry and pork operations.

AGRICULTURE PROCESSING means premises for processing previously unprocessed products. This may include uses similar, but not limited to, dairies, feed mills, grain elevators, and seed cleaning plants;

AGRICULTURE SERVICE FACILITY means premises used for the provision of non-industrial, agriculturally oriented services to the rural community, including the retailing, servicing and repairing of agricultural implements and goods;

AIRPORT means:

(a) 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

(b) includes any building, installation or equipment in connection therewith;

for which an airport license has been issued by Transport Canada or is a registered forestry airstrip;

ANCILLARY means subordinate or assisting and in the case of a building, would include essential structural components necessary to the building function such as mechanical penthouses, elevator housing, mechanical rooms, communication structures or chimneys;

APARTMENT BUILDING means a single building comprised of three or more dwelling units with shared entrance facilities where the dwelling units are rented or owner occupied as domiciles.

ARCADE means premises where video, pinball, player participation table top games, or computer games are provided for use by the general public;

AUCTIONEERING ESTABLISHMENT means premises specifically intended for the auctioning of livestock, goods and equipment, including temporary storage of such goods and equipment;

AUTO BODY AND PAINT SHOP means premises where automobiles, trucks, and other vehicles undergo body repair and painting;

AUTOMOTIVE AND MINOR RECREATION VEHICLE SALES	means premises used for the retail sale of new or used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light Recreational Vehicle (Accommodation) or crafts, together with incidental maintenance services and sale of parts;

B

BED AND BREAKFAST	means a use of no more than 4 rooms accessory to a single detached dwelling or modular home occupied by the owner or operator that offers accommodation to registered guests and a breakfast meal;
BETTER AGRICULTURAL LAND	means those lands where at least fifty percent (50%) of a quarter section has a Rural Farmland Assessment (R.F.A.) rating of 30% or higher, except in the following circumstances: (a) where the quarter section has been previously fragmented through subdivision and contains in excess of three (3) parcels; (b) where the lands are located within the urban fringe area of the Town of Edson; (c) all lands west of Range Seventeen (17), West of the Fifth (5th) Meridian;
BOARDING HOUSE	means a use accessory to a Single Detached Dwelling or modular home in which the owner lives and supplies sleeping unit accommodation, for remuneration, for not more than six (6) rooms. It may or may not include meal service;
BORROW PIT	means an area where material (usually clay, gravel or sand) has been excavated for use at another location.
BUILDING	means anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway;
BULK FUEL STORAGE AND DISTRIBUTION	means lands, buildings, and structures used for the bulk storage and distribution of petroleum products and may include key lock retail sales. This does not include service stations;
BUSINESS COMMERCIAL	means uses that are low intensity business and service commercial uses and activities located in a planned business centre or office park that is located in highly visible and accessible locations, and displays a high standard of appearance. Types of uses include but are not limited to: auction mart, gas bar, service stations, casino, commercial recreational facility , RV park, community facility, crematorium, financial institution, funeral home, government service, office, retail store, warehouse store.
BYLAW	means the Yellowhead County Land Use Bylaw No. 16.13

C

CAMPGROUND means any parcel of land or part thereof which levies fees for the locating of tents, holiday trailers or recreation vehicles for temporary use by tourists and transients, and shall include facilities and amenities subordinate to the operation of the campground;

CANNABIS means a cannabis plant, fresh cannabis, dried cannabis, cannabis oil, cannabis plant seeds, and any other substance defined and controlled as cannabis in the Cannabis Act (Canada) including edible products that contain cannabis but excluding industrial hemp. **[01.19]**

CANNABIS PRODUCTION, PROCESSING, AND DISTRIBUTION means a development licensed under the Cannabis Act (Canada) that authorizes a person or business to do one or more of the following activities:

(a) Grow, cultivate, propagate, or harvest cannabis for sale;
(b) Make cannabis products, process, manufacture, or synthesize cannabis;
(c) Sell cannabis for medical purposes; or
(d) Perform research or analytical testing with cannabis. **[01.19]**

CEMETERY means land that is set apart or land that is used for the burial of human or animal remains. Typical uses are memorial parks and burial grounds, including crematoriums;

COMMERCIAL DISTRICT means any districts listed in PART FOURTEEN D of this Bylaw or any DC District in which the predominant use, as determined by its general purpose and list of permitted uses, is of a commercial nature;

COMMERCIAL VEHICLE means any vehicle, including a trailer, or piece of equipment in excess of 1000kg that is used in the operation of the business and that is normally maintained, parked, or stored on the business site when it is not in use.

COMMUNITY FACILITY means premises provided by the municipality or any other group or organization without profit or gain for such special purposes as recreation, social, cultural, or other such uses;

COMPOST FACILITY (CLASS I) means a waste management facility where waste, not including hazardous waste, is decomposed through a controlled bio-oxidation process that results in a stable humus-like material, but does not include a residential composter. **[04.18]**

COMPOST FACILITY (CLASS II) means a waste management facility where only vegetative matter or manure are decomposed through a controlled bio-oxidation process that results in a stable humus-like material, but does not include a residential composter. **[04.18]**

CONDOMINIUM means real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners;

CONFINED FEEDING OPERATION means a Confined Feeding Operation as defined by the Agricultural Operation Practices Act;

CONVENIENCE STORE means premises used for the retail sale of goods required by the neighbourhood residents on a day-to-day basis, which may include groceries, pharmaceutical items or video rentals;

COUNCIL means the elected Council of Yellowhead County;

COUNTRY INN means any owner-occupied dwelling, which includes sleeping facilities, which are rented on a daily basis to registered guests, and meals are prepared in a commercial kitchen;

COUNTY means Yellowhead County;

D

DANGEROUS GOODS means those products or substances which are regulated by the federal 'Transportation of Dangerous Goods Act' and its regulations which refer to any of the classes listed in the Schedule:

Class I	Explosives, including explosives with the meaning of the Explosives Act
Class II	Gases compressed, deeply refrigerated, liquefied or dissolved under pressure
Class III	Flammable and combustible liquids
Class IV	Flammable solids; substances liable to spontaneous combustion; substances that on contact with water emit flammable gases
Class V	Oxidizing substances; organic peroxides
Class VI	Poisonous (toxic) and infectious substances
Class VII	Nuclear substances, within the meaning of the Nuclear Safety and Control Act, that are radioactive
Class VIII	Corrosives
Class IX	Miscellaneous products, substances or organisms considered by the Govenor. in Council to be dangerous to life, health, property or the environment when handled, offered for transport or

transported and prescribed to be included in this class

DAY CARE FACILITY means premises for the provision of care, maintenance and supervision of children by a person other than one related by blood or marriage, and does not include institutions operated by or under the authority of the Child, Youth and Family Enhancement Act C-12 RSA 2000;

DESIGNATED HAMLET means an unincorporated settlement designated a hamlet for planning and growth purposes in this Bylaw and the Municipal Development Plan. This includes and is limited to Brule, Cadomin, Evansburg, Marlboro, Niton Junction, Peers, Robb, and Wildwood.

DEVELOPABLE AREA An area that is environmentally suitable for the construction and sustainable use of a residence, accessory building, access road, a privately owned domestic waterwell, and/or private sewage disposal system.(*As per the Draft Environmental Guidelines for Review of Subdivisions September 1998)*

DEVELOPMENT means:

(a) an excavation or stockpile and the creation of either of them;
(b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under of any of them;
(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;

DEVELOPMENT AUTHORITY means the person or persons delegated the authority to exercise development powers and duties on behalf of the municipality pursuant to the Municipal Government Act, Chapter M-26 RSA 2000 and any amendments thereto;

DEVELOPMENT PERMIT means a document or permit, which may include conditions, issued pursuant to this Bylaw authorizing a development;

DISCRETIONARY USE means the use of land or a building provided for in this Bylaw for which a development permit may be issued by the Development Authority with or without conditions;

DOMICILE means a house, apartment, or other place where somebody lives;

DUPLEX means two (2) dwelling units sharing a common wall, and located side by side or one above the other;

DWELLING UNIT means one or more rooms for the residential accommodation of one or more individuals living as a single housekeeping unit, containing sleeping, cooking, and separate or shared toilet facilities intended as a permanent or semi-permanent residence;

DWELLING UNIT – UPPER means a Dwelling Unit located above a commercial use;

E

EASEMENT means a right to use land, generally for access to other property or as a right-of-way for a public utility;

EATING AND DRINKING ESTABLISHMENT means premises where prepared food and beverages are offered for sale to the public for consumption on the premises and where live entertainment may be offered. This use includes but is not limited to bars, fast food outlets, lounges, and restaurants;

EDUCATION SERVICES means premises for educational, instruction, or training purposes and includes the administration offices required for the provision of such services on the same site;

ENVIRONMENTAL SITE ASSESSMENT means a phase one, two or three comprehensive site analysis to determine:

(a) if there are hazardous substances above, on or below the surface of the subject property that may pose a threat to the environment and/or health of humans, wildlife and vegetation;

(b) if there are any breaches of federal, provincial and/or municipal environmental standards,

(c) the level of risk that a contaminated site poses to the environment and/or health of humans, wildlife and/or vegetation, and;

(d) what remedial actions may be required to reduce the risk posed by a contaminated site to a level acceptable to the applicable provincial agency or authority.

ENVIRONMENTALLY SENSITIVE AREA means land which because of its sensitivity cannot withstand intensive use, including steep slopes, unstable soils, certain wildlife habitat and wetlands, and lands which are unique natural environments;

EQUESTRIAN FACILITY means one of more building or structures primarily devoted to the raising, care, boarding and riding of horses for personal, commercial or competitive purposes. The use may include corrals, stables, riding arenas and other uses accessory to the primary use including Veterinary Clinic, Storage, Visitor Accommodation, Eating and Drinking Establishments and Retail Commercial, office and uses.

EXTENDED MEDICAL TREATMENT SERVICES means development providing room, board, and surgical or other medical treatment for the sick, injured or infirm including out-patient medical treatment for the sick, injured or infirm including out-patient services, hospitals, nursing homes, convalescent homes, auxiliary hospitals, and detoxification centres;

F

FAMILY CARE FACILITY means a facility which provides a service for the aged, disabled, or those undergoing rehabilitation in a private dwelling for six (6) or fewer

individuals, unrelated to the caregivers, including boarding, family, or foster homes;

FREEBOARD means the vertical distance between the main floor of a building or structure and the computed flood level.

FLOOD FRINGE means that area of the floodplain which lies outside of the floodway and meets the following criteria:

(a) The depth and velocity of flow are so low as to not pose a significant risk to people and property;
(b) The area can be filled without causing the flood levels in the main channel to rise significantly (i.e. less than 0.3 m).

FLOOD PLAIN means the area of land bordering a river, other watercourse or water body that would be inundated by a 1 in 100 (1:100) year flood (i.e. a flood that has a 1% chance every year of occurring);

FLOOD, SPECIAL RISK AREA means those areas where the special and unique risks associated with these areas should be considered in deciding on development restrictions in these areas. These areas may be subject to overflow and/or bank erosion, where the risks are difficult to quantify at the present level of detail and a more detailed site-specific engineering analysis should be undertaken in these areas if they are to be developed;

FLOOD-VULNERABLE FLOOR SPACE means any habitable floor space susceptible to inundation during a flood event where the associated losses/costs may be significant;

FLOODWAY means that portion of the floodplain which provides the conveyance necessary to pass the design flood. It includes the main channel and the deeper areas of the adjacent floodplain where depth and velocity of flow are the greatest. Generally it meets the following criteria:

(a) The depth of flow is greater than 1.0m;
(b) The velocity of flow is greater than 1.0 m/s;
(c) There is significant risk of bank erosion and channel shifting;
(d) Encroachment would raise flood levels by more than 0.3m
(e) It forms a logical connection between areas that meet the above criteria.

FORESTRY means those uses necessary to the industry which include the range of activities involved in silviculture and harvesting wood fibre;

FRAGMENTED PARCEL means a parcel that is separated from the balance of a quarter section by a natural barrier such as a permanent watercourse or water body, or by a physical barrier such as a roadway or highway;

G

GAS BAR means development used for the retail sale of gasoline, other petroleum products, incidental auto accessories, and minor convenience retail;

GENERAL CONTRACTOR SERVICES means development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction

nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal General Contractor Services use only;

GENERAL INDUSTRIAL means development used principally for one or more of the following activities:

(a) the processing of raw materials;
(b) the manufacturing or assembling of semi-finished or finished goods, products or equipment;
(c) the cleaning, servicing, repairing or testing of materials, goods or equipment where such operations have impacts that would make them incompatible in non-industrial zones; and
(d) the storage or transportation of materials, goods and equipment.

Any sales, display, office or technical support service areas shall be accessory to the principal General Industrial use only;

GOVERNMENT SERVICES means development providing for Crown Corporation, Municipal, Provincial or Federal government services directly to the public. This does not include protective and emergency services, utility services, or education services. These are uses that have significant client visitation. Typical uses include but are not limited to taxation offices, courthouses, employment offices, and post offices;

GRAVEL PIT means an open land area where sand, gravel and rock fragments are mined or excavated for sale or off site use, and is regulated in this Bylaw as a natural resource extraction industry (Section 58);

GROUP CARE FACILITY means a facility which provides a service for the aged, disabled, or those undergoing rehabilitation for seven (7) or more individuals including group homes, halfway houses, psychiatric care facilities, and resident schools;

GUEST means an individual who occupies a Dwelling Unit other than as their Residence;

H

HABITABLE DWELLING means a dwelling unit or unit within a building that has cooking and toilet facilities, a source of heat and intended to be occupied by one or more individuals;

HABITABLE FLOOR SPACE means any room or enclosed space use or useable for human occupancy, including but not limited to kitchens, bedrooms, living rooms, family rooms and dens, bathrooms, laundries, pantries, foyers, hallways/entry ways and areas containing infrastructure/servicing (furnace, circuit panel, water heater, etc.) but excludes any room or space not intended primarily for human occupancy including but not limited to storage areas, cellars and undeveloped basements;

HAZARD LAND means land identified as being potentially hazardous or less suitable for development due to reduced safety and increased liability relating to soils,

slopes, groundwater, flooding, or proximity to resource extraction works or facilities, particularly sour gas;

HIGHWAY means:

(a) a highway or proposed highway that is designated as a primary highway; or

(b) a road, street or highway designated as a secondary road, pursuant to the Public Highways Development Act P-38 RSA 2000 and any amendments thereto;

HOME DAY CARE means a use accessory to a Single Detached Dwelling or Manufactured Home used to provide a facility and/or program for the care, maintenance and supervision of six (6) or fewer children under the age of 15 years, by a resident for periods of more than three (3) but less than fourteen (14) consecutive hours, other than institutions operated by or under the authority of the Child Welfare Act C-12 RSA 2000 and any amendments thereto;

HOME BUSINESS (MAJOR AND MINOR) means a business or occupation of a commercial or industrial nature carried out on a rural parcel or farm unit by the owner or operator who is a resident of the site's single detached dwelling or manufactured home as an accessory use to the residential use. The regulations for Home Business –Major and Home Business –Minor are contained in Section 81.

HOME OCCUPATION means any occupation, trade, profession, or craft, other than a Home Day Care or Bed and Breakfast as defined elsewhere in this Bylaw, carried out in a residential building as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use other than a small nameplate not exceeding 1.0 m^2 (10.76 sq. ft.) in area. A home occupation does not include the keeping of a stock-in-trade unless otherwise approved by the Development Authority. The regulations for Home Occupation are contained in Section 80. Home occupations are divided into two categories:

(1) **Minor** - home occupations that do not employ any person outside of the home, and do not extend beyond the confines of the residential unit; and

(2) **Major** - home occupations that may employ only two (2) non-resident employees, utilize accessory buildings but may not include outside storage;

HOSTEL means a facility operated to provide temporary accommodation to transients for remuneration and may include recreational or kitchen facilities, but not additional services such as room service.

HOTEL means development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities, and may include accessory eating and drinking establishments, meeting rooms, personal service shops, and general retail shops;

I

INDUSTRIAL DISTRICT means any districts listed in PART FOURTEEN D of this Bylaw or any DC District in which the predominant use, as determined by its general purpose and list of permitted uses, is of a general business, general industrial, or heavy industrial nature;

INDUSTRIAL HEMP means a cannabis plant, or any part of that plant, in which the concentration of THC is 0.3% (weight by weight) or less in the flowering heads and leaves. **[01.19]**

INFILL means development within the confines of an existing developed area;

INSTITUTIONALUSE means premises for assembly, education, health care, public administration or public service, and shall also include uses related to culture, religion, recreation or any other community activities as determined by the Development Authority;

K

KENNEL means any land on which four (4) or more dogs over six (6) months of age are maintained, bred, trained or cared for in return for remuneration or kept for purposes of sale;

L

LANDFILL means a waste management facility at which waste is disposed of by placing it on or in land, but does not include a land treatment facility, a surface impoundment, a salt cavern or a disposal well. **[04.18]**

LANDFILL (CLASS II) means a landfill for the disposal of waste (not including hazardous waste). **[04.18]**

LANDFILL (CLASS III) means a landfill for the disposal of waste (not including hazardous waste):

(a) that is solid, and

(b) that, on disposal in a landfill, is not reasonably expected to undergo physical, chemical or biological changes to such an extent as to produce substances that may cause an adverse effect,

and includes but is not limited to demolition debris, concrete, asphalt, glass, ceramic materials, scrap metal, and dry timber or wood that has not been chemically treated, but does not include hazardous waste. **[04.18]**

LIBRARY means development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use;

LIGHT INDUSTRIAL USES means one or more of the following: the storage of products or equipment, the cleaning, servicing or repairing of materials, goods and equipment normally associated with business or household use; the distribution and sale or resale of materials, bulk goods and equipment to institutions, commercial businesses for their direct use.

LIQUOR STORE means a retail store licensed to sell beer, wine, spirits, cider, and coolers to the public;

LIVESTOCK means cattle, emu, fish, horses, mink, ostrich, poultry, sheep, swine, wild game and similar animals raised for commercial purposes;

LOT means:

(a) a quarter section;
(b) a river lot shown on an official plan referred to in Section 32 of The Surveys Act (Chapter S-27 R.S.A. 1980 and any amendments thereto), that is filed or lodged in a Land Titles Office;
(c) a settlement lot shown on an official plan referred to in Section 32 of The Surveys Act (Chapter S-27 R.S.A. 1980 and any amendments thereto), that is filed or lodged in a Land Titles Office;
(d) a part of a parcel described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title other than by reference to a legal subdivision; or
(e) a part of a parcel described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title by reference to a plan of subdivision;

M

MAJOR means where added as a prefix or a suffix to a permitted or discretionary use, a use which due to its nature or relatively large scale will or could have, at the discretion of the Development Authority, an impact on surrounding uses, or which may be intended to serve an area larger than the immediate or local area;

MANUFACTURED HOME means a residential building containing one dwelling unit built in a factory in one or more sections, designed to be transported on either its own wheels and chassis or other means to a suitable site, and placed on either a temporary or permanent foundation and connected to utilities for long-term occupancy. This use class does not include modular homes, which are contained in the Single Detached Dwelling use class;

MANUFACTURED HOME (ADDITIONAL) means a manufactured home which may be allowed on a parcel in addition to a principal residence under certain rules contained in this Bylaw (Sec. 73);

MANUFACTURED HOME means any parcel where three or more manufactured home pads are

PARK	located, regardless whether a rental or lease fee is paid. This does not include industrial and construction camps of a temporary nature;
MANUFACTURED HOME-PARK MODEL	Means a manufactured home conforming to CAN-CSA series Z241 and containing a maximum area no larger than 53m^2 (571 ft^2).
MINOR	means where added as a prefix or a suffix to a permitted or discretionary use, a use which due to its nature or relatively small size will, at the discretion of the Development Authority, have a limited impact on surrounding uses, or which is intended to serve a small or local areas;
MODULAR HOME	means a dwelling built in modules at a factory, which are transported to and assembled at the building site and have no chassis or running gear;
MOTEL	means a development divided into self-contained sleeping or dwelling units, each with a separate exterior entrance and convenient access to on-site parking. Motels may include eating and drinking establishments and personal service shops;
MUNICIPAL DEVELOPMENT PLAN	means the Yellowhead County Municipal Development Plan;
MUNICIPALITY	means Yellowhead County;

N

NATURAL RESOURCE EXTRACTION	means the extraction of natural resources, including oil and gas, timber, sand, gravel, topsoil, peat, coal, clay, silt, marl, limestone, gypsum, shale and/or metallic and non-metallic minerals. This includes borrow pits.
NATURAL RESOURCE PROCESSING	means the processing of natural resources, including oil and gas, timber, sand, gravel, topsoil, peat, coal, clay, silt, marl, limestone, gypsum, shale and/or metallic and non-metallic minerals.
NON-CONFORMING BUILDING	means a building: (a) that is lawfully constructed or lawfully under construction under the land use bylaw in force at the time of construction,; and (b) at some point in the future, upon approval of a subsequent bylaw, fails to meet the use and/or development rules of the new bylaw;
NON-CONFORMING USE	means a lawful specific use: (a) being made or intended to be made of land or a building under the land use bylaw in effect at the time the use commenced, and (b) at some point in the future, upon approval of a subsequent bylaw, fails to meet the use and/or development rules of the new bylaw;

O

OFFICE means development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting, including offices of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies. This excludes government services, the servicing and repair of goods, the sale of goods to the customer on the site, and the manufacture or handling of a product;

OILFIELD SERVICE AND SUPPLY is a business that provides support services to pipeline, oil field and mining operations. Typical services include, but are not limited to the sale, rental, service or repair of equipment or machinery, well conditioning, well logging, x-ray and diagnostic services, cathodic protection or wireline series. This use does not include tank farms

OILFIELD WASTE RELATED FACILITY means a facility that is approved by the Alberta Energy and Utilities Board to treat, dispose of, store or recycle oilfield waste. **[04.18]**

P

PANHANDLE/FLAG LOT means any parcel which gains access and road frontage through a narrow strip of land which is an integral part of the parcel. The strip of land providing access must not be included when determining developable lot area;

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;

PARCEL LINE, FRONT means the property line separating a parcel from an abutting public roadway other than a lane. In the case of a corner parcel formed by a curved corner, the front parcel line shall be the shorter of the two segments of the property line lying between the point determined to be the actual corner and the two points at the extremities of that property line (see Figure 1);

PARCEL LINE, REAR means either the parcel line of a parcel which is furthest from and opposite the front parcel line, or, where there is no such property line, the point of intersection of any property lines other than a front parcel line which is furthest from and opposite the front parcel line (see Figure 1);

PARCEL LINE, SIDE means a parcel line between two or more parcels, other than a front or rear parcel line. The side parcel line also includes a parcel line between the parcel and a lane along the side of the parcel (See Figure 1);

PARK means any public outdoor land used specifically for passive or active recreation including playgrounds, walkways, trails, environmentally significant areas, forest reserve, wildlife sanctuary, greenbelts, conservation areas, buffers, nature interpretation areas, and similar land uses. It includes all natural and man-made landscaping, facilities, sports fields, accesses, trails, buildings and structures consistent with the general purpose of public park land whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park;

PERMANENT FOUNDATION means the lower portion of a building, usually concrete, masonry, engineered wood basement and includes the footings which transfer the weight of and loads on a building to the ground and renders the structure fixed and immovable;

PERMITTED USE means the use of land or building provided for in this Bylaw for which a development permit shall be issued or conditionally issued by the Development Authority upon application having been made to the Development Authority;

PERSONAL SERVICE SHOPS means development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects;

PRINCIPAL BUILDING means a building which:

(a) occupies the major portion of a site,
(b) is the chief or main one amongst the buildings on the site, or
(c) constitutes, by reason of its use, the primary purpose for which the site is used or intended to be used.

PROTECTIVE AND EMERGENCY SERVICES means development which is required for the public protection of persons and property from injury, harm or damage together with the incidental storage of equipment and vehicles;

PUBLIC UTILITY means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use: water or steam; sewage disposal; public transportation operated by or on behalf of the municipality; irrigation; drainage; fuel; electric power; heat; waste management; telecommunications; and includes the thing that is provided for public consumption, benefit, convenience or use;

R

RECREATION (EXTENSIVE) means uses which take advantage of natural physical features and provides for non-facility oriented recreational activities such as hunting, trail riding, snowmobiling, ecotourism development, hiking, cross-country skiing, and similar uses;

RECREATION (INTENSIVE) means facility oriented recreational land uses, including, but not limited to, picnic grounds, marinas, developed swimming beaches, boat launches, parks, riding stables, hotels, motels and golf courses;

RECREATIONAL CABIN means a dwelling unit suitable for residential use only seasonally or occasionally during leisure or holiday time and generally lacking in one or more of the components, conveniences or utilities required for year round occupancy. Occupancy is limited to a maximum of 180 days per calendar year. A recreational cabin is not considered an Additional unit under this bylaw;

There is only one of this type of building allowed on each property and its square footage is limited to 600 sq ft (55.74 sq m).

RECREATIONAL VEHICLE (ACCOMMODATION) means a portable structure designed and built to be carried on a vehicle, or a unit designed and built to be transported on its own wheels to provide a temporary living accommodation for travel and recreational purposes and may include recreation vehicles, trailers, and campers but does not include a Manufactured Home;

RECREATIONAL VEHICLE (STORAGE) means a site designed for the storage (parking) of unoccupied recreational vehicles;

RELIGIOUS ASSEMBLY means a building wherein people regularly assemble for religious worship and related religious, philanthropic or social activities that is maintained and controlled for public worship. Typical uses include churches, chapels, mosques, temples, synagogues, convents, and monasteries. It also includes accessory manses or rectories;

RENEWABLE AND ALTERNATE ENERGY FACILITY means a facility or development, either stand alone or adjoining another development, that either generates energy using natural or renewable resources, such as, wind, geothermal, bio-fuels, or biomass, or generates energy using an energy generation process that reduces the amount of harmful emissions to the environment, when compared to conventional systems, such as district heating or cogeneration. **[04.18]**

RENTABLE UNIT means a separate unit on a motel site used or intended to be used for the temporary dwelling accommodations of one or more persons;

RESIDENCE means a dwelling unit in which a person or persons may reside as their home with the intent to remain and to where, when ever one is absent, one intends to return. A residence need not be the person's primary or sole residence and need not be occupied year round to be considered as a residence;

RESIDENTIAL USE means the use of a development for the purpose of a residence by a person or persons and does not include a Tourist Home or Visitor Accommodation;

RESIDENTIAL DISTRICT means any districts described in PART FOURTEEN of this Bylaw or any DC district in which the predominant use, as determined by its general purpose and list of permitted uses, is of a residential nature;

RESORT RECREATION FACILITY means a comprehensive development which may consist of fixed roof accommodation (including a motel, or hotel complex), convention centre (for the purpose of meetings for educational, entertainment and informational purposes), indoor and outdoor recreational facilities (including but not limited to golf, racket sports, and boat launching facilities), eating and drinking establishments and minor retail

establishments accessory to the comprehensive development;

RESOURCE DISTRICT means any districts listed in PART FOURTEEN of this Bylaw or any DC District in which the predominant use, as determined by its general purpose and list of permitted uses, is of a resource nature;

RETAIL CANNABIS STORE means a development used for the retail sale of cannabis licensed under the Gaming, Liquor and Cannabis Act. This use shall not be carried on in conjunction with, or accessory to, any other use. A Retail Cannabis Store may not have any part of an exterior wall that is located within 100m of:

(a) An approved hospital, as defined in the Hospitals Act, or a boundary of the parcel of land on which the facility is located;
(b) A building containing a school, as defined in the School Act, or a boundary of a parcel of land on which the building is located; or
(c) A boundary of a parcel of land that is designated as school reserve or municipal and school reserve under the Act. **[01.19]**

RETAIL ESTABLISHMENT means a development used for the retail sale of a wide variety of consumer goods; Minor government services, such as postal services, are permitted within retail establishments;

RURAL INDUSTRIAL PARK means an area planned for the development of two (2) or more rural industrial lots through an overall development plan and providing an internal road and may include communal services;

S

SALVAGE ESTABLISHMENT means any land or building used for the collection, demolition, dismantlement, storage, salvage, recycling or sale of waste materials including scrap metal, vehicles, machinery, and other discarded materials;

SECONDARY SUITE – EXTERNAL means an additional dwelling unit constructed on a lot for use as a complete, independent living facility. A secondary suite-external may be free standing, attached to a garage or built over a garage. It is an accessory use to the main dwelling unit. The maximum allowable size of a Secondary Suite – External is 600 sq ft (54.77 sq. m)

SECONDARY SUITE - INTERNAL means an additional dwelling unit contained within a Single Detached Dwelling, for use as a complete, independent living facility with provision within the secondary suite for cooking, eating, sanitation and sleeping. A secondary suite is an accessory use to the main dwelling unit

SERVICE STATION means development used for the servicing, washing, and repairing of vehicles; and the sale of gasoline, other petroleum products, and a limited range of vehicle parts and accessories;

SIGN	means any visual medium, including its structure and other component parts, illuminated or not illuminated which is used or is capable of being used, on a permanent or temporary basis, to identify or convey information, or to advertise or attract attention to a product, service, place, activity, person, institution or business. Signs include banners, placards, and painted messages, and signs attached to or painted on a vehicle (or trailer) that is parked on a property and being used for advertising purposes. This use class does not include national flags, interior window displays of merchandise, or signs painted on or attached to a motor vehicle on a public roadway;
SIGN, AWNING	means a sign painted, stencilled or attached on the fabric surface of an awning;
SIGN, CANOPY	means a sign attached to, constructed as part of, suspended from, or installed upon the face of a building canopy;
SIGN, FASCIA OR WALL	means a flat wall sign that does not project more than 40 cm from the surface of a building. This includes a painted wall sign or a window sign that is not exempt from a permit;
SIGN, FREESTANDING	means a self-supporting sign permanently fixed to the ground and standing independent of any building or other structure;
SIGN, PROJECTING	means any sign that is attached to a building and projects more than 0.4 m from the face of the building;
SIGN, OFF-PREMISE	means an outdoor advertising sign that advertises an activity, service or product and that is located on premises other than the premises at which activity or service occurs or product is sold or manufactured;
SIGN AREA	means the total area within the outer edge of the frame or border of a sign available for a message. Where a sign has no frame, border, or background, the area of the sign shall be the area contained within the shortest line surrounding the whole group of letters, figures, or other things comprising the sign. In the case of a multi-faced sign, only that face or faces which can be seen from any one direction at one time shall be deemed a sign area. The sign area does not include sign structure. The area of individual letter signs shall be calculated on the basis of the smallest squares or rectangles that will enclose the individual letters or figures of the sign;
SINGLE DETACHED DWELLING	means development consisting of a building containing only one dwelling unit, which is separate from any other dwelling or building, which is supported on a permanent foundation or basement. This use class includes Modular Homes but not Manufactured Homes;
SINGLE DETACHED DWELLING (ADDITIONAL)	means a single detached dwelling which may be allowed on a parcel in addition to a principal residence under certain rules contained in this Bylaw (Sec. 73)
SPECTATOR ENTERTAINMENT ESTABLISHMENT	means development providing facilities within an enclosed building specifically intended for live theatrical, musical or dance performances; or the showing of motion pictures;

STACKED TOWNHOUSE	means a multiple dwelling comprised of three or more dwelling units and constructed such that one or more dwelling units are located totally or partially above another dwelling unit, and each having a separate, direct entrance from grade. A stacked townhouse development may consist of a group of buildings each of which contains three or more dwelling units.
STAFF ACCOMMODATION	means a building or portion of a building provided for the purpose of housing persons employed on the property and provided by the employer. Units may include dormitory or separate fully contained units. Residents must be currently employed with the commercial operation;
STORAGE BUILDING, RESIDENTIAL	means a building, such as a garage or shed, built prior to the construction of a main building or dwelling and which is used only for storage purposes for personal residential goods and not for commercial, industrial or similar uses. The storage building is limited in size to +/-93m² (+/-1,000 sq. ft.), or at the discretion of the Development Authority, and must be designed to match or complement the character and appearance of Single Detached Dwellings or Manufactured Home in the area adjacent to the property, to the satisfaction of the Development Authority;
STORAGE COMMERCIAL	means the rental storage of automobiles, recreation vehicles, trailers, boats as well as indoor storage of personal belongings.
STORAGE CONTAINER	means a metal container, originally used to transport goods, now used for storage
STORAGE SITE	means a waste management facility, where waste, other than hazardous waste, is (a) stored, (b) sorted, compacted, shredded, ground or processed, or (c) collected and held for removal to another waste management facility **[04.18]**
STORAGE, OUTDOOR INDUSTRIAL	means a development used for outdoor storage, distribution or transhipment of raw materials, partially processed or finished goods, manufactured products, or equipment. Typical uses include pipe yards, vehicle or equipment service and storage, compounds. Dangerous goods (see definition) are prohibited;
STORAGE, OUTDOOR INDUSTRIAL – DANGEROUS GOODS	means a development used for outdoor storage, distribution or transhipment of raw materials, partially processed or finished goods, manufactured products, or equipment. Dangerous goods may be allowed depending on site location and suitability;
STRUCTURAL ALTERATION	means any renovation or addition to a building or dwelling that affects a load bearing wall;
SUBDIVISION	means a division of a parcel of land by an instrument and “subdivide” has a corresponding meaning;

SUBDIVISION AUTHORITY means the person or persons delegated the authority to exercise subdivision powers and duties on behalf of the municipality pursuant to Section 623 of the Municipal Government Act M-26 RSA 2000 and any amendments thereto;

SUBDIVISION AND DEVELOPMENT APPEAL BOARD means a Subdivision and Development Appeal Board appointed pursuant to the Municipal Government Act M-26 RSA 2000 and any amendments thereto;

SURVEILLANCE SUITE means a single residential unit forming part of a development and used solely to accommodate a person or persons related as a family, or employee whose official function is to provide surveillance for the maintenance and safety of the commercial or industrial development;

T

TELECOMMUNICATIONS means a structure that is used to convey communication,

TOWER radio or television signals and may include other structures necessary for the carrying out of this function;

TEMPORARY means a period not to exceed one year or as otherwise specified;

TOWNHOUSE means a single building comprised of three or more dwelling units separated from each other by walls extending from foundation to roof, with each dwelling unit having a separate, direct, at grade entrance. This includes all row, linked, patio, garden court or other housing which meet these criteria. A townhouse development may consist of a group of buildings each of which contains three or more dwelling units.

TOURIST HOME means a dwelling unit operating as an Accommodation Unit, occupied by a Guest or Guests, for a period of less than 28 days;

TRAIN STATION means a development using a building, structure or land for the loading and unloading of passengers, and passenger related items, onto and off of trains;

TRANSPORTATION FACILITY means a use of land or buildings for transportation related activities, including airports and rail yards as defined in the Municipal Government Act M-26 RSA 2000 and any amendments thereto;

TRAPPER'S CABIN means a structure used for temporary habitation, located in isolated areas, not exceeding 55.7 m² (600 sq. ft.) in total floor area and without permanent services;

TRAVEL INFORMATION CENTRE means a building or site primarily for the provision of tourism-related information to the traveling public and may include minor retail sales;

U

UNSUBDIVIDED QUARTER SECTION means any quarter section of land that is 64.75 ha (160 ac) more or less and is in one title with no registered subdivisions including roads;

V

VEHICULAR ORIENTED USE means a use that predominantly caters to automotive vehicular traffic, and includes financial institutions, drive-in food services, drive-through vehicle services, and similar developments providing drive-in services in which patrons generally remain within their vehicles;

VETERINARY CLINIC Means a facility for the care of animals and may include outdoor pens, runs or enclosures.

VISITOR ACCOMMODATION Means a building or group of buildings not intended for residential use where sleeping facilities are provided for persons for periods of up to 30 days and which may also contain recreational facilities, commercial uses and additional facilities including but not limited to Eating Establishments, Drinking Establishments, room service, meeting rooms, public convention rooms, and laundry service.

W

WAREHOUSE means a building and/or site primarily for the keeping of goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles or part thereof, or any waste material;

WATER BODY means the bed and shore of a river, stream, lake, creek, lagoon, swamp, marsh, or other natural body of water whether it contains or conveys water continuously or intermittently;

WIND ENERGY SYSTEM (WES), MAJOR means more than two (2) rotating machines converting the kinetic energy in wind into mechanical energy. If the mechanical energy is then converted to electricity, the machine is called a wind generator, wind turbine, wind power unit (WPU) or wind energy converter (WEC). (see additional explanation under WES Minor below)

WIND ENERGY SYSTEM (WES), MINOR means up to two (2) wind energy systems consisting of a wind turbine, tower, and associated control or conversion electronics which is intended to primarily reduce on-site consumption of utility power for a single site.

A Wind Energy System, MINOR may be free standing or attached to a principal or accessory building.

For the purpose of this Bylaw the following applies to both WES MAJOR and WES MINOR:

a) TOTAL HEIGHT means the height from grade to the highest vertical extension of a WES. In the case of a WES with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.

b) TOWER means the structure which supports the rotor above grade.

WORK CAMP means a temporary facility for the use of employees affiliated with a remote work location where meals and overnight accommodation are typically provided;

Y

YARD means a part of a lot upon or over which no principal or accessory building is erected;

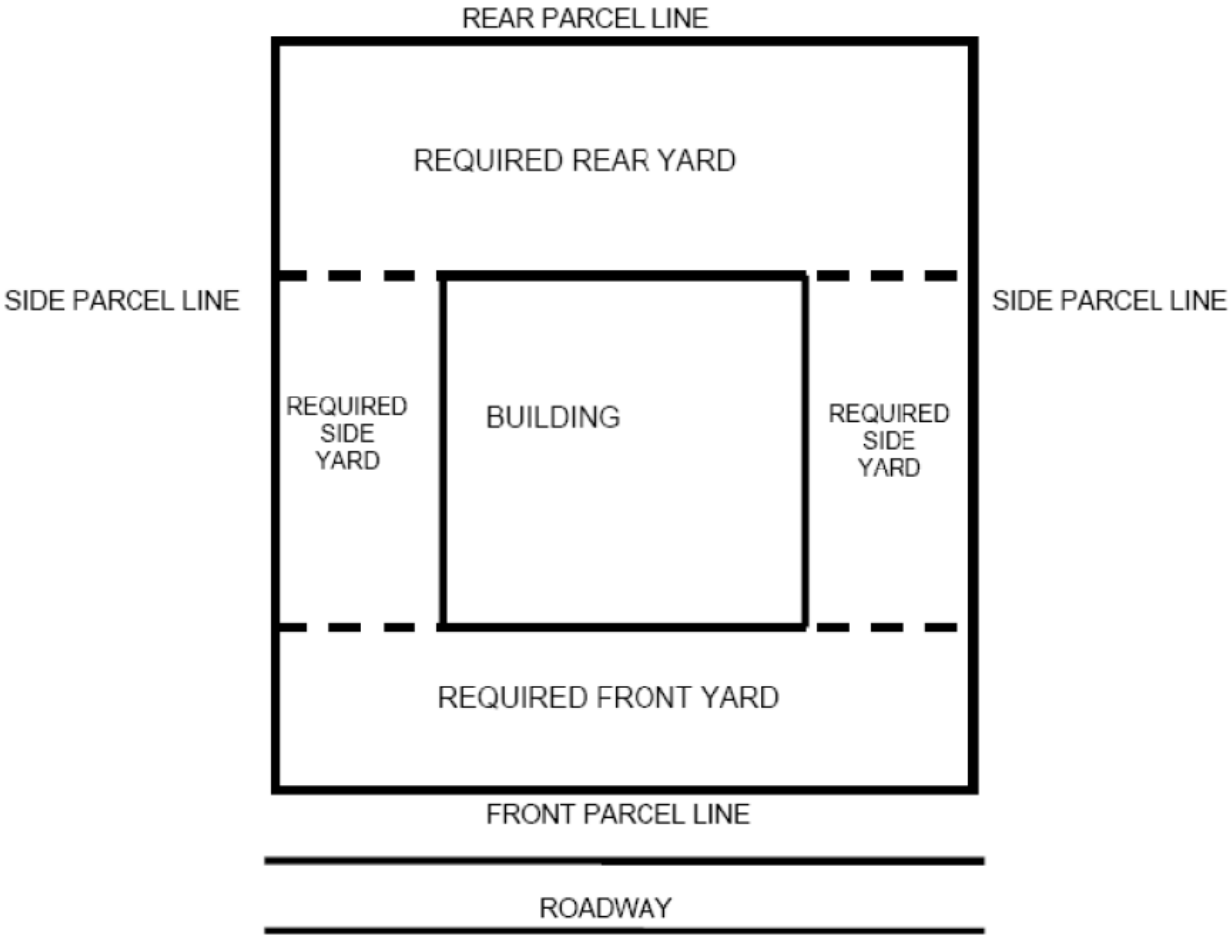
YARD, FRONT means a yard extending across the full width of a lot from the front parcel line of the lot to the front wall of the principal or accessory building situated on the lot (see Figure 1);

YARD, REAR means a yard extending across the full width of a lot from the rear wall of the principal or accessory building situated on the parcel, to the rear parcel line (see Figure 1);

YARD, REQUIRED means a yard or yards required by this Bylaw and within which, unless permitted, no building or structure, or part of a building or structure shall be erected (see Figure 1);

YARD, SIDE means a yard extending from the side wall of the principal or accessory building situated on a lot, to the side parcel line of the lot (see Figure 1);

Figure 1: Illustration of parcel lines and yards



PART THREE – AUTHORITIES

SECTION 11 DEVELOPMENT AUTHORITY

(1) The Development Authority is established by Bylaw pursuant to Part 17, Division 3 of the *Act*.

(2) The Development Authority shall exercise development powers and duties on behalf of the municipality.

(3) The Development Authority shall keep and maintain for the inspection of the public during office hours, a copy of this Bylaw and all amendments thereto, and keep a register of all applications for development and subsequent decisions.

SECTION 12 SUBDIVISION AUTHORITY

(1) The Subdivision Authority is established by Bylaw pursuant to Part 17, Division 3 of the *Act*.

(2) The Subdivision Authority shall exercise subdivision powers and duties on behalf of the municipality.

(3) The Subdivision Authority shall keep and maintain for the inspection of the public during office hours, a register of all applications for subdivision and subsequent decisions.

SECTION 13 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

(1) The Subdivision and Development Appeal Board is established by Bylaw pursuant to Part 17, Division 3 of the *Act*.

PART FOUR - PROCEDURES

SECTION 14 CONTROL OF DEVELOPMENT

(1) No person shall commence or cause or allow to be commenced, or carry on, or cause to allow to be carried on, any development unless a development permit has been issued pursuant to the provisions of this Bylaw.

SECTION 15 WHERE A PERMIT IS NOT REQUIRED

(1) Except as provided for in SECTION 15 (4), no person shall commence development unless they have been issued a development permit in respect thereof.

(2) Any development used for residential purposes requires a development permit.

(3) For clarification, development, building(s) and/or structure(s) constructed on temporary foundation(s) or skid(s) is/are not exempt from requiring a Development Permit, unless otherwise exempt by this bylaw.

(4) The following development shall not require a development permit provided it conforms with all provisions of this Bylaw:

Accessory Buildings and Structures which meet the requirements of the Land Use Bylaw

(a) construction or installation of an accessory building that does not exceed 13.9 m^2 (150 sq. ft.) in all districts;
(b) construction or installation of an accessory building that does not exceed 74.2 m^2 (800 sq. ft.) in the RD - Rural District and FD – Forestry District;

Agricultural Uses

(c) confined feeding operations or manure storage facilities within the meaning of the *Agricultural Operation Practices Act* that are subject of an approval, registration or authorization under Part 2 of the *Agricultural Operation Practices Act*;
(d) Extensive Agriculture Uses;
(e) open hay sheds, open face shelters, granaries and livestock windbreaks;
(f) the carrying out of construction, excavation or other operations requisite for the continued use of that land for Extensive Agricultural purposes;
(g) on lots used for extensive agricultural purposes, temporary buildings, and the carrying out of construction, excavation or other operations requisite for the continued use of that land for agricultural purposes;

Fencing

(h) the construction or maintenance of gates, fences, walls or other means of enclosure less than 1.0 m (3.3 ft.) in height in front yards and less than 2.0 m (6.6 ft.) in side and rear yards, except on any corner lots or where the gate, fence, wall or other means of enclosure would obstruct sight distance on a road used by vehicular traffic, in which case the developer shall consult the Development Authority as to the location of the gate, fence, wall or other means of obstruction;

(i) wire strand fences outside of designated hamlets;

Industrial Uses

(j) portable sawmills and asphalt batching plants in the Rural District, Rural Industrial District and Forestry District, which will be in operation for a period no longer than one (1) month per year.

Landscaping, Stripping, Grading, Excavation and Dugouts

(k) site alteration activities, generally including stripping, filling, excavating and grading activities, are deemed to be exempt from the requirement for development permit application unless forming a part of a specific development proposal for which a permit is required. Typical activities, for which a development permit is not required include:
    (i) contouring of farmland;
    (ii) public roads;
    (iii) oilfield lease roads and sites;
    (iv) private driveways;
    (v) stripping, grading;
    (vi) preliminary site grading associated with a Development Permit application or Subdivision application;
    (vii) logging roads;
    (viii) dugouts, which meet setback requirements of appropriate district;
    (ix) fish ponds;
    (x) recreational trail systems;
    (xi) borrow pits of under 1 ha (2.47 ac.) in size, and
    (xii) drainage ditching;

(l) while this exemption is valid only to the extent that there is no requirement to make application for a development permit, any other requirement provincial or municipal, is the responsibility of the proponent of the activity. Other requirements may include, but are not limited to: licensing, road use agreements, reclamation, setbacks, buffers, etc.:

(m) surface resource extraction that encompasses a secondary –processing of the extracted material, such as but not limited to screening, crushing or washing, is not exempt from the requirement for formal application for a development permit. In such cases the provisions contained in this bylaw apply;

Repairs and Maintenance

(n) the carrying out of works of maintenance or repair to any building, provided that such works do not result in an increase to the gross floor area of the building, unless that building is exempt otherwise from requiring a Development Permit by this bylaw;

Municipal Works, Facilities and Uses

(o) facilities, infrastructure, works and other construction by or on behalf of the County are exempt from requiring a Development Permit. Some examples include, but are not limited to: community halls, parks, recreation facilities, transfer stations, water or sewer pumping stations;

Temporary Uses

(p) a temporary building not to be used for residential purposes (such as office or equipment trailers), the sole purpose of which is incidental to the erection or alteration of a permanent building, for which a permit has been issued under this Bylaw;

(r) temporary workcamps in use for 30 days or less per year

Utilities

(r) the maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial or municipal public authorities on land which is publicly owned or controlled;

Trapper's Cabin

(s) trappers' cabins, which are clearly incidental to the operation of the registered trapline;

Signs

(t) The following signs may be erected on land or affixed to the exterior of a building or structure without application for a development permit provided that the signs are not illuminated and that any necessary permits have been obtained in accordance with the Alberta Highway Development Control Regulation. In cases where there are no other regulations governing the size of these signs the maximum size shall be 1.5 sq. m (16 sq ft.). Signs shall not project within 0.6 m (1.96 ft.) of a property line, or within 2.0 m (6.56 ft.) of overhead utility lines.

(1) prohibitive signs such as "no trespassing" and "no hunting"

(2) signs on federal or provincial land

(3) municipal or provincial directional and traffic control devices

(4) signs necessary for the construction, operation, or maintenance of a public utility

(5) signs advertising a Home Occupation (Minor) or, a Home Occupation (Major) and Home Business provided that they comply with the provisions of this bylaw

(6) one (1) sign per property not exceeding 1.5 m (16 ft.²) for the purpose of identification, direction or warning relating to a use of land or building upon which the sign is displayed and for which a development permit has been issued

(7) temporary advertising not exceeding 2.97 m² (32 ft.²) relating to the sale or renting of land, the sale of goods or livestock, the carrying out of the building or similar work, announcement of any local event of a religious, educational, cultural, political, or similar character provided that it is removed within 15 days of the completion of the event or works to which the sign relates; and

(8) signs in relation to the function of local authorities, utility boards or other public and quasi-public bodies

SECTION 16 NON-CONFORMING BUILDINGS AND USES

(1) Where a development permit has been issued prior to a bylaw or any bylaw amendment coming into effect, and the bylaw or amendment would result in the development authorized by the permit to be non-conforming, then the development permit continues to be in effect in spite of the bylaw coming into force.

(2) Where a non-conforming use of land or building is discontinued for a period of six (6) consecutive months, any future use of the land or building must conform with the land use bylaw then in effect.

(3) A non-conforming use may be extended throughout a building but the building may not be enlarged or added to and no structural alterations may be made to it or in it, whether or not the building is non-conforming.

(4) A non-conforming use of part of a lot may not be extended to any other part of the lot and no additional building may be constructed on the lot while the non-conforming use continues.

(5) Non-conforming buildings may not be rebuilt except to make the building conforming to the regulations included in the Land Use Bylaw then in effect or to conduct routine maintenance of the building. Additions and renovations may be allowed to non-conforming buildings provided they do not exceed fifty percent (50%) of the total building area, in cases where the addition or renovation would not increase the non-conformity.

(6) If a non-conforming building is damaged beyond seventy-five percent (75%) of the value of the building, the building may not be repaired or rebuilt except in accordance with this Bylaw.

(7) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

SECTION 17 APPLICIATION FOR DEVELOPMENT PERMIT

(1) An application for a development permit shall be made to the Development Authority, in writing, on the application form provided by Yellowhead County and shall:

(a) be signed by the registered owner(s) or an agent authorized by the registered owner(s) to make application. The correctness of the information supplied shall, when required by the Development Authority, be verified by a Statutory Declaration;

(b) state the proposed use or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Authority;

(c) at the discretion of the Development Authority, include site plans in duplicate at a scale satisfactory to the Development Authority, showing any or all of the following;

(i) front, side and rear yards;
(ii) outlines of the roof overhangs on all buildings;

(iii) north point;
(iv) legal description of the site and adjacent lots (by lot, block, subdivision and registered plan), roads, rights-of-way, easements, floodplains, top of bank and watercourses within or abutting the lot;
(v) location of existing and proposed municipal and private local improvements, principal building and other structures including accessory buildings, garages, carports, fences, driveways, paved areas, and major landscaped areas including buffering and screening areas where provided;
(vi) the grades of the adjacent streets, lanes and sewers servicing the property;
(vii) the exterior elevations showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed;
(viii) the lowest finished floor elevation in either the basement or main floor in the principal and accessory buildings where applicable;
(ix) on a vacant parcel in a residential district, the suggested location for a future driveway and garage or carport, if the application itself does not include such development as part of the proposal;
(x) storm drainage plan prepared by a Registered Professional Engineer and approved by Alberta Environment and Sustainable Resource Development;
(xi) any other pertinent information or tests required by the Development Authority respecting the site or adjacent lands including, but not limited to:

(a) a geotechnical report in a potentially hazardous or unstable area;
(b) a biophysical assessment on the impacts of development on sensitive wildlife habitat or important natural environments;
(c) a hydrogeological report to determine the impacts of development on area watersheds and aquifers;
(d) a reclamation plan for aggregate extraction or site grading and excavation;
(e) an environmental site assessment to determine potential contamination and mitigation;
(f) an environmental impact assessment for a development with potential significant environmental effects; or
(g) a flood plain impact study; and
(h) if abandoned well(s) have been identified, a sketch of the proposed development incorporating the necessary setback area for each well, and written confirmation that the licensee responsible for each well has been contacted and the exact well location confirmed and if the development will result in construction activity within the setback area, a statement confirming that the abandoned wells will be temporarily marked with on-site

(d) be accompanied by a fee as established by Council.

(2) Where information is required to be submitted in accordance with SECTION 17, it shall be prepared by an accredited professional, licensed to practice in Alberta to the satisfaction of the Development Authority.

(3) At the discretion of the Development Authority, a letter from the registered owner may be required authorizing the right of entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed development.

(4) In case of an application for development permit on Crown land, the County shall require Provincial authorization and/or copy of the Provincial Land Disposition prior to the issuance of a development permit.

(5) The Development Authority may refuse to process an application for a development permit where the information required by this bylaw has not been supplied or where the quality of such information is not adequate to properly evaluate the application.

(6) In addition to all other application requirements stated in this bylaw or allowed by Provincial legislation, the Development Authority may require the applicant to submit information to demonstrate compliance with all applicable Provincial of Federal requirements including, but not limited to, information related to the Alberta Building Code and Alberta Fire Code.

SECTION 18 REFERRAL OF DEVELOPMENT PERMIT APPLICATIONS

(1) Before a decision on a development permit is made, a development permit application may be referred to any agency, neighbouring municipality, adjacent landowner or person as the Development Authority considers appropriate for comments or advice regarding the application.

(2) Development permit applications within the urban fringe areas of Hinton and Edson shall be circulated to the relevant municipality for information and comment.

(3) The County shall notify the Alberta Energy Regulator whenever a development permit would result in a permanent additional overnight accommodation or public facilities on lands where any portion of the land that is subject to the application is within 1.5 km (0.93 mi) of a sour gas facility.

SECTION 19 DECISIONS ON DEVELOPMENT PERMIT APPLICATIONS

(1) The Development Authority:
- (a) shall issue, with or without conditions, a development permit for permitted uses, as listed in PART FOURTEEN, which complies with the land use and minimum standards for the applicable land use district; and
- (b) shall consider and may issue a development permit for discretionary uses, as listed in PART FOURTEEN:
  - (i) with conditions necessary to ensure compliance; or
  - (ii) without conditions.

(2) A decision of the Development Authority on an application for a development permit shall be given in writing and sent to the applicant.

(3) When the Development Authority refuses an application for a development permit, the decision shall outline the specific reasons for the refusal, the time periods within which an appeal can be made, and to whom the applicant can make the appeal, if so desired.

(4) 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 of the application, which is deemed complete, by the Development Authority unless an agreement to extend the forty (40) day period is established between the applicant(s) and the Development Authority.

(5) Notwithstanding any other provisions in this bylaw, if a permit application is for a permitted or discretionary use in any district, on a parcel of land for which there are outstanding requirements of a Development Agreement, the permit may be refused because of the lack of municipal infrastructure to fully service the development.

(6) Unless extended by an agreement in writing between the applicant and the Development Authority, the Development Authority must determine the completeness of an application for a development permit within twenty (20) days of receipt. If the Development Authority does not provide the applicant a written acknowledgement on the completeness of the application then the application is deemed to be complete on the twentieth (20th) day after receipt. **[02.19]**

(7) If an application for a development permit is deemed incomplete by the Development Authority, the Development Authority must issue a written notice to the applicant advising that the application is incomplete, listing the documentation and information that is still required, and setting a date by which the required documentation and information must be submitted. **[02.19]**

(8) If an application is deemed to be incomplete, the applicant may submit the information identified by the Development Authority to complete the application within the time specified in the notice or as agreed to between the applicant and Development Authority. If the information is not submitted by the time specified in the notice or as agreed to between the applicant and the Development Authority the application will be deemed refused. **[02.19]**

(9) Notwithstanding any written acknowledgment that an application for a development permit is complete, the Development Authority may request any additional information it considers necessary during the review and decision making process. **[02.19]**

SECTION 20 DEVELOPMENT PERMIT CONDITIONS

(1) The County may require the applicant to enter into an agreement to construct or pay for the construction of public roadways or parking areas, to install or pay for the installation of utilities or any other works required and allowed by the *Municipal Government Act*, and to pay for an off-site levy or any other fee or levy as allowed by the *Municipal Government Act* as a condition of a development permit.

(2) The Development Authority may require that a Real Property Report be provided by the applicant as a condition of a development permit.

(3) The Development Authority may impose such conditions on development permit approvals as, in their opinion, are necessary:

(a) to uphold the intent and objectives of the Municipal Development Plan, any area structure plan or other statutory plan as well as any land use district as adopted or amended from time to time; or

(b) to ensure the orderly development of land within the County.

(4) In the case where a proposed use of land or a building is not provided for in the applicable land use district in this Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that land use district, provided that the proposed use:

(a) would not unduly nor materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
(b) generally conforms with the prescribed use for the land or building as defined in this Bylaw.

(5) In no case shall approval be granted for storage or handling of flammable, explosive or otherwise dangerous materials in any development, unless adequate on site water supply is supplied for firefighting purposes as required by the Alberta Building Code Regulation and any amendments thereto.

(6) As a condition of a development permit, the Development Authority may require an automatically renewable Letter of Credit or cash in an amount sufficient to secure performance of any condition of a Development Permit.

SECTION 21 NOTIFICATION OF DEVELOPMENT PERMITS

(1) A notice of decision on an application for a development permit will be given to or sent by regular mail to the applicant on the date the decision was rendered by the Development Authority. **[02.19]**

(2) A notice of decision on an application for a development permit will be advertised on the date the decision was rendered, in accordance with Yellowhead County's Public Notification Bylaw in effect at the time. **[02.19]**

(3) A permit issued pursuant to this PART does not come into effect until twenty-one (21) days after the date the approval is first publicized. **[02.19]**

SECTION 22 DEVELOPMENT PERMIT APPEAL PROCESS

(1) The person applying for the development permit or affected by a stop work order under the *Act* may appeal to the Subdivision and Development Appeal Board, if a Development Authority:

(a) refuses or fails to make a decision on a development permit within forty (40) days of receipt of an application, which has been deemed complete by the Development Authority;
(b) issues a development permit subject to conditions; or
(c) issues a Stop Order pursuant to the *Act*.

(2) Any person affected by an order, decision or development permit made or issued by a Development Authority may appeal to the Subdivision and Development Appeal Board, except that no appeal may be made in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw are relaxed, varied or misinterpreted pursuant to the *Municipal Government Act*.

(3) Pursuant to the *Act*, if a decision on a Direct Control permit is made by Council, there is no appeal to the Subdivision and Development Appeal Board.

(4) An appeal to the Subdivision and Development Appeal Board is commenced by filing a notice of the appeal (including the required fee), containing the reasons for the appeal, to the Secretary of the Subdivision and Development Appeal Board within twenty-one (21) days,

(a) in the case of an appeal made by an applicant after:

(i) the date on which the person receives notice of the decision or order or the issuance of the development permit; or

(ii) if no decision is made with respect to an application within the forty (40) day period or within any extension of this period as the applicant may have approved in writing, the date the period or extension expires;

(b) in the case of an appeal by another person claiming to be affected, after the date on which the notice of the issuance of the development permit was published.

[02.19]

(5) Pursuant to the *Act*, the Subdivision and Development Appeal Board must hold an appeal hearing within thirty (30) days of the receipt of a complete notice of appeal.

(6) When hearing a development appeal, the Subdivision and Development Appeal Board must give at least five (5) days notice in writing of the hearing:

(a) to the appellant;
(b) to the Development Authority whose order, decision or development permit is the subject of the appeal; and
(c) to those notified under the Land Use Bylaw pursuant to SECTION 22 (2) and any other person that the Subdivision and Development Appeal Board considers to be affected by the appeal and should be notified.

(7) The Subdivision and Development Appeal Board must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including:
(a) the application for the development permit, the decision and the notice of appeal; or
(b) a stop work order or order to remedy.

(8) The Secretary of the Subdivision and Development Appeal Board shall make available to the Subdivision and Development Appeal Board members all relevant documents and materials respecting the appeal at least three (3) days prior to the hearing.

(9) At the hearing the Subdivision and Development Appeal Board must hear:
(a) the appellant or any person acting on behalf of the appellant;
(b) the Development Authority from whose order, decision or development permit the appeal is made, or the person acting on his/her behalf; and
(c) any other person who claims to be affected and that the Subdivision and Development Appeal Board agrees to hear, or someone acting on that person's behalf.

(10) In determining an appeal, the Subdivision and Development Appeal Board:
   (a) must comply with the Provincial Land Use Policies and Statutory Plans;
   (b) must have regard for but is not bound by the Subdivision and Development Regulation;
   (c) may confirm, revoke or vary the order, decision or development permit or any condition attached to it or may make or substitute an order, decision or permit of its own; and
   (d) may make an order or decision or issue or confirm the issuance of a development permit even though the proposed development does not comply with this Bylaw if, in its opinion:
      (i) the proposed development would not unduly nor materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
      (ii) the proposed development conforms with the prescribed use for the land or building as defined in this Bylaw.

(11) The Subdivision and Development Appeal Board may recess the hearing, if they require additional time to review or gather further information.

(12) The Subdivision and Development Appeal Board shall not accept additional evidence upon adjourning.

(13) Decisions of the Subdivision and Development Appeal Board shall be made in-camera.

(14) The Subdivision and Development Appeal Board must give its decision in writing together with reasons for the decision within fifteen (15) days of adjourning the hearing.

SECTION 23 VALIDITY OF DEVELOPMENT PERMITS

Validity of Permit

(1) When a development permit has been issued by the Development Authority, it shall not be valid until the development permit conditions, except 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) In cases where an appeal has been filed with the Subdivision and Development Appeal Board and the Board has agreed to hear the appeal, the permit shall not be valid until the decision of the Board is issued in writing.

(3) If the Subdivision and Appeal Board is served with notice of an application for leave to appeal its decision with respect to a development permit, such notice shall serve to suspend the development permit. The final determination of the leave to appeal shall serve to validate, amend or revoke, as the case may be, the suspended development permit.

Expiry of Permit

(4) If the development authorized by a permit is not commenced within twelve (12) months from the date of its issue, or carried out with reasonable diligence, the permit is deemed void, unless an extension to this period has previously been granted by the Development Authority.

(5) Upon application prior to expiry, the Development Authority may grant two extensions of the effective period of a development permit for a period that shall not be longer than twelve (12) months per extension.

(6) When a development permit expires, a new application must be completed. application will be addressed in the same manner as a first application and there shall be no obligation to approve the development permit based on the previous approval.

(7) In cases where a use is to be discontinued for a period of six (6) months, any subsequent use of the land or building shall comply with this Bylaw and shall require a new development permit.

Suspension of Permit

(8) The Development Authority may suspend a permit in instances where:
- (a) the permit was issued on the basis of incorrect information or misrepresentation by the applicant;
- (b) the permit was issued in error; or
- (c) it is requested to do so by the applicant.

SECTION 24 DEVELOPMENT PERMIT STANDSTILL PROVISION

(1) In the case where an application for a development permit has been refused pursuant to this PART or after an appeal pursuant to the *Act*, the submission of another application for a permit on the same property and for the same or similar use of the land by the same or any other applicant shall not be accepted by the Development Authority for six (6) months after the date of the previous refusal unless the permit conforms to the provisions of this Bylaw.

SECTION 25 POWERS OF VARIANCE

(1) The Development Authority may grant a variance and approve an application for a development permit for a permitted or discretionary use, with or without conditions, which does not comply with this Bylaw, if, in the opinion of the Development Authority, the proposed development conforms with the uses of land prescribed in this Bylaw and the proposed development:

- (a) is consistent with the Municipal Development Plan, an applicable Area Structure Plan, or Area Redevelopment Plan, and policies adopted by Yellowhead County;
- (b) is compatible with the general purpose of the district (e.g. urban or rural);
- (c) would not unduly interfere with the amenities, use enjoyment or value of adjacent lots;
- (d) is compatible with surrounding areas in terms of land use and scale of development;
- (e) is appropriate given geotechnical considerations such as flooding and slope stability;
- (f) includes factors unique to the development, use and site which are not generally common to other development and land in the same district and which would result in unnecessary hardship or practical difficulties for the proposed development to comply with the provisions of this Bylaw;
- (g) will not cause negative impacts on community services such as schools, parks, fire protection and health;

(h) is consistent with municipal land, right-of-way or easement requirements;
(i) meets the provisions of any relevant Safety or Building Codes;
(j) will not unduly interfere with the amenities of the neighbourhood; and
(k) can be designed to mitigate impacts on adjacent lots.
(l) conforms to the uses prescribed for the land use district for the subject site.

(2) In approving an application for a permit under SECTION 25 (1), the Development Authority shall adhere to the general purpose and intent of the appropriate land use district.

SECTION 26 LETTER OF COMPLIANCE

(1) Where a development has been completed in compliance with the setback requirements of a development permit, and the conditions, if any, attached to the development permit have been fulfilled and the development complies with the setback requirements of this Bylaw, the Development Authority, if requested, shall issue a Letter of Compliance stating that the completed development conforms to the setback requirements of this Bylaw.

(2) A request for Letter of Compliance shall be accompanied by:

(a) a completed application form;
(b) the signature of the registered owner or authorized agent for the property;
(c) a non-refundable fee as established by Council;
(d) for lots less than 16.0 ha (39.5 ac) in size, an original Alberta Land Surveyor's Real Property Report, dated not more than six (6) months prior to the request;
(e) for lots 16.0 ha (39.5 ac) or more in area, an original Alberta Land Surveyor's Real Property Report, dated not more than six (6) months prior to the request, may be required if in the opinion of the Development Authority, the buildings appear to be located less than the required distance from a roadway or property boundary;
(f) notwithstanding the foregoing, the Development Authority may accept a Real Property report up to five (5) years old, if accompanied by a Sworn Affidavit certifying that there have been no changes or additions to any development upon the lands since the completion of the Real Property Report; and
(g) an additional fee, as established by Council, where a site inspection is required.

(3) The Development Authority shall not issue a Letter of Compliance if necessary details of the development, as outlined in this section have not been included with the application.

(4) Development Permits were not required prior to June 30, 1981. Therefore, any development constructed prior to June 30, 1981, which meets all requirements of this bylaw (with the exception of having a Development Permit approval), shall be considered to be conforming development. Any development constructed prior to June 30, 1981, which does not meet the setback or other requirements of this bylaw, shall be considered to be an existing non-conforming structure or development.

(5) The Development Authority shall rely on the Real Property Report and is not required to undertake independent site inspections. The Development Authority shall not be liable for any damages resulting from the use of a Letter of Compliance where the errors are the result of incorrect or incomplete information provided by the Alberta Land Surveyor.

(6) For requests for Letter of Compliance which are not accompanied by a Real Property Report (lot greater than 16.0 ha in area), and which require a site inspection by the Development Authority, the Letter of Compliance will be an estimate of Compliance only

based on visual observation of setbacks. For a definitive statement of Compliance, a Real Property Report is required, regardless of parcel size. The Development Authority shall not be liable for any damages resulting from a request for compliance where a Real Property Report is not submitted, regardless of parcel size.

SECTION 27 APPLICATION FOR SUBDIVISION

(1) A subdivision application shall include the following information:
- (a) a completed subdivision application form signed by the registered landowner, or authorized agent;
- (b) the plan showing the proposed subdivision or other instrument of subdivision;
- (c) the application fee plus any additional fees for each lot being created as per the fees as set by Council; and
- (d) a copy of the current land title for the land that is the subject of the application.

(2) The proposed plan of subdivision shall:
- (a) indicate the location, dimensions and boundaries of the land to be subdivided;
- (b) clearly outline the land which the applicant wishes to register in a Land Titles Office;
- (c) show the location, dimensions and boundaries of:
  - (i) each new lot to be created;
  - (ii) the reserve land, if any;
  - (iii) the rights-of-way of each public utility; and
  - (iv) other rights-of-ways;
- (d) show the use, location and dimensions of buildings on the land that is the subject of the application, if any, and specify whether the buildings are proposed to be demolished or moved;
- (e) show the location of any river, stream, watercourse, lake or other body of water that is contained within the bounds of the proposed parcel of land;
- (f) describe the use(s) proposed for the land that is the subject of the application;
- (g) identify the location of any existing or proposed wells, the locations and type of any private sewage disposal systems and the distance from these to existing or proposed buildings and property lines; and
- (h) the existing and proposed access to the proposed parcels and the remainder of the titled area.
- (i) Abandoned Gas Wells
  - (i) provide a map of the proposed subdivision area from Alberta Energy Regulator sources indicating that there are no abandoned oil or gas wells in the project area, or a list and map identifying the locations of abandoned wells within the application area, including the surface coordinates, as provided by Alberta Energy Regulator, and written confirmation that the licensee responsible for each well has been contacted and the exact well location confirmed (any additional information discussed with the licensee that may have led to a change in the setback area should also be included),

(3) The County may also require an applicant to submit any or all of the following:
- (a) a map of the land that is to be subdivided and shows topographic contours at not greater than 1.5 m (4.92 ft.) intervals related to the geodetic data;
- (b) if the proposed subdivision is not to be served by a water distribution system, information supported by the report of a Registered Professional Engineer,

licensed to practice in the Province of Alberta, respecting the provision, availability and suitability of potable water on or to the land to be subdivided;

(c) an assessment of subsurface characteristics of the land that is to be subdivided including, but not limited to, susceptibility to slumping or subsidence, depth to water table and suitability for any proposed on site sewage disposal system;

(d) if the land that is the subject of an application is located in a potential flood plain and flood plain mapping is available, a map showing the 1:100 year flood plain;

(e) if a proposed subdivision is not to be served by a wastewater collection system, information supported by the report of a qualified professional, registered in the province of Alberta, respecting the intended method of providing sewage disposal facilities to each lot in the proposed subdivision;

(f) information respecting the land use and land surface characteristics of land within 0.8 km (0.5 mi.) of the land proposed to be subdivided;

(g) if any portion of the parcel of land affected by the proposed subdivision is situated within 1.5 km (0.93 mi.) of a sour gas facility, a map showing the location of the sour gas facility; and

(h) a conceptual scheme that relates the application to future subdivision and development of adjacent areas.

(4) Unless extended by an agreement in writing between the applicant and the Subdivision Authority, the Subdivision Authority must determine the completeness of an application for a subdivision within twenty (20) days of receipt. If the Subdivision Authority does not provide the applicant a written acknowledgement on the completeness of the application then the application is deemed to be complete on the twentieth (20th) day after receipt. **[02.19]**

(5) If an application for a subdivision is deemed incomplete by the Subdivision Authority, the Subdivision Authority must issue a written notice to the applicant advising that the application is incomplete, listing the documentation and information that is still required, and setting a date by which the required documentation and information must be submitted. **[02.19]**

(6) If an application is deemed to be incomplete, the applicant may submit the information identified by the Subdivision Authority to complete the application within the time specified in the notice or as agreed to between the applicant and Subdivision Authority. If the information is not submitted by the time specified in the notice or as agreed to between the applicant and the Subdivision Authority the application will be deemed refused. **[02.19]**

(7) Notwithstanding any written acknowledgment that an application for a subdivision is complete, the Subdivision Authority may request any additional information it considers necessary during the review and decision making process. **[02.19]**

SECTION 28 DECISIONS ON SUBDIVISION APPLICATIONS

(1) Once the County receives a completed subdivision application, the application is issued a file number and circulated for comment. The Subdivision Authority must give a copy of the application to Government departments, persons and local authorities as required by the Subdivision and Development Regulation.

Notice

(2) On receipt of an application for subdivision approval, the Subdivision Authority must give notice of the application to owners of the land that is adjacent to the land that is the subject of the application. Notice shall describe the nature of the application, the method of obtaining further information about the subdivision application and the manner in which and time within which written submissions may be made to the Subdivision Authority.

(3) The Subdivision Authority shall consider the comments of those persons to whom an application for subdivision approval is referred, but is not bound by them unless required by the Subdivision and Development Regulation.

Decision Time Frame

(4) A Subdivision Authority must make a decision on an application for subdivision within:
   (a) twenty-one (21) days in the case of a completed application for a subdivision described in Section 652(4) of the *Act*, if no referrals were made pursuant to Section 5(4) of the Subdivision and Development Regulation;
   (b) sixty (60) days from the date of receipt of any other completed application under Section 4(1) of the Subdivision and Development Regulation; or
   (c) within the time agreed to pursuant to Section 681(1)(b) of the *Act*.

Decisions

(5) A decision of a Subdivision Authority must be provided in writing to the applicant and to the Government departments, persons and local authorities to which the Subdivision Authority is required by the Subdivision and Development Regulation to give a copy of the application. A decision of the Subdivision Authority must state whether an appeal lies to a Subdivision and Development Appeal Board or to the Municipal Government Board. The written decision of a subdivision authority provided under section 656 of the Act must include the reasons for the decision, including an indication of how the subdivision authority has considered any submissions made to it by the adjacent landowners, and all relevant considerations.

Endorsement and Conditions Met

(6) An applicant for subdivision approval must submit to the Subdivision Authority the plan of subdivision or other instrument that effects the subdivision within one (1) year of the either:
   (a) the date of subdivision approval;
   (b) the date of an appeal board's decision; or
   (c) the date the judgment is entered, or the appeal is discontinued by the Court of Appeal.

(7) On being satisfied that a plan of subdivision or other instrument complies with a subdivision approval and that any conditions imposed have been met, the Subdivision Authority must endorse the plan or other instrument in accordance with the Subdivision and Development Regulation.

(8) The Subdivision Authority may provide a one-year time extension to the applicant for subdivision in order to meet conditions of subdivision approval whether or not the time

period has expired. Further extensions may be considered by the Subdivision Authority. Extensions will be subject to the fee schedule approved by Council.

(9) If the plan of subdivision or other instrument is not submitted within the time prescribed or further authorized by a time extension, the subdivision approval is void.

Registration

(10) If the plan of subdivision or other instrument is not registered in a land titles office within one (1) year after the date on which it is endorsed, the subdivision approval of the plan or instrument and the endorsement are void and the plan or instrument may not be accepted by a Registrar for registration.

(11) The Subdivision Authority may provide a one (1) year time extension to the applicant for subdivision in order to register the plan or instrument whether or not the time period has expired.

SECTION 29 SUBDIVISION APPLICATION APPEAL PROCESS

(1) The decision of a Subdivision Authority on an application for subdivision approval may be appealed:
   (a) by the applicant for the approval;
   (b) by a Government department, if the application is required by the Subdivision and Development Regulation to be referred to that department;
   (c) a School Authority with respect to the allocation, location of or the amount of reserves.

(2) An appeal to the Subdivision and Development Appeal Board is commenced by filing a notice of the appeal (including the required fee) to the Clerk of the Subdivision and Development Appeal Board within twenty-one (21) days from the date the decision was mailed. **[02.19]**

(3) The notice of appeal must contain the legal description and municipal location, if applicable, of the land proposed to be subdivided; and the reasons for appeal, including the issues in the decision or the conditions imposed in the approval that are the subject of the appeal. **[02.19]**

SECTION 30 COURT OF APPEAL

(1) Pursuant to the *Act*, an appeal lies to the Court of Appeal on a question of jurisdiction or law with respect to:
   (a) a decision of the Subdivision and Development Appeal Board; or
   (b) the Municipal Government Board on a decision of an appeal under Section 619 of the *Act*, an inter-municipal dispute under Part 17, Division 11 of the *Act* or a subdivision appeal.

(2) An application for leave to appeal pursuant to subsection (1) must be made to a judge of the Court of Appeal within thirty (30) days after the issue of the decision sought to be appealed, and notice of the application must be provided to:

(a) the Municipal Government Board or the Subdivision and Development Appeal Board; and
(b) any other person(s) that the judge directs.

SECTION 31 SUBDIVISION APPLICATION STANDSTILL PROVISION

(1) If an application for subdivision approval is refused, the Subdivision Authority may refuse to accept for consideration, with respect to the same land or part of the same land, a further application for subdivision approval submitted to it within the six (6) month period after the date of the Subdivision Authority's decision to refuse the application.

PART FIVE - AMENDMENT

SECTION 32 PURPOSE

(1) Yellowhead County Council may, from time to time, amend the text, schedules, or Land Use District Maps to bring this Bylaw in conformity with the Municipal Development Plan or to respond to changing market conditions or needs of Yellowhead County residents and landowners.

SECTION 33 APPLICATIONS TO AMEND THE LAND USE BYLAW

(1) All amendments to this Bylaw shall be made by the Council by bylaw and in conformance with the *Act*, the Municipal Development Plan and relevant Area Structure Plans.

Text Amendment

(2) Any person may apply for an amendment to the text of this Bylaw by submitting the application fee required by the Council and a written statement to describe and justify the rationale for the proposed text amendment.

(3) Written submissions for text amendments must include a statement outlining the proposed impacts of the amended Bylaw text on land uses and developments throughout Yellowhead County.

Map Amendment

(4) Council may initiate an amendment to the Land Use District Maps included in this Bylaw by directing the Development Authority to prepare an application.

(5) An application for amendment may be made by a registered owner of a property, or his authorized agent, and shall be made to the Development Authority or Subdivision Authority for processing and referred to the Council.

Amendment Application Process

(6) Any amendment to this Bylaw shall be made by an amending bylaw pursuant to the *Act*, following a public hearing and the notification requirements in accordance with the *Act*. If the proposed amendment does not conform with adopted statutory plans, the Development Authority shall advise the applicant that an amendment must be made to the statutory plans prior to or concurrently with the amendment to the Land Use Bylaw.

(7) An applicant may be required to submit an area structure plan or area redevelopment plan for approval by the County prior to making application to amend the land use district.

(8) Where Council may wish to exercise particular control over the use and development of land or buildings within an area of the Municipality, they may, in the land use bylaw, designate that area as a direct control district.

(9) All applications for amendment shall be made to the Development or Subdivision Authority for processing and referred to the Council using an application form provided by the County and shall be accompanied by the following:

(a) an application form and fee;
(b) a statement of the reasons to justify the request to amend the Bylaw;

In addition, the County may require the following information in support of a complete application:

(a) a certified copy of the Certificate of Title for the lands affected;
(b) copies of any restrictive covenant(s) or caveats registered by the Municipality and any other documents required by the Development Authority to verify that the applicant has a legal interest in the land for at least the period of time necessary to process the application to a final decision on the amendment;
(c) a properly dimensioned map at an appropriate scale indicating the property to be amended, its relationship to existing land uses within a one (1) km (0.6 mi.) radius of the boundaries of the property and any prominent geographic or natural features;
(d) any additional information Yellowhead County may require, in order to prepare, evaluate and make a recommendation concerning the proposed redistricting. This may include an analysis by a qualified professional, registered in the province of Alberta, on the potential impact on land use, the environment, utility services, municipal facilities, and transportation networks if the amendment to the Bylaw will result in an increase in density or intensification of land use.

SECTION 34 REVIEW PROCESS

(1) Yellowhead County may refer any application for a proposed amendment to any municipal, provincial, or federal department or any other agency or body.

(2) A report including recommendations and comments outlining potential impacts created by the proposed land use amendment shall be forwarded by Yellowhead County's Planning Department to the Council.

SECTION 35 NOTIFICATION OF PUBLIC HEARING

(1) Where a public hearing is required by the Act for a proposed amendment to this Bylaw, notice of the public hearing shall be in accordance with the Act. **[02.19]**

SECTION 36 AMENDMENT REVIEW BY COUNCIL

(1) Council may review the land use amendment submission and reports and recommendations from the Planning and Development Department and may:

(a) approve the proposed text amendment or redistricting as proposed;
(b) approve the proposed text amendments or redistricting with modifications within the scope of the limitations of the *Act*;
(c) request further information; or
(d) refuse the proposal.

SECTION 37 LAND USE BYLAW AMENDMENT STANDSTILL PROVISION

(1) Where an amendment to change this Bylaw is refused, a similar application to amend the land use districting on the same lot shall not be submitted until at least six (6) months after the date of refusal, unless otherwise directed by Council pursuant to the *Act*.

PART SIX – ENFORCEMENT

SECTION 38 GENERAL REGULATIONS

(1) No person shall contravene or permit a contravention of this Bylaw.

(2) No person shall commence or undertake a development or use that is not permitted in this Bylaw.

(3) No person shall contravene a condition of a permit issued under this Bylaw.

(4) A Bylaw Enforcement Officer may enforce the provisions of the *Act* and its regulations, the conditions of a permit or subdivision approval, and this Bylaw. Enforcement may occur through a warning notice of violation, stop orders, or any other authorized action necessary to ensure compliance.

SECTION 39 RIGHT OF ENTRY

(1) A Bylaw Enforcement Officer is required to provide forty-eight (48) hours notice to the owner or occupant of a property, in accordance with the *Act*, prior to entering a property to determine if Bylaw requirements are being met.

(2) A Bylaw Enforcement Officer may enter a property at reasonable times (generally interpreted to mean between the hours of 7:00 AM and 10:00 PM) to determine if Bylaw requirements are being met.

(3) A person shall not prevent or obstruct a Bylaw Enforcement Officer from carrying out any official duty under this Bylaw. If consent to enter a property is not provided, Yellowhead County may apply for an authorizing order.

SECTION 40 WARNING NOTICE

(1) A Bylaw Enforcement Officer may issue a warning notice outlining the nature of the violation, corrective measures that must be taken, and the deadline for the completion of the corrective measures.

SECTION 41 OFFENCES AND FINES

(1) A person who violates the provisions of this Bylaw or permits a contravention of this Bylaw, is guilty of an offence and is liable to a fine for a first offence and each subsequent offence as specified in this bylaw or any other fees or charges bylaw.

(2) If a fine payment is not made in accordance with SECTION 44 the person is liable for imprisonment for not more than one year.

SECTION 42 STOP ORDERS

(1) Upon determination that a development, land use, or use of a building is not in compliance with the *Act* or its regulations, this Bylaw and its regulations, or a development permit or subdivision approval or the conditions of either, the Development Authority may by written notice direct the owner of the property, the person in possession of the land or building, or the person responsible for a contravention to:

(a) stop the development or use of the land or building in whole or part as directed by the notice,
(b) demolish, remove, or replace the development or landscaping, or

(c) carry out any other actions required by the notice.

(2) The notice shall specify a deadline for compliance.

SECTION 43 APPEAL OF STOP ORDERS

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

SECTION 44 ENFORCEMENT OF STOP ORDERS

(1) In accordance with Section 542 of the *Act*, if a person fails to comply with the order of a Development Officer, a Bylaw Enforcement Officer, *or the Subdivision and Development Appeal Board*, a designated officer may enter on the land or building and take any action necessary to carry out the order.

(2) Yellowhead County may register a caveat against the certificate of title for the land that is subject to the stop order, provided that the caveat is discharged when the order's requirements have been fulfilled.

(3) Yellowhead County's costs of carrying out any actions required for compliance with a stop order may be added to the tax roll of the land subject to the order.

PART SEVEN - GENERAL REGULATIONS: ADMINISTRATION

SECTION 45 GENERAL PROVISIONS

(1) The general regulations included in this Land Use Bylaw apply in all districts. Where a conflict appears with regulations in other sections in this Bylaw, the general regulations apply unless those sections specifically exclude or modify these general regulations.

SECTION 46 DESIGNATED HAMLETS

(1) The designated hamlets for the County are:
- (a) Brule;
- (b) Cadomin;
- (c) Evansburg;
- (d) Marlboro;
- (e) Niton Junction;
- (f) Peers;
- (g) Robb;
- (h) Wildwood.

It should be noted that MacKay and Pinedale Estates do have hamlet status, but for the purposes of this bylaw and other land use issues, they are not deemed to be hamlets and may not have hamlet districting depending on site specific issues.

(2) Any development that occurs within the hamlets may be required to be connected to any municipal water distribution system and sewage collection system, if available, and the developer shall be responsible for all improvements to services required for new developments, unless the County considers that a cost-sharing arrangement is appropriate.

(3) No barbed wire fences are permitted within a hamlet.

SECTION 47 DIRECT CONTROL DISTRICTS

(1) In accordance with Section 641 of the *Act*, Direct Control districts are to be applied to areas determined by the County to be unique or of special character or where particular circumstances or difficulties are present. They are intended to ensure that land use and development occurs in these areas in accordance with any applicable provisions prescribed for such areas in a statutory plan in effect or to be put in effect to specifically guide the implementation and administration of a Direct Control District.

(2) Direct Control districts are specified in two main categories: DC (Direct Development Control) District or DC# (Site Specific Development Control) District.

The DC (Direct Development Control) District is used for situations where detailed, sensitive control of the use, development, siting and design of land is required and/or allowed by an adopted Area Structure Plan or Area Redevelopment Plan.

The DC# (Site Specific Development Control) District is used to provide for direct control over a specific proposed development where any other zone would be inappropriate or inadequate.

(3) Council shall act as Development Authority and Subdivision Authority on Development Permit and Subdivision applications in the DC (Direct Development Control) District and as such those Development Permits and Subdivision applications are not subject to appeal to the Subdivision and Development Appeal Board.

(4) In the DC# (Site Specific Development Control) District, Development Permit and Subdivision applications shall be decided by the Development Authority or Subdivision Authority, unless specifically designated in the particular district that Council will act as Development or Subdivision Authority. Permits and subdivision applications decided by the Development or Subdivision Authority may be subject to appeal to the Subdivision and Development Appeal Board, but where Council acts as Subdivision or Development Authority, no appeal lies to the Subdivision and Development Appeal Board.

PART EIGHT – GENERAL REGULATIONS: DEVELOPMENT

SECTION 48 CORNER AND DOUBLE FRONTING SITES

(1) In all land use districts, a site abutting onto two (2) streets or more shall have a front yard setback on each street in accordance with the front yard regulations of this Bylaw.

(2) In all cases, the location of buildings on corner sites shall be subject to approval of the Development Authority who may, at its discretion, relax the front yard setback requirements, in accordance with Section 25, taking into account the location of existing adjacent buildings or the permitted setback on adjacent sites where a building does not exist.

(3) In all cases, the site coverage may be varied for corner or double fronting lots in accordance with Section 25.

SECTION 49 SIGHT TRIANGLE

No obstructions to visibility shall be permitted within 30.0 m (98 ft.) of the intersection of two (2) roads without permission from the Development Authority, except as provided for in this Bylaw, and/or by Alberta Transportation pursuant to the Public Highways Development Act P-38 RSA 2000, where required.

SECTION 50 DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS AND STRUCTURES

(1) The Subdivision Authority or the Development Authority may, where it desires to achieve a higher standard of design and appearance in a specific subdivision, neighbourhood, or development, require the developer to provide detailed architectural control guidelines;

(2) Where the architectural control guidelines for a specific subdivision, neighbourhood, or development are adopted by the developer, the following elements shall be contained in the document in order to ensure the aesthetic and functional quality of housing:
   (a) compatibility of lot grading and drainage requirements within the lot;
   (b) the placement of the dwelling on the site to ensure proper utilization of the land and compatibility with surrounding dwellings;
   (c) styling and type of dwelling to ensure compatibility with surrounding dwellings; and
   (d) compatibility of exterior finish and coordination of colour relationships.

(3) 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.

(4) In all residential districts, the design, siting, external finish, architectural appearance of any Single Detached Dwelling, including any accessory building or structure, shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with respect to adjacent dwellings or residential buildings and that there may be adequate protection afforded to the amenities of adjacent properties.

(5) In all commercial and industrial districts, the siting, minimum floor area and appearance of all buildings or improvements, and the landscaping of the site shall be to the satisfaction of the Development Authority.

(6) Where Council has adopted specific design guidelines for an area of the County, all development must conform to the guidelines in terms of form and character of the buildings, structures, grading, landscaping, parking areas, signage and other open space.

SECTION 51 MANUFACTURED HOME RULES AND REGULATIONS

(1) As a condition of approval, every Manufactured Home shall;
- (a) Be leveled and blocked and the hitch removed within 30 days of being placed on the parcel;
- (b) Have Canadian Standard Association certification and approval of an inspector accredited by Alberta Municipal Affairs
- (c) Be factory-built or equivalent, with suitable siding as required by the Development Authority;
- (d) Be skirted from the floor level to the ground level and the skirting shall match or be in harmony with the existing external finish of the manufactured home within 60 days of being placed on the parcel.

(2) Manufactured Home- Park Model
- (a) This type of Manufactured Home is a Discretionary Use in the Rural District, Country Residential District and Manufactured Home Park District. It is Permitted in the Stonewater Ranch RV Park District.
- (b) Must be no greater than10 years old.
- (c) Must currently be generally compatible with the form and character of dwellings in the surrounding neighbourhood, or the building must be upgraded and plans submitted to show how the exterior of the Manufactured Home will include siding and other exterior treatment to be generally compatible with the form and character of dwellings in the surrounding neighbourhood.

(3) Wildwood, Peers, Cadomin, Niton Junction and Marlboro
- (a) Within these hamlet boundaries, Manufactured Homes will be Permitted Uses, subject to conditions noted below:
- (b) Must be no greater than 20 years old;
- (c) Must be a minimum width of 4.88m (16 ft.);
- (d) Must have a gable roof or must be upgraded to include a gabled roof (i.e. no flat roofs);
- (e) Must currently be generally compatible with the form and character of dwellings in the surrounding neighborhood, or the building must be upgraded and plans submitted to show how the exterior of the Manufactured Home will include siding and other exterior treatment to be generally compatible with the form and character of dwellings in the surrounding neighborhood;
- (f) Any required upgrading of the manufactured home, site grading and/or landscaping must be completed within 180 days of permit being issued;

(g) May require a security deposit of $3,000.00 (in the form of a automatically renewing letter of credit or cash) to guarantee that all conditions of the development permit issued have been met and upgrading of unit will be done within the prescribed time limit.

(4) Robb and Brule

(a) Within these hamlets, the following shall apply:

(b) Manufactured Homes will be considered to be a Permitted use if the property is currently developed with a Manufactured Home (as the current principal dwelling) and the proposed Manufactured Home is a replacement of the existing Manufactured Home, subject to the conditions below;

(c) Manufactured Homes will be considered to be a Discretionary Use if the property is vacant or is not currently developed with a Manufactured Home, subject to the conditions below.

(d) When the Manufactured Home is considered to be a Permitted or Discretionary Use, the following conditions shall apply:

(i) Must be no greater than 5 years old;

(ii) Must be a minimum width of 6m (19.68ft.);

(iii) Must currently be generally compatible with the form and character of dwellings in the surrounding neighborhood, or the building must be upgraded and plans submitted to show how the exterior of the Manufactured Home will include siding and other exterior treatment to be generally compatible with the form and character of dwellings in the surrounding neighborhood;

(iv) Any required upgrading of manufactured home, site grading and/or landscaping must be complete within 180 days of permit being issued;

(v) May require a security deposit of $3,000.00 (in the form of a letter of guarantee or cash) to guarantee that all conditions of the development permit issued will be met and upgrading of unit will be done within the prescribed time limit;

(vi) The Development Authority may consult with all property owners within a 60m radius of the property to determine if there are concerns with allowing the Manufactured Home to be placed on the property.

(5) Evansburg

(a) Manufactured Homes are Permitted Uses only within the original registered area of Plan 812 0712 and Plan 762 1951;

(b) Within the remainder of Evansburg, a Manufactured Home is considered to be a Discretionary Use if the property is currently developed with a Manufactured Home, and the application is only to replace an existing Manufactured Home;

(c) Within the original area of Plan 762 1951, the following conditions shall apply:

(i) Must be no greater than 20 years old;

(ii) Must be a minimum width of 4.88m (16 ft.);

(iii) Must have a gable roof or must upgrade to include a gabled roof (i.e. no flat roofs);

(iv) Must currently be generally compatible with the form and character of dwellings in the surrounding neighborhood, or the building must be upgraded and plans submitted to show how the exterior of the Manufactured Home will include siding and other exterior treatment to be generally compatible with the form and character of dwellings in the surrounding neighborhood;

(v) Any required upgrading of manufactured home, site grading and/or landscaping must be complete within 180 days of permit being issued;

(vi) May require a security deposit of $3,000.00 (in the form of a automatically renewing letter of credit or cash) to guarantee that all conditions of the development permit issued will be met and upgrading of unit will be done within the prescribed time limit;

(vii) The following setbacks shall apply for Manufactured Homes in the area of Plan 762 1951:

(a) Front yard setback shall be a minimum of 6.0 m (19.68 feet);
(b) Side yard to the principal building shall be a minimum of 1.5 m (4.92 feet);
(c) On corner sites, a minimum side yard setback of 4.5 m (14.76 feet) shall be provided on the side flanking the street or lane;
(d) The rear yard setback to the principal building shall be a minimum of 1.5 m (4.92 feet);
(e) Where a site has utility services entering the property from the rear of the property, no encroachment of any part of the building onto public utility lots, easements or onto adjacent property maintenance easements is allowed.

(d) Within the remainder of Evansburg, when the Manufactured Home is considered to be a Permitted or Discretionary Use, the following conditions shall apply:

(i) Must be no greater than 10 years old;
(ii) Must be no greater than 10 years old;
(iii) Must be a minimum width of 6m (19.68ft.);
(iv) Must currently be generally compatible with the form and character of dwellings in the surrounding neighborhood, or the building must be upgraded and plans submitted to show how the exterior of the Manufactured Home will include siding and other exterior treatment to be generally compatible with the form and character of dwellings in the surrounding neighborhood;
(v) Any required upgrading of manufactured home, site grading and/or landscaping must be complete within 180 days of permit being issued;
(vi) Must include a security deposit of $3,000.00 (in the form of a letter of guarantee or cash) to guarantee that all conditions of the development permit issued will be met and upgrading of unit will be done within the prescribed time limit.

(e) The Development Authority may consult with all property owners within a 60m radius of the property to determine if there are concerns with allowing the Manufactured Home to be placed on the property.

(6) Within the following subdivisions, Manufactured Homes are neither permitted nor discretionary (i.e. not allowed).
   (a) Aspen Heights (within West half of SW 36-50-26-W5M in area of Registered Plan 922 3829);
   (b) River Ridge Subdivision (within East half of Section 18-53-16-W5M as described in River Ridge Area Structure Plan Bylaw 30.05);
   (c) Bear Lake (within NW 10-55-15-W5M in areas of Plans 842 0869, 922 2242 and 2904MC);
   (d) Two Rivers Estates (within Parts of the West Half of 15-54-16-W5M in area of Registered Plans 782 0694, 812 2098, 972 2993);
   (e) Carldale (within Parts of West Half of Section 13-52-24-W5M, in area of Plans 5251TR, 872 1549, 952 0629, 952 5366 and 962 2849);
   (f) Seabolt and Bar F Subdivision areas (within all of NE 24-50-26-W5M in Plans 902 1558, 872 0441, 032 6103, 822 0387 and 972 0773, NW 19-50-25-W5M in Plan 892 1703, and SW 30-50-25-W5M in Plans 062 6836, 042 2901, 972 0715, 972 0720 and 822 0331, SE 25-50-26-W5M in Plan 842 1543);
   (g) Grandview and area (within NW 30-50-25-W5M in areas of Plan 972 0712, 022 7434, 952 5039 and 052 5004);
   (h) Maskuta Estates and area (within SW 31-50-25-W5M in areas of Plans 922 1268, 922 2890 and 842 1589);
   (i) Mountainview Estates (within NW 2-51-26-W5M in areas of Plan 812 1340);
   (j) Folding Mountain (within NW 20-49-26-W5M in area of Plan 882 1844);
   (k) Overlander/Mountain Park Properties (within SE 24-49-27-W5M in area of Plan 852 0527);
   (l) Gregg Lake (within West half of Section 5-53-26-W5M in areas of Plan 5715KS and 6625MC).

(7) In all other areas within the CR or CR(L) District , Manufactured Homes are Permitted Uses subject to:
   (a) Must be no greater than 20 years old;
   (b) Must be a minimum width of 4.88m (16 ft.);
   (c) Must have a gable roof or must upgraded to include a gabled roof (i.e. no flat roofs);
   (d) Must currently be generally compatible with the form and character of dwellings in the surrounding neighborhood, or the building must be upgraded and plans submitted to show how the exterior of the Manufactured Home will include siding and other exterior treatment to be generally compatible with the form and character of dwellings in the surrounding neighborhood;
   (e) Any required upgrading of manufactured home, site grading and/or landscaping must be complete within 180 days of permit being issued;
   (f) May require a security deposit of $3,000.00 (in the form of a letter of guarantee or cash) to guarantee that all conditions of the development permit issued will be met and upgrading of unit will be done within the prescribed time limit;
   (g) The Development Authority may consult with all property owners within a 60m radius of the property to determine if there are concerns with allowing a Manufactured Home on the property.

(8) In all other districts where Manufactured Homes are Permitted or Discretionary Uses, or in areas not listed in this Section, Manufactured Homes are subject to the following:
   (a) The Manufactured Home shall be no greater than 20 years old. This may be varied where, in the opinion of the Development Authority, the proposed Manufactured Home is generally consistent with the predominant form and character of the homes and

dwellings in the area where the Manufactured Home is proposed to be located, or is unlikely to have an impact on the general form and character of the area.

SECTION 52 DEVELOPMENT IN THE VICINITY OF CONTROLLED HIGHWAYS

(1) A development permit may be issued for development within 300 m (984 ft.) of a controlled highway or 800 m (0.5 mi) from the center point of an intersection of a controlled highway and another highway, subject to the applicant receiving a permit under regulations made in accordance with the Public Highways Development Act P-38 RSA 2000 and any amendments thereto.

(2) No building or other structure shall be permitted to be located within 40.0 m (131 ft.) of the right-of-way of a controlled highway, unless allowed by Alberta Transportation and the Development Authority.

SECTION 53 EXISTING SUBSTANDARD LOTS

(1) Proposed development on existing substandard lots which do not meet the provisions of this Bylaw shall be considered by the Development Authority and development permits may be issued, having regard for the limitations of the site.

(2) Where a lot or development has been made to be non-conforming due to taking land for public purpose (e.g. road widening), that lot or development will be considered to be conforming if the development or lot is made non-conforming only due to the taking of land for public purpose.

(3) It is recognized that there are developments that currently exist that do not conform to the minimum lot sizes, setbacks and other regulations of the current land use district. These lots were created under past legislation. These include, but are not limited to, the following listed legal plans of subdivision:

(a) Plan 792-2824, known as the subdivision of Shiningbank Lake Estates;
(b) Plan 2904 MC, known as the subdivision of Bear Lake;
(c) Plans 882-1844, 082-8903, and 084-0173 known as the subdivision of Folding Mountain;
(d) Plan 6625 MC and Plan 5715 KS, known as the subdivision of Gregg Lake;
(f) Plans 762-2234, 792-1271, 982-2324, 032-4257, and 062-0386 known as the subdivision of Lobstick Resort;
(g) Hansonville (SE 30-53-8-5); and
(h) MacKay (Pts 5 and 8-54-11-5).

All lots located within these plans, may deviate from the minimum standards to ensure conformity to this document, and allow land owners the ability to replace, expand or modify existing buildings that would not normally conform to this Bylaw. Within these areas, the developments regulations (setbacks, site coverage, etc.) of the HR- Hamlet Residential district, may apply at the discretion of the Development Authority.

SECTION 54 RELOCATION OF BUILDINGS

(1) All relocation of buildings or structures requires a Development Permit approval, unless otherwise exempted by this bylaw.

SECTION 55 SITE CONDITIONS

(1) The Development Authority may require screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses.

(2) The Development Authority, in considering an application, may impose conditions requiring the retention of trees, additional planting, or other screening of such a type and extent that is considered necessary.

(3) No person shall bury any garbage or similar debris on a construction site.

(4) The location of any shelter belts shall be determined by the Development Authority.

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

SECTION 56 ACCESS, PARKING AND LOADING

General Regulations

(1) Where any development is proposed, on-site vehicle parking and loading shall be provided and maintained by the property owner in accordance with the requirements of this Bylaw.

(2) Where a building is enlarged, or altered, or a change in the use occurs in such a manner as to cause a more intensive use of that building, provisions shall be made for the additional parking and loading spaces in accordance with this SECTION. The calculations shall be based on the number of additional parking spaces required as a result of the enlargement, alteration or change in the use of the building, in addition to parking spaces that may have been removed due to the enlargement or alteration.

Number of Parking and Loading Spaces

(3) The minimum number of on-site vehicle parking and loading spaces required for each use is specified in *Figure 2: Parking and Loading Requirements.*

(4) Where the Development Authority or Subdivision Authority's calculation of the total number of parking and loading spaces yields a fractional number, the total number of parking and loading spaces required shall be the next highest whole number.

(5) Where more than one calculation of parking and loading space requirements is specified for a land use, the greater requirement shall be applied.

(6) Where a development includes a mix of land uses, the total on-site parking and loading requirement shall be the sum of the on-site parking and loading requirements for each use.

(7) Where *Figure 2: Parking and Loading Requirements* does not clearly define the on-site parking and loading requirements for a particular development, the parking and loading requirements will be determined at the discretion of the Development Authority based on an evaluation of parking needs created by similar land uses.

On-Site Parking and Loading Development Standards

(8) In all districts, an on-site parking space shall be provided as required by the Subdivision Authority or Development Authority, unless otherwise provided for in a particular land use district.

(9) In all districts, vehicular entrances and exits onto streets shall only be permitted at locations approved by the Subdivision Authority or Development Authority in consultation with the Yellowhead County Infrastructure Department. The applicant shall obtain a permit from Alberta Transportation, as required by Alberta Transportation, for access onto controlled roads.

(10) Parking stalls and loading spaces shall be clearly marked in the parking facility. Such marking shall be regularly maintained to ensure legibility to users and shall be to the satisfaction of the Subdivision Authority or the Development Authority.

(11) All on-site parking and loading facilities required by this Bylaw to accommodate two or more vehicles shall be constructed as follows:

- (a) necessary curb cuts are to be located and flared to the satisfaction of the Subdivision Authority or Development Authority;
- (b) every on-site parking and loading space provided, and the access thereto, shall be hard-surfaced if the access is from a street or lane which is hard-surfaced. Exceptions can be made if the land will be used by heavy equipment for industrial purposes;
- (c) parking and loading facilities used at night shall have adequate lighting for the entire parking facility. Such lighting shall be directed away from adjacent residential properties and other properties where, in the opinion of the Subdivision Authority or Development Authority, they would have adverse effects;
- (d) in no case shall grades be established that would permit surface drainage to cross any sidewalk or site boundary without the approval of the Subdivision Authority or Development Authority;
- (e) on-site parking and loading spaces shall be constructed with surface grades not exceeding 6%;
- (f) where parking and loading facilities for commercial or industrial uses abut residential uses, the parking and loading facilities shall be screened through a landscaped buffer sufficient to provide the residential use with privacy;
- (g) parking for the disabled shall be provided and shall be considered as part of the number of stalls required for the project. A minimum of five percent (5%) of the total number of stalls shall be provided and clearly identified for use by the disabled;

(h) despite subsection 11(e) parking for the disabled shall be located in close proximity to the building entrance on a relatively level surface;
(i) parking for the disabled shall be provided in accordance with the *Alberta Building Code;*
(j) outdoor trash storage shall be concealed through the use of opaque fencing or landscaping and shall be located in a manner that will ensure easy access to collection vehicles;
(k) on-site loading space shall be provided entirely within the development being served and is subject to all setbacks and yard requirements outlined elsewhere in this Bylaw; and
(l) on-site loading spaces shall be provided in a manner that does not result in the need for reversing or difficult truck turn movements that may negatively impact traffic flow in the on-site parking and loading facility or on roads and lanes adjacent to the development.

(12) Where all or a portion of the required off-street parking cannot be provided on-site, the necessary additional off-street parking may, at the discretion of the Subdivision Authority or Development Authority, be provided on lands within 90.0 m (295 ft.) of the extremities of the site subject to the following conditions:

(a) the lands used for additional parking shall be held under title by the site owner;
(b) the owner shall enter into an agreement with the County with respect to the lands required for off-street parking and the owner shall consent to such agreement being registered as an encumbrance against the title of the lands; and
(c) the owner shall pay the full costs of preparation and registration of the agreement referred to above.

(13) Where a proposed development will, from time to time, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site to the satisfaction of the Subdivision Authority or Development Authority.

(14) Home Occupation, Bed and Breakfast, and Home Business Uses may not be required to provide hard surfaced, on-site parking stalls. Surfacing on these parking stalls will be to the satisfaction of the Subdivision Authority or Development Authority. Parking of vehicles associated with these uses shall generally be in a location which is not visible to adjacent properties and public roads.

<u>Parking Space Dimensions</u>

(15) The minimum dimensions of parking spaces shall be:
(a) BASIC STALL: 6 m (19.68 ft.) x 2.8 m (9 ft.)
(b) PARALLEL STALL: 7 m (23 ft.) x 2.8 m (9 ft.)

(16) Parking spaces for the disabled shall have a minimum width of 3.9 m (12.8 ft.)

(17) Each required parking space shall have a vertical clearance of at least 2.0 m (6.6 ft.)

(18) Aisles servicing on-site parking shall be a minimum of:
(a) 7.5 m wide for 90º parking;
(b) 7.0 m wide for 75º parking;

(c) 5.5 m wide for 60º parking; and
(d) 3.6 m wide for 45º and parallel parking.

Parking and loading spaces shall be provided on-site in accordance with the following table. Parking requirements for uses not listed will be determined by the Development Authority based on similar characteristics to listed uses.

Figure 2: Parking and Loading Requirements

Use of Building	Parking	Loading
Agriculture, Intensive	2 plus 1 per employee	1
Apartment, Duplex, Townhouse, Secondary Suites	1 per unit	
Arenas	1 per 4 seating spaces	2
Assembly Halls , Religious Assembly	1 per 4 seating spaces	-
Banks	1 per 46.5 m² (500 sq. ft.)	-
Bed and Breakfasts	1 per guest room	-
Billiard Halls	1 per 13 m² (140 sq. ft.)	-
Bowling Alleys	3 per lane	-
Campground	1 per camping space	1
Clinics	1 per 9.3 m² (100 sq. ft.)	-
Community Buildings	1 per 9.3 m² (100 sq. ft	1
Curling Rinks	6 per sheet of ice	-
Eating and Drinking Establishments	1 per 4 seating spaces	1
Funeral Homes	1 per 5 seating spaces	1
Extended Medical Treatment Services	4 per doctor or dentist	1
Gas Bar or Service Station	1 per 2 employees on shift	-
Golf Course	6 per hole	1
Hotels/Motels	1 per guest room	1
Home Occupation (Minor)	1	-
Home Occupation (Major)	2-3 depending on number of employees and expected number of customers	-
Home Business	4-6 depending on number of employees and expected number of customers	-
Kennels	1 per 4 animals boarded	1
Libraries	1 per 37 m² (400 sq. ft.)	-
Lumber Yards/Home Improvement Centres	1 per hectare of site area and 1 per 37 m² (400 sq. ft.) retail area	3
Offices	1 per 37 m² (400 sq. ft.)	-
Police Stations	1 per 37 m² (400 sq. ft.)	-
Retail/Personal Service/ Repair Shops	1 per 37 m² (400 sq. ft.)	-
Single Detached Dwelling	2	
Schools Elementary Jr. High Sr. High	1.5 per classroom 2.5 per classroom 5 per classroom	5

Senior Citizen Home	1 per 2 units	1
Shopping Centres	5.5 per 93 m² (1,000 sq. ft.) gross leasable area	-
Theatres	1 per 10 seats	-
Warehouses	1 per 93 m² (1,000 sq. ft.)	1

(19) The Development Authority may consider existing developments in the Hamlet Commercial or Hamlet General district (e.g. Wildwood or Evansburg main street), which do not meet current parking requirements to be existing non-conforming if current parking requirements are not met. However, for new development or additions or redevelopment of existing development, the Development Authority may require that the development provide additional parking only for the area of the addition or redevelopment and not for the original existing non-conforming development.

SECTION 57 LANDSCAPING REQUIREMENTS

Purpose

The purpose of the landscaping requirements is to improve the visual quality in Yellowhead County and to reduce potential conflicts between land uses. This will be accomplished by:

(a) Providing greenery and seasonal colour to visually soften paved areas and buildings;
(b) Preserving existing trees wherever possible
(c) Screening equipment or materials from the view of the highway, adjacent roadways or adjoining properties; and
(d) Enhancing the quality and appearance of developed properties within the County

General Provisions

(1) Where landscaping is required by this Bylaw or by the Development Authority, no development shall be commenced unless

(a) the Development Authority has approved a landscaping plan; and
(b) the required security for the landscaping, in accordance with this SECTION has been submitted to the satisfaction of the Development Authority

(2) All landscaping plans must be approved by the appropriate road authority

(3) The landscaping requirements of this bylaw shall be applied to all new commercial, institutional, recreational, industrial, storage and similar developments as determined by the Development Authority, or additions or expansions to developments as determined by the Development Authority, at time of Development Permit Application. The requirement for Landscaping in the form of continuous screening or in the form of group plantings or a combination of both will be determined at the time of Application.

(4) Where possible, existing landscaping or natural vegetation shall be preserved and included on the landscaping plans required to achieve the requirements outlined in this SECTION.

Landscaping Plan

(5) Where the area of the landscaped yard is less than 500 m^2 in area, the landscaping may be incorporated into the site plan submitted for the Development Permit application. Where the area of the landscaped yard is equal to our greater than 500 m^2 in area, the Development Authority shall require the applicant to submit a separate landscape plan with the development permit application.

(6) All applications for development permits shall be accompanied by a landscaping plan completed by a Landscape Architect or a person qualified to perform such work. No development permit shall be issued prior to the approval of the required landscaping plan.

(7) The landscaping plan shall include the following:

(a) boundaries and dimensions of the subject site'
(b) location of all the buildings, parking areas, driveways and entrances;
(c) location of existing plant materials to be retained;
(d) all other physical features, existing or proposed; including berms, walls, fences, outdoor furniture, lighting and decorative paving; and
(e) a location plan showing the proposed development and landscaping relative to the landscaping and improvements on adjacent properties.

And may require the following:

(f) location of all exterior lights on the site and their projected light patterns in relation to adjacent public roadways and developments

(8) Tree species included on landscaping plans shall meet the following specifications:

(a) tree species at maturity shall have an average spread of crown greater than 3.0 m;
(b) deciduous trees shall be at least 50 mm caliper measured 0.5 m from ground level;
(c) coniferous trees shall have a minimum height of 2.5 m; at the time of planting;
(d) coniferous shrubs shall have a minimum spread of 0.50 m; and
(e) deciduous shrubs shall have a minimum height of 0.50 m. at the time of planting

Landscape Requirements

(9) The landscaped yard must be maintained in good condition to the satisfaction of the Development Authority and plants, trees, and shrubs which do not survive, must be replaced or replanted during the next available growing season. Failure to comply with the maintenance of the landscaped yard and continued survival of the plant material may result in the issuance of a Development Stop Order.

(10) All plant materials required to be included in landscaping plans shall be tolerant to the climatic conditions in Yellowhead County. The Development Authority and the applicant shall consider *Horticultural Standards of the Canadian Nursery* Trades Association for plant selection.

(11) As required by the Development Authority, all required yards and all open spaces on the site excluding parking g areas, driveways and outdoor storage and service areas shall be landscaped in accordance with the approved landscaping plan.

Landscaping for the purpose of Screening

(12) Landscaped yards with a minimum width of 4.5 m shall be provided adjacent to or visible from primary or secondary highways or County roads or road allowances for all commercial, institutional, recreational, industrial, storage and similar uses. Within hamlets, this landscaped yard may be reduced in width to 3.0 m, or may not be required where there is no parking, storage or loading area adjacent to the street and where the building is sited adjacent to the roadway (e.g. Wildwood Main Street).

(13) Where a commercial, institutional, recreational, industrial, storage or similar use is to be located adjacent to a residential use or property, the developer will be required to construct a landscaped yard with a minimum width of 4.5 m adjacent to the property line of the residential use, except within hamlets where the buffer may be reduced to 3.0m. The buffer must form an effective screen between the residential and non-residential use.

(14) A Minimum of 8 coniferous trees shall be required for each 35.0m of linear yard distance to form a continuous screen, an average of 0.75m in height (at time of planting). The plantings must serve to substantially screen industrial type equipment or materials from the view of the highway, adjacent roadways or adjoining properties. It may be necessary to accomplish this with a combination of planning as well as berm construction. When a berm is constructed, it must be a minimum of 1.2m in height, 1.0m in width at the top, and a maximum of 3:1 side slopes.

(15) As an alternative to the landscaping requirements noted in this section, applicants may propose acceptable alternatives or combinations of berming, fencing and landscaping, which serves to form an effective visual buffer from adjacent roadways, road allowances and properties, to the satisfaction of the Development Authority. For existing treed or forested sites, applicants may choose to maintain existing vegetation, rather than constructing new landscaping, to form an effective landscape screen

Landscaping in the form of group plantings to enhance appearance

(16) Trees or shrubs shall be provided in accordance with the Section. The number is determined on the basis of the following:

(a) One (1) tree for every 40.m2 (430.6 ft2) and one (1) shrub for each 20 m2 (215.3 ft2) of any required yard or setback;
(b) One (1) tree for each 25.0 m2 (269.1 ft2) and one (1) shrub for each 10.0 m2 (107.6 ft2) of required parking area islands. In no case shall there be less than one tree per required parking area island.

(17) To provide year round colour and interest, a tree mix of approximately 50% coniferous and 50% deciduous, shall be provided.

(18) 50% of required deciduous trees shall be least 50mm (2.4 in.) calliper and 50% shall be a minimum of 75mm (3.0 in.) calliper above the root ball at the time of planting.

(19) 75% of coniferous trees shall be a minimum of 2.0m (6.6 ft.) in height and 25% shall be a minimum of 3.5m (11.5 ft.) in height above the root ball at the time of planning.

(20) Trees or shrubs should be clustered or arranged in planting beds within the site.

(21) Planting beds shall consist of an odd number of trees to approximate a site mix of 50% coniferous and 50% deciduous with shrubs in a mulched medium such as shredded wood, rocks, or similar materials. Mulch shall not be used as a substitute for plant materials.

(22) At a minimum, a planting bed shall be composed of a mix of three (3) coniferous trees, two (2) ornamental deciduous trees and shrubs.

(23) As required by the Development Authority, the undeveloped portion of the site, excluding parking areas, driveways, outdoor storage and service areas must be graded, contoured and seeded.

(24) A parking and loading area for a commercial or industrial use requiring 40 or more parking spaces shall include landscaped areas, within the parking lot, to provide visual relief from the expanse of hard surfacing. Landscaped areas shall be provided in the minimum amount of 1 m^2 per required on-site parking space. The landscaped areas shall be provided throughout an on-site parking lot and shall not be provided in one single landscaped area.

(25) On the advice of a Landscape Architect, Landscape Technologist, Arborist, or equivalent, planting standards may be altered to suit unique site topography or soils or micro-climatic conditions.

(26) Retained natural vegetation may be applied to satisfy landscape yard requirements. These plantings may be extended with plant material as specified in this section.

Landscaping Security

(27) The owner or the owner's representative, based on the information provided on the landscape plan, shall calculate the landscaping costs. If a Development Authority does not accept the costs identified by the owner or the owner's representative, the Development Authority may determine a different landscaping cost figure for the purpose of determining the landscaping security.

(28) The Development Authority shall require, as a condition of a development permit, that the owner provide a security to ensure that landscaping is provided and maintained for two growing seasons. The security may take the following forms:
(a) cash to a value equal to 100% of the established landscaping costs; or
(b) an automatically renewable letter of credit having the value equivalent to 100% of the established landscaping costs.

(29) The security for landscaping may be reduced proportionately as the areas of landscaping are completed and accepted by the Development Authority.

(30) Notwithstanding the foregoing, the security for landscaping may be reduced to a value equal to 10% of the landscaping costs, and this security may be retained by the County to ensure survival and maintenance of the landscaping for a period or one year or one growing season (April to September) from the date of acceptance by the Development Authority.

(31) In the event the owner does not complete the required landscaping, or if the owner fails to maintain the landscaping in a healthy condition to the satisfaction of the Development

Authority for the specified periods of time, the Development Authority may cash the security to install and or repair the landscaping and enter upon the lands in order to make remedies to the landscape to uphold the conditions of the development permit. If the cash or the proceeds from the letter of credit are insufficient for Yellowhead County to complete the required work, should it elect to do so, then the owner shall pay such deficiency to Yellowhead County immediately upon being invoiced.

SECTION 58 NATURAL RESOURCE EXTRACTION AND GRAVEL PITS

(1) When submitting an application for a development permit for a new or expanded surface resource extraction operation, including but not limited to sand, gravel or clay pits, which will be at least 5 ha (12.35 ac) in size, the applicant shall submit the Development and Reclamation Approval from Alberta Environment and Sustainable Resource Development.

(2) When submitting an application for a development permit for a new or expanded surface resource extraction operation, including but not limited to sand, gravel or clay pits, which will be smaller than 5 ha (12.35 ac) in size, the County may require the applicant to submit a reclamation plan to the municipality. Yellowhead County may circulate the submitted plan to Alberta Environment and Sustainable Resource Development for review and comment.

(3) Among other conditions that may be applied to the approval of a surface resource extraction operation, the Development Authority may include conditions that provide for:

(a) requirement to enter into a Developers Agreement with the municipality to address construction or upgrading of municipal infrastructure, such as but not limited to roads, deemed necessary to service the development;

(b) setbacks to the satisfaction of the Development Officer from public roads and highways;

(c) screening of the operation from public view by means of berms, landscaping or other means;

(e) specific truck routing and/or roadway improvements;

(g) requirements to provide and maintain sufficient dust control, both on-site and on haul roads, to the satisfaction of the County;

(h) control of erosion and sedimentation affecting watercourses through appropriate setbacks as determined by Alberta Environment and Sustainable Resource Development , and

(h) posting of adequate signage, including company name and emergency phone numbers, to warn of possible site or operational hazards and dangers.

(i) The operator of the proposed development to assume responsibility for weed control on the site pursuant to the Alberta Weed Control Act and the Yellowhead County Weed Control Policy 6300.05

(4) Approval Time-lines:

Permit approvals shall be in force for a period of 10 years or the length of time identified under an approved reclamation plan, whichever is shorter.

(5) Conditions of approval for permits approved under 2 above and related to the following items may be reviewed and/or amended as required every three (3) years at the request of the County or the landowner/operator.

(a) Dust control and haul route agreements,
(b) Noise attenuation,
(c) Buffers and screening,
(d) Environmental impacts as identified in Environmental Impact Assessments, and
(e) Reclamation Plan.

(6) Operational Hours:

(a) All operations within 1500 m (4921 ft) of an approved and occupied residential unit shall be allowed to operate on a 12 hr./day shift (7:00am to 7:00 pm) Monday to Friday basis unless site or operational conditions warrant consideration of extended operational hours.
(b) Extended hours may be considered based upon consideration of site characteristics, results of noise modeling analysis, feedback from landowners within the minimum separation distance, and on-site noise suppression applications.

(7) Minimum Separation Distance :

All gravel pits shall have associated with them a minimum separation distance between the proposed extraction/processing use and neighbouring residential development. The minimum separation distance shall be the larger of the following measured from the property line of parcel containing the site to the actual location of neighbouring approved and occupied residences:

- Extraction, 400.0 metres (1312 feet) from property boundary
- Crushing 750.0 metres (2460. feet) from the site
- Wash Plant 750.0 metres (2460. feet) from the site
- Asphalt Plant 750.0 metres (2460. feet) from the site

Notwithstanding the above, dwellings separated from the proposed pit by a divided highway are exempt from this provision. The Development Authority may relax the minimum separation distances in specific situations.

(8) An environmental review as outlined in Section 64 may be required for any development proposal where:

(a) operation includes gravel mining below the elevation of an aquifer,
(b) the operation includes a water diversion, or
(c) the operation includes a water-source requiring Water Act approval.

This assessment can be performed in conjunction with any similar assessment performed under the Water Act or the Environmental Protection and Enhancement Act.

(9) The County may notify landowners within 400.0 metres (1312.3 feet) of all new proposed long term haul routes required to service a new natural resource site that are identified at the development permit application stage

SECTION 59 SIGNS

General Purpose

(1) The purpose of this section is to encourage the development and use of signs as a means of communication and advertising that will ensure safety and aesthetic quality.

(2) Development Permit Requirements and General Regulations

(a) Where the County has adopted specific architectural guidelines for a particular area of the County, the specific regulations relating to signage shall apply in addition to all regulations contained in this section.

(b) Notwithstanding the generality of this, the following signs may be erected on land or affixed to the exterior surface of a building or structure without application for a development permit provided that these signs are not illuminated and that any necessary permits have been obtained in accordance with the Alberta Highway Development Control Regulation:

(i) prohibitive signs such as “no trespassing” and “no hunting”;

(ii) signs on federal or provincial land;

(iii) municipal or provincial directional and traffic control devices;

(iv) signs necessary for the construction, operation, or maintenance of a public utility;

(v) signs advertising a home occupation (minor), a home occupation (major) and Home Business provided that they comply with the provisions of this Bylaw;

(vi) one sign per property not exceeding 1.5 m2 (16 sq. ft.) for the purpose of identification, direction or warning relating to a use of land or building upon which the sign is displayed and for which a development permit has been issued;

(vii) temporary advertisement not exceeding 2.97 m2 (32 sq. ft.) relating to the sale or renting of land, the sale of goods or livestock, the carrying out of building or similar work, announcement of any local event of a religious, educational, cultural, political, or similar character provided that it is removed within 15 days of the completion of the event or works to which the sign relates; and

(viii) signs in relation to the function of local authorities, utility boards or other public and quasi-public bodies.

(c) All signs other than those listed above required Development Permits;

(d) Prior to the erection or affixing of any sign to the exterior surface of any building , structure or land, an application describing the height, location, method of illumination (if any) number, purpose, size of the sign, and other considerations shall be submitted to the Development Authority;

(e) A development permit for a Portable Sign may be issued, at the discretion of the Development Authority, for a term of no more than one (1) year. Any application to renew the term shall be treated as a new application and the Development Authority is not required to issue the permit on the same basis as the original permit.

(3) General Regulations: Within Designated Hamlets

(a) Within residential districts, the following shall apply:

(i) Apartment buildings, group care facilities, places of worship, schools or other public institutions shall be limited to one Freestanding Sign not exceeding 2.0 m^2 (21.53 ft^2) in Sign Area and 3.0 m (9.8 ft.) in height, and one Fascia Sign with Sign Area not exceeding 2.0 m^2 (21.53 ft^2).

(b) Freestanding Signs: Within all land use districts except residential districts, one Freestanding Sign may be allowed as per the following:

(i) Where a parcel has more than 90.0 m (295.27 ft.) frontage, one additional Freestanding Sign may be erected for each additional 90.0 m (295.27 ft.) of additional frontage;

(ii) Where a parcel is double fronting or flanking, subsection (i) applies to each frontage or flanking side;

(iii) The height of any Freestanding Sign shall not exceed 9.0 m (29.53 ft.);

(iv) The face of a Freestanding Sign shall not exceed 8.0 m^2 (86.11 ft^2) in area;

(v) A Freestanding Sign shall not project within 0.6 m (1.96 ft.) of a property line, or within 2.0 m (6.56 ft.) of overhead utility lines;

(vi) The area around a freestanding line shall be kept free of litter and overgrown vegetation.

(c) Awning, Canopy and Projecting Signs: Within all land use districts except residential districts, one Awning, Canopy or Projecting sign may be allowed as per the following:

(i) No Awning, Canopy or Projecting sign shall extend more than 2.0 m (6.56 ft.) above the building to which it is attached, and no more than 9.0 m (29.52 ft.) above grade;

(ii) No Awning, Canopy or Projecting sign shall have a clearance less than 2.5 m (8.2 ft.) above a public right of way;

(iii) No Awning, Canopy or Projecting sign shall project to within 1.0 m (3.3 ft.) of a public road right of way;

(iv) No sign shall be permitted where, in the opinion of the Development Authority, it would obstruct the free movement of pedestrian or vehicles or the repair of overhead utility lines.

(d) Fascia or Wall Signs: Within all land use districts except residential districts, Wall and Fascia signs may be allowed as per the following:

(i) A Fascia or Wall Sign shall indicate only the name and nature of the development;

(ii) A Fascia or Wall Sign shall not project more than 0.3 m (1.0 ft.) from the face of the wall to which it is attached;

(iii) A Fascia or Wall Sign shall project no more than 2.0 m (6.56 ft.) above the top of the wall to which it is attached;

(iv) A Fascia or Wall Sign shall not be of a size greater than 25% of the area of the wall on which it is placed;

(v) A Fascia or Wall Sign shall have a minimum clearance of 2.4 m. This minimum height does not apply to fascia signs created by printing, painting, or inscribing directly upon a wall of a building or structure; fascia signs situated entirely over private property; and immediately above a landscaped area which discourages pedestrians from the sign, and menu boxes that do not project beyond 100 mm from the wall; and fascia signs that do not project more than 25 mm from the wall to which they are affixed;

(vi) Fascia or Wall Signs shall not be allowed on a wall that is not a business frontage.

(e) Signs for Home Businesses, Bed and Breakfasts, and Similar Home Based uses

(i) In the case of a Minor or Major Home Occupation or Home Business, Bed and Breakfast, or similar home-based use, one non-illuminated Fascia Sign to a maximum area of 1.0 m^2 (10.76 $ft.^2$) is permitted.

(ii) Where a minor or major home business, bed and breakfast, or similar home based use is located on a site 0.8 ha or greater, one Freestanding Sign to a maximum area of 1.5 m^2 (16.15 $ft.^2$)and a maximum height of 2.5 m (8.2 ft.) is permitted in addition to any permitted Fascia Sign.

(iii) The message shall be restricted to the name and nature of the business.

(4) General Regulations: Outside of Designated Hamlets. In the FD - Forestry District, all Commercial, Recreation and Mixed Use Districts, and Industrial Districts, the following shall apply:

(a) Freestanding Signs: One Freestanding Sign may be allowed as per the following:

(i) Where a parcel has more than 400.0 m (1,312.34 ft.) frontage, one additional Freestanding Sign may be erected for each additional 400.0 m (1,312.34 ft.) of additional frontage;

(ii) Where a parcel is double fronting or flanking, subsection (i) applies to each frontage or flanking side;

(iii) The height of any Freestanding Sign shall not exceed 9.0 m (29.53 ft.)

(iv) The face of a Freestanding Sign shall not exceed 8.0 m^2 (86.11 ft^2) in area;

(v) A Freestanding Sign shall not project within 0.6 m (1.96 ft.) of a property line, or within 2.0 m (6.56 ft.) of overhead utility lines;

(vi) The area around a Freestanding Sign shall be kept free of litter and overgrown vegetation.

(b) Awning, Canopy and Projecting Signs: One Awning, Canopy or Projecting Sign per road frontage may be allowed as per the following:

(i) No Awning, Canopy or Projecting Sign shall extend more than 2.0 m (6.56 ft.) above the building to which it is attached, and no more than 9.0 m (29.52 ft.) above grade;

(ii) No Awning, Canopy or Projecting Sign shall have a clearance less than 2.5 m (8.2 ft.) above a public right of way;

(iii) No Awning, Canopy or Projecting Sign shall project to within 1.0 m (3.3 ft.) of a public road right of way;

(iv) No Sign shall be permitted where, in the opinion of the Development Authority, it would obstruct the free movement of pedestrian or vehicles or the repair of overhead utility lines.

(c) Wall and Fascia signs may be allowed as per the following:

(i) Wall and Fascia signs shall indicate only the name and nature of the development;

(ii) A Wall or Fascia Sign shall not project more than 0.3 m (1.0 ft.) from the face of the wall to which it is attached;

(iii) A Wall or Fascia Sign shall project no more than 2.0 m (6.56 ft.) above the top of the wall to which it is attached.

(d) Signs for Home Businesses, Bed and Breakfasts, and Similar Home Based uses

(i) In the case of a Minor or Major Home Occupation or Home Business, Bed and Breakfast, or similar home-based use, one non-illuminated Fascia Sign to a maximum area of 1.0 m^2 (10.76 $ft.^2$) is permitted.

(ii) Where a minor or major home business, bed and breakfast, or similar home based use is located on a site 0.8 ha or greater, one Freestanding Sign to a

maximum area of 1.5 m^2 (4.92 ft.) and a maximum height of 2.5 m (8.2 ft.) is permitted in addition to any permitted Fascia Sign.

(iii) The message shall be restricted to the name and nature of the business.

(5) General Regulations: Outside of Designated Hamlets. In all Rural Districts except for the RD – Rural District, the following shall apply

(a) Signs for Home Businesses, Bed and Breakfasts, and Similar Home Based uses

(i) In the case of a Minor or Major Home Occupation or Home Business, Bed and Breakfast, or similar home-based use, one non-illuminated Fascia Sign to a maximum area of 1.0 m^2(10.76 $ft.^2$) is permitted.

(ii) Where a minor or major home business, bed and breakfast, or similar home based use is located on a site 0.8 ha or greater, one Freestanding Sign to a maximum area of 1.5 m^2 (4.92 ft.) and a maximum height of 2.5 m (8.2 ft.) is permitted in addition to any permitted Fascia Sign.

(iii) The message shall be restricted to the name and nature of the business.

(6) Off Premise Signs may be permitted on private property but not in or on municipal rights of way, in accordance with the following:

(a) One sign may be allowed for each 3.2 km (2 miles) of distance between the point of the furthest sign to the parcel of the business or development being advertised, to a maximum of three off premise signs;

(b) Off premise signs are limited to a maximum size 1m^2 (10.76ft^2) and maximum height of 4.5 m (14.76 ft.);

(c) Off Premise Signs shall be limited to advertising the name of the business and general directions to the business location.

(7) A DC District may specify what sign regulations shall apply.

(8) No sign shall be placed on public property unless specifically permitted by this Bylaw.

(9) No sign shall project over the boundary of a site unless permitted by this Bylaw.

(10) All free standing signs requiring power shall be connected to an underground electrical source and no electrical cord required to power these signs shall pass over a sidewalk, pedestrian walkway, roadway, driveway, aisle or parking space.

(11) No sign shall resemble or conflict with a traffic sign, nor shall it pose a traffic hazard.

(12) Sign quality and aesthetic character shall be to the satisfaction of the Development Officer.

(13) All attaching and support structures shall be safe, structurally sound, and shall be concealed or form an integral part of the sign design.

(14) All signs shall be kept in a safe, clean and tidy condition and at the discretion of the bylaw enforcement officer will be ordered remedied.

(15) The Development Authority may require the removal of any sign which:

(a) has not been issued a development permit;

(b) has become unsightly or is in such a state of disrepair as to become a hazard.

SECTION 60 ALLOWABLE PROJECTIONS

(1) Architectural features such as unenclosed steps, chimneys, awnings, eaves, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, or satellite dishes less than 1.0 m in diameter may project into a required yard provided they meet the provisions of the Alberta Building Code and do not project more than 0.5 m for required yards less than 1.2 m or project more than 0.6 m in the case of required yards 1.2 m and greater.

(2) Cantilevered projections, with or without windows, may project up to 0.6 m into a required yard greater than 1.2 m, but in all cases at least 1.2 m must be maintained between the wall of the projection and the property line.

(3) Where the cantilevered projection in a required side yard that is not flanking a road, the horizontal length of any one projection shall not exceed 3.0 m. In the case of more than one projection, the aggregate length of the projection shall not exceed one-third of the length of the building wall exclusive of garage walls.

(4) Balconies and decks may project up to 2.0 m into required yards with a required yard setback of at least 4.0 m, and 0.6 m for required yards less than 4.0 m

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

PART NINE – GENERAL REGULATIONS: ENVIRONMENTAL HAZARDS

SECTION 61 DEVELOPMENT ON OR NEAR SLOPES

(1) Notwithstanding the land use district regulations, no development shall be permitted within 20.0 m (66 ft.) of an escarpment bank, or from any steep slope where the grade exceeds twenty percent (20%) unless the proposed development is proven to be safe through engineering studies completed by a Registered Professional Engineer, Licensed to practice in the Province of Alberta.

(2) The Development Authority may require that the development of the site and buildings on or within 20.0 m (66 ft.) of an escarpment bank, or from any steep slope where the grade exceeds twenty percent (20%), be designed or bear the seal and signature of a Registered Professional Engineer or Architect, Licensed to practice in the Province of Alberta.

(3) Notwithstanding the land use district regulations, the Development Authority may increase the setback requirement from an escarpment bank, or any steep slope where the grade exceeds twenty percent (20%), if the proposed development is proven to require a greater setback through engineering studies or as recommended by Alberta Environment and Sustainable Resource Development.

SECTION 62 FLOOD PRONE LANDS

Flood Prone Lands: All lands without Floodplain Study or Information

(1) For areas of the County where no floodplain study has been adopted as policy by Yellowhead County and where the application is for development on lands that are or may be subject to flooding, the applicant will be required to provide certification from a Registered Professional Engineer or Architect, licensed to Practice in the Province of Alberta as whether the proposed development is within the floodway, the flood fringe or not affected by the 1:100 year flood.

(2) No development will be allowed within the floodway except as listed in Section 62 (7) (a).

(3) Development may be allowed within the flood fringe, in accordance with the appropriate land use district, provided the building(s) and/or structure(s) are protected from flood damage by floodproofing. This shall require that the application include certification from a Registered Professional Engineer or Architect, licensed to Practice in the Province of Alberta, indicating preventive engineering and construction measures can be instituted to floodproof the building(s) and/or structures(s) and such measures are included in the plans submitted for development approval..

(4) The Development Authority may require that development on a site considered to be within the 1:100 year floodplain and any building or structure developed thereon be designed and bear the seal and signature of a Professional Engineer and/or Architect registered in the Province of Alberta. Following completion of development, the Development Authority may require a statement of compliance from a Registered Professional Engineer or Architect stating that the development has been constructed in

accordance with the recommendations and design submitted in support of the application, to floodproof the building(s) and/or structures(s).

(5) Notwithstanding the use provisions in the Land Use Bylaw, if a development does not fully comply with the provisions (3) and (4) above, the development is prohibited.

Lands with Floodplain Study

(6) For areas of the County where a floodplain study has been adopted as policy by Yellowhead County, the specific requirements of that floodplain study shall govern the review of development and/or subdivision applications within the floodplain. This provision does not take precedence over the specific use provisions of the Land Use Bylaw.

(7) Floodway: Development of building(s) and structure(s), other than those listed below, shall be prohibited

(a) Structures that may be allowed in the floodway are:

- Bridge support structures and related roadways;
- Public Utility structures and associated works;
- Structures and associated works for flood control;
- Replacement of existing building(s) and structure(s);
- Movable sheds and similar structures which can be moved readily outside of the floodplain and/or which would not inhibit the free flow of flood water.

(8) No filling is permitted in the floodplain unless allowed by Alberta Environment and Sustainable Resource Development, or where the filling is exempted from requiring a provincial approval under the Water Act or other legislation.

(9) There may be areas within the floodplain where the building area requires a driveway or primary access to the building site across the floodway. The use or development itself shall not be refused solely for the reason that the driveway or access crosses the floodplain.

10) Notwithstanding the use provisions in the land use district, if a development does not fully comply with the provisions (1) to (9) above, the development is prohibited.

SECTION 63 ENVIRONMENTALLY SENSITIVE LANDS

(1) Environmentally sensitive lands include lakes, shorelands, river valleys and their escarpments, wetlands, critical habitat, hazard lands, natural areas, ecological reserves, provincial parks and any other features or sites the County may consider environmentally sensitive.

(2) Notwithstanding the land use district regulations, development and/or tree clearing shall not be allowed within 20.0 m (66 ft.) of environmentally sensitive lands.

(3) A minimum buffer strip of 20.0 m (66 ft.) shall be preserved from the top of bank of any water body (illustrated in Figure 3) or from environmentally sensitive lands. No permanent buildings, development and/or tree clearing shall be permitted within this strip. The

Development Authority may require additional setbacks from the environmentally sensitive lands at its discretion.

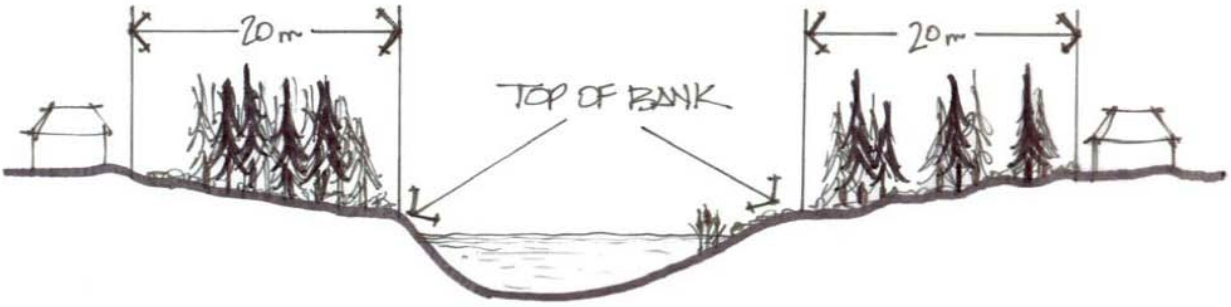


Figure 3: Top of Bank Setback

(4) In reviewing an application within or near the 20 m setback from environmentally sensitive lands, the Development Authority may consider any or all of the following in making a decision on a Development Permit application:
- (a) the impact of the proposed development on the subject site and surrounding area;
- (b) the soil and slope conditions of the area surrounding the subject property;
- (c) any information on the past history of the subject property and surrounding area from a geo-technical perspective; and
- (d) comments and recommendations from Alberta Environment and Sustainable Resource Development.

(5) A variance of the 20 m setback from Environmentally Sensitive Lands may be considered, only if the Development Authority is satisfied that the proposed development will not have an adverse impact on the Environmentally Sensitive Land and that preventive engineering and construction measures can be instituted to protect the development from any dangers associated with the Environmentally Sensitive Lands. This may require the submission of a report prepared by a Registered Professional Engineer, Biologist or Environmental Scientist addressing both safety measures for the development and addressing impact on the Environmentally Sensitive Lands.

(6) Notwithstanding the provisions of this section, there may be areas of the County where the pattern of land use and development has historically allowed development within 20 m of environmentally sensitive lands (e.g. Bear Lake subdivision, floodplains such as lower Robb), or where it would be difficult or impossible to meet the 20 m setback due to the existing lot sizes. The Development Authority may consider reductions in this setback requirement, based on the following:
- (a) the impact of the proposed development on the subject site and surrounding area;
- (b) the soil and slope conditions of the area surrounding the subject property;
- (c) any information on the past history of the subject property and surrounding area from a geo-technical perspective; and
- (d) comments and recommendations from Alberta Environment and Sustainable Resource Development.

This may require submission of a report as described in this Part.

SECTION 64 ENVIRONMENTAL REVIEW

(1) An environmental review is distinct from an environmental impact assessment as described under Provincial and Federal legislation.

(2) The Development Authority may require an applicant to conduct an environmental review and submit a report as part of a development permit application, an application to amend this Bylaw, an application for subdivision approval or an application to adopt or amend a statutory plan, to ensure that a proposed development will not adversely or negatively affect the environment or adjacent lands.

(3) An environmental review may be required to address any or all of the following:
- (a) a description of the features of the site, adjacent properties and nearby lands that may be affected;
- (b) a description of the environmental sensitivity of these lands and features;
- (c) the nature of the impacts on land, water, wildlife and fish during construction;
- (d) the nature of the impacts of land use activities on land, water, wildlife and fish upon completion of the development and/or phases thereof;
- (e) an environmental mitigation/protection plan to alleviate any adverse impacts,
- (f) monitor the performance of the mitigation/protection measures and identify the residual impacts and their significance on fish, wildlife, vegetation, soil, water quality and quantity; and
- (g) any other matters required by the County.

(4) An environmental review may be referred by the County to the appropriate provincial agencies for comment and recommendations.

(5) The County may use the recommendations of the Environmental Review report as a basis for:
- (a) reasons to refuse or approve, with or without conditions, a development permit;
- (b) reasons to amend or refuse an amendment to this Bylaw;
- (c) comments to the Subdivision Approving Authority in recommending to approve, approve with conditions, or to refuse an application for subdivision;
- (d) reasons to approve or refuse an application to adopt or amend a statutory plan.

SECTION 65 ENVIRONMENTAL SITE ASSESSMENTS (E.G. CONTAMINATED LANDS)

(1) The Development Authority may require an applicant to conduct an environmental site assessment and submit an environmental site assessment report as part of a development permit application, and application to amend this Bylaw, an application for subdivision approval, or an application to amend a statutory plan, to ensure that the current environmental condition and/or past use of the site has not created an environmental condition on site which renders the site unsuitable for the intended use(s). The Environmental Site Assessment report shall contain:
- (a) a history of the subject property's ownership and use;
- (b) a description of the natural environment and social environment surrounding the subject property which may be sensitive to contamination;
- (c) an inventory of all hazardous materials that may have been handled or stored on the subject property, including a review of on and off-site disposal operations and facilities;

(d) documentation of the existence, location and use of above and underground storage tanks and other related facilities;
(e) a history of environmental regulatory activity affecting the subject property;
(f) a review of the condition and use of adjoining properties;
(g) a completed sampling program to determine type and level of contamination of soil, groundwater, surface water, site facilities, etc.;
(h) a determination of the extent of contamination; and
(i) a comprehensive site and areas map noting the locations of natural and built features and other elements of the site assessment as noted above.

(2) The Environmental Site Assessment may be referred to Alberta Environment and Sustainable Resource Development for comment and recommendations.

(3) The County may use the recommendations of the Environmental Site Assessment report as a basis for:
(a) reasons to refuse or approve, with or without conditions, a development permit; (b reasons to amend or refuse an amendment to this Bylaw;
(c) comments to the Subdivision Approving Authority in recommending to approve, approve with conditions, or to refuse an application for subdivision;
(d) reasons to approve or refuse an application to adopt or amend a statutory plan.

PART TEN – SERVICING REQUIREMENTS AND SITE SUITABILITY

SECTION 66 SITE SUITABILITY: ALL DEVELOPMENT

Because much development in Yellowhead County is in areas not serviced with municipal services (such as water or sewer), or are in areas with known or unknown hazards, applications for development may be required to submit information in accordance with the following criteria:

(1) the subject lands should not be subject to natural or man made hazards. All hazards are to be identified and the proposed mitigation of any hazard is to be demonstrated;

(2) a report certified by a professional engineer, professional geologist or professional geophysicist, may be required to prove that the diversion of potable water for the proposed development will not interfere with any household users, licensees or traditional agriculture users in the area of the proposed development;

(3) if the report prepared pursuant to Subsection 2 above, does not state that wells would be adequate to support the proposed subdivision, the applicant may be required to provide a plan for water provision through the use of cisterns or other manner;

(4) in all cases, proposed sewage disposal will be in accordance with the Alberta Private Sewage Systems Standard of Practice 2009, or current legislation and standards. All development shall provide sanitary facilities to the satisfaction of the Development Authority;

(5) in cases where on-site sewage disposal is proposed, soil suitability tests, certified by an accredited professional, must demonstrate the suitability of soils for on-site sewage disposal;

(6) if on-site sewage disposal cannot be accommodated, holding tanks may be approved at the discretion of the Development Authority, but this is not the preferred method of sewage disposal of Yellowhead County;

(7) a stormwater management plan may be required;

(8) the developer will be required to provide year-round access to County Access Management Policy standards;

(9) lands must have access to a registered legal public road (See also sections regarding access in the Municipal Development Plan and Land Use Bylaw);

(10) the developer is responsible to provide for all services including, but not limited to, power, gas, and telephone service.

SECTION 67 SITE SUITABILITY AND TESTING FOR SUBDIVISIONS

Because much development in Yellowhead County is in areas not serviced with municipal services (such as water or sewer), or are in areas with known or unknown hazards, applications for subdivisions may be required to submit information in accordance with the following criteria:

All Subdivisions

(1) The subject lands should not be subject to natural or man-made hazards. All hazards are to be identified and the proposed mitigation of any hazard is to be demonstrated;

(2) A report certified by a professional engineer, professional geologist or professional geophysicist, which proves that the diversion of 1250 cubic meters of water per year for household purposes for each of the households within the subdivision will not interfere with any household users, licensees or traditional agriculture users who exist when the subdivision is approved, as per Section 23 of the Water Act.

(3) If the report prepared pursuant to Section 23 of the Water Act (and section 2 above), does not state that wells would be adequate to support the proposed subdivision, the applicant may be required to provide either a community water treatment and distribution system satisfying the requirements of Alberta Environment and Sustainable Resource Development and Yellowhead County, or a plan for water provision through the use of cisterns;

(4) In all cases, proposed sewage disposal will be in accordance with the Alberta Private Sewage Systems Standard of Practice 2009, or current legislation and standards;

(5) In cases where on-site sewage disposal may be unsuitable, soil tests, certified by an accredited professional, may be required to demonstrate the suitability of soils for on-site sewage disposal for every subdivision application unless all proposed parcels to be created are currently developed with approved sewage disposal systems;

(6) If on-site sewage disposal cannot be accommodated, holding tanks may be approved at the discretion of the Development Authority, but this is not the preferred method of sewage disposal of Yellowhead County;

(7) The Subdivision Authority may require any other information deemed necessary to fully and effectively evaluate the application.

(8) A stormwater management plan may be required

(9) The developer will be required to provide year-round access to County Access Management Policy standards;

(10) Lands must have access to a registered legal public road (See also sections regarding access in the Municipal Development Plan and Land Use Bylaw);

(11) The developer is responsible to provide for all services including, but not limited to, power, gas, and telephone service;

(12) Each proposed subdivision parcel must have a proven 0.4 ha (1 acre) building site and must meet the requirements of all other sections of this Bylaw and the Environmental Guidelines for the Review of Subdivisions in Alberta.

6 or more Lot Residential Subdivisions:

(1) a report certified by a professional engineer, professional geologist or professional geophysicist, will be required to prove that the diversion of 1250 cubic meters of water per year for household purposes for each of the households within the subdivision will not interfere with any household users, licensees or traditional agriculture users who exist when the subdivision is approved, as per Section 23 of the Water Act.

(2) if the report prepared pursuant to Section 23 of the Water Act (and section 1 above), does not state that wells would be adequate to support the proposed subdivision, the applicant may be required to provide a plan for water provision through the use of cisterns;

(3) In cases where on-site sewage disposal is proposed, soil tests, certified by an accredited

professional, must demonstrate the suitability of soils for on-site sewage disposal for every subdivision application unless all proposed parcels to be created are currently developed with approved sewage disposal systems;

(4) If on-site sewage disposal cannot be accommodated, holding tanks may be approved at the discretion of the Development Authority, but this is not the preferred method of sewage disposal of Yellowhead County;

SECTION 68 SERVICING

(1) Where a proposed development or subdivision requires municipal servicing from the County or other municipality (where required), all servicing requirements are the responsibility of the owner, developer or applicant and not the County or other municipality. This applies to cost of construction and any levies or local improvement charges that may apply.

(2) Where municipal servicing is readily available to a proposed development, the development may be required to be serviced with municipal servicing rather than on site servicing, at the discretion of the County.

(3) The owner, developer or applicant shall be required to enter into a Development Agreement pursuant to Section 70.

SECTION 69 ACCESS

(1) All developments must provide and/or construct access to the satisfaction of Yellowhead County. This applies to all existing and new parcels created pursuant to a subdivision application, and also applies to developments receiving development approval from Yellowhead County.
(2) Access must be directly to a legally registered public roadway, and may not be by easement or other legal arrangement, unless permitted below. Licence of Occupation (LOC) roadways are considered adequate only to certain developments on Provincial lands which are leased for industrial, commercial, recreation, temporary work camps or similar purposes, but not for residential purposes.
(3) Where the County has previously approved development or subdivision by easement, LOC, or other legal arrangement, the County may recognize this as legal access for future development applications on the same parcel or for compliance purposes, but not for subdivision purposes to create additional properties. This may require confirmation that all landowners affected by the agreement have no objections to the continued use of the private road for access purposes.
(4) If the access road does not exist at time of subdivision or development application, the developer will be responsible for constructing the required access road to minimum standards of the County.

SECTION 70 DEVELOPMENT AGREEMENT

(1) The Development Authority, the Subdivision Authority or the Subdivision and Development Appeal Board may require, by condition of issuing a development permit or a subdivision decision, that the developer enter into a Development Agreement with the County, in accordance with the *Act* and the Municipal Development Plan.

(2) In accordance with the *Act*, the Development Agreement may be registered by a caveat against the title of the affected lot(s) and must be discharged when the conditions of the agreement have been fulfilled.

(3) The Subdivision Authority or the Development Authority may request a refundable security, in an amount determined by the appropriate authority, be provided to ensure compliance with conditions of the subdivision approval or a development permit.

Security

(4) Where subdivision or development approval requires the construction of any offsite improvements or infrastructure, and the construction of that improvement or infrastructure will not begin immediately, the developer shall be required to provide security in the form of cash, certified cheque or automatically renewable Letter of Credit to ensure that the improvement or infrastructure is constructed to County standards;

(5) The security shall be 100% of the value of the estimated construction cost (including any engineering or other consultant costs);

(6) The security will be refunded to the applicant, without interest if, the required improvement or infrastructure has been constructed to the standards set out by the County; however, a security for warranty period of the required infrastructure must be provided to the County, in the amount of 10% of the valued of the estimated construction cost (including any engineering or other consultant costs);

(7) Where the improvement or infrastructure construction or upgrading has not been completed within one (1) year from the date of subdivision or development approval, the security will be forfeited, unless a time extension or an abandonment of subdivision or development has been requested, in writing, at least one (1) month prior to the termination of the one (1) year term and approved by the County; and

(8) Construction or upgrading of improvement or infrastructure will not commence until the specified security has been provided by the applicant, and an agreement outlining terms and conditions has been entered into by the applicant.

(9) As per Section 20, notwithstanding any other provisions in this bylaw, if a permit application is for a permitted or discretionary use in any district, on a parcel of land for which there are outstanding requirements of a Development Agreement, the permit may be refused because of the lack of municipal infrastructure to fully service the development.

SECTION 71 FIRE PROTECTION AND FIRESMART

(1) Subdivision and development applications may require submission of evidence that all requirements of the *Alberta Building Code* and *Alberta Fire Code* can be met in the proposed development.

(2) Applicants may be required to submit a Fire Hazard Assessment and plan to address wildlife mitigation guidelines as contained in the Partners in Protection Program (2003) “FireSmart: Protecting Your Community from Wildfire”.

(3) Applicants may be required to implement wildfire mitigation guidelines as contained in the Partners in Protection Program “FireSmart: Protecting Your Community from Wildfire”, as

a condition of subdivision or development.

(4) The developer may be required to provide security to ensure compliance with this section, by entering into a Development Agreement and providing security to ensure the provision of water supply, implementation of wildfire mitigation guidelines, or other requirements of the Development Authority, are carried out.

(5) When, in the opinion of the Development Authority, a proposed development would be located in an area which may be a significant wildfire hazard area or too remote for existing municipal services to be effective in an emergency, the Development Authority may add the following measures as conditions to the issuance of a development permit to reduce fire hazards:
   (a) a minimum 10 metre (33 feet) defensible space perimeter around buildings; this space should consist of less fire prone vegetation and free of ground level fuels (e.g. logs, branches, twigs), piled debris and other combustibles; this zone may increase to 30 m (100 ft) for a site at the top of a slope;
   (b) a reduced fuel zone perimeter around buildings in which the forest canopy and understory may need to be thinned; for flat sites this perimeter may be up to 30 metres (100 feet) but may be greater if the perimeter area includes downslopes greater than 15%;
   (c) roofs to be constructed of non-combustible or combustion retardant materials;
   (d) the installation of spark arresters on chimneys and stovepipes;
   (e) exterior siding to be of fire resistant materials;
   (f) the provision of an emergency access;
   (g) the provision of an adequate on/off-site water supply and equipment for firefighting purposes; and
   (h) any other provisions consistent with principles and standards to protect a community, subdivision or isolated development from wildfires.

SECTION 72 GENERAL CONDITIONS: RESIDENTIAL SUBDIVISIONS

Further to the requirements in various Land Use districts, the following shall apply to applications for subdivision of residential properties.

(1) No re-subdivision of country residential lots shall result in a parcel smaller than 1.6 ha (4 ac) unless it is supported by an Area Structure Plan or Conceptual Plan adopted for the area.

(2) No re-subdivision of country residential lots shall result in a parcel smaller than the smallest existing parcel in the subdivision unless it is supported by an Area Structure Plan or Conceptual Plan adopted for the area.

PART ELEVEN – SPECIAL LAND USE PROVISIONS: RESIDENTIAL DWELLINGS

SECTION 73 ADDITIONAL DWELLING UNITS PERMITTED PER LOT/RECREATIONAL VEHICLES ON RESIDENTIAL LOTS

Yellowhead County permits a variety of residential dwelling units in addition to a Single Detached Dwelling, depending on the Land Use District, parcel size and other factors.

(1) For parcels in the FD, RU, RD, CR, CR (MI), CR (T) and CR (L) districts that are between 2 ha. (4.94 acres) and 4 ha. (9.88 acres) in size, and developed with a Single Detached Dwelling or Manufactured Home (principal dwelling unit), the Development Authority may issue a development permit that would permit the addition of a second dwelling in the form of a Manufactured Home, or a Secondary Suite – External or a Secondary Suite - Internal, subject to meeting all conditions of this bylaw. The total number of all units described may not exceed 2 (two) in total for each parcel, including the Single Detached Dwelling or Manufactured Home (principal dwelling unit).

(2) For parcels in the FD, RU, RD, CR, CR (MI), CR (T) and CR (L) districts that are between 4 ha. (9.88 acres) and 32.37 ha. (80 acres) in size and developed with a Single Detached Dwelling or Manufactured Home (principal dwelling unit), the Development Authority may issue a development permit that would permit the construction or location of a second Single Detached Dwelling, Manufactured Home or Manufactured Home – Park Model, or a Secondary Suite – Internal or Secondary Suite-External subject to meeting all conditions of this bylaw. The total number of all units described may not exceed 2 (two) in total for each parcel, including the Single Detached Dwelling or Manufactured Home (principal dwelling unit).

(3) For parcels in the RD, FD and RU districts that are greater than 32.37 ha. (80 acres) in size, and developed with a Single Detached Dwelling or Manufactured Home (principal dwelling unit), the Development Authority may issue a development permit that would permit the construction or location of a second Single Detached Dwelling, Manufactured Home or Manufactured Home- Park Model and subject to meeting all conditions of this bylaw, a Secondary Suite – Internal or a Secondary Suite - External. The total number of all units described may not exceed 3 (three) in total for each parcel, including the Single Detached Dwelling or Manufactured Home (principal dwelling unit).

(4) For parcels developed with a principal dwelling, in all residential districts, in designated hamlets the Development Authority may issue a development permit that would permit the construction of a Secondary Suite – Internal or a Secondary Suite -External, subject to meeting all conditions of this bylaw.

(5) Recreational Vehicles cannot be continuously occupied for more than seven (7) days within a hamlet unless they are providing accommodation while an approved residence is being constructed.

(6) Within a Hamlet only one Recreational Vehicle may only be stored on a developed parcel or on a parcel on which approved development is occurring except as referenced in Section 73 (5).

(7) In Hamlets, Recreational Vehicles must be parked to the rear of the principal building unless another location would not have a negative impact on the neighbouring properties.

SECTION 74 GENERAL CONDITIONS – ALL ADDITIONAL DWELLING UNITS

(1) There must be a minimum 5m (16.4 ft) setback between the additional dwelling unit and the principal building.

(2) An application for additional dwelling units may be required to submit definitive engineering findings and certifications, prepared by a professional engineer, registered in the Province of Alberta, or Safety Codes Officer, addressing the capability of the sewage disposal system and water supply (e.g. well) to accommodate the additional units. This may be addressed by provision of copies of all applicable Safety Codes or other Building Codes permits.

(3) As a condition of the development permit approval the applicant must provide evidence that they have received the appropriate permit for the additional sewage disposal system.

(4) Surveillance Suites are not addressed in this Section as they are deemed to be secondary to commercial and industrial uses. Surveillance Suites are addressed in Section 84.

SECTION 75 RECREATIONAL CABIN

(1) No person shall construct or cause to be constructed a Recreational Cabin (maximum 55.74 sq. m - 600 sq. ft.) on a parcel of land unless a Development Permit for such use has been issued.

(2) A Recreational Cabin may not be used as a dwelling and shall not be continuously occupied for longer than 180 days.

(3) One accessory building (maximum 13.4 sq. m -150 sq. ft.) is permitted in association with the recreational cabin.

(4) Only one recreational cabin is allowed on each property.

SECTION 76 TOURIST HOMES

(1) A Tourist Home means a Dwelling unit operated as an Accommodation Unit, occupied by a Guest or Guests for a period of less than 28 days. For the purpose of clarity, a homeowner may occasionally rent or otherwise permit a Guest or Guests to occupy their home for short periods of time without turning their “Dwelling Unit” into an “Accommodation Unit” and therefore a “Tourist Home”. For example, a homeowner who participates in a home exchange program in which another person or family occupies the homeowner’s Dwelling Unit for a short period would likely not turn their Dwelling Unit into a Tourist Home.

(2) What distinguishes a Dwelling Unit from a Tourist Home is the institutionalized commercial nature of a Tourist Home. For example, a Dwelling Unit that is managed, advertised and leased by a professional property manager, who uses a system of reservations, deposits and confirmations, collects G.S.T. and accepts credit cards would be considered a Tourist Home. This is not an exhaustive list of what may constitute a Tourist Home. This example is provided only to illustrate one way in which a Dwelling Unit may be turned into an

"accommodation unit" and therefore become a Tourist Home. In practice, whether a Dwelling Unit has become a Tourist Home is a question of fact based on the circumstance of each case.

(3) The operation of a tourist home requires an approved development permit.

(4) Tourist homes are prohibited except where they are expressly listed as a permitted or discretionary use.

(5) Where approved, tourist homes shall be developed and operated in accordance with the following regulations in order to ensure that the impacts of this commercial use do not unduly affect the amenities of the residential neighbourhood in which they are located;

(a) Tourist homes shall not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood

(b) Tourist homes shall:

(i) provide one on-site parking stall per bedroom. Parking stalls shall not be tandem;

(ii) a maximum of 50% of the area between the residence and the street may be used for driveway and parking, the remainder of this area shall be landscaped with natural landscaping to the satisfaction of the development authority.

(iii) not display any form of advertising related to the tourist home except as provided for in this bylaw.

(iv) Ensure that the building conforms to the Alberta Building Code.

SECTION 77 SECONDARY SUITES

A Secondary Suite - External or Secondary Suite – Internal shall comply with the following regulations:

(1) There shall be no more than one Secondary Suite allowed on a lot within a hamlet;

(2) In developing a Secondary Suite, the owner shall comply with all relevant requirements of the Alberta Building Code or other Provincial statutes, as amended from time to time;

(3) The maximum size of a Secondary Suite – External will be 600 sq. ft.(55.74 sq. m)

(4) On-site parking shall be required in accordance with Section 56 of this Bylaw;

(5) A secondary suite shall be considered a subordinate residence on the parcel meaning that there must always be a Single Detached Dwelling or Manufactured Home (principal dwelling) on the subject parcel

(6) The Development Authority shall be satisfied that a suitable development site to accommodate the Secondary Suite-External exists on the parcel. The Development Authority must be satisfied that the Secondary Suite-External will be properly connected to services associated with the existing Single Detached Dwelling or Manufactured Home (principal dwelling) without jeopardizing existing services of the host parcel or surrounding parcels.

(7) A Secondary Suite-External shall be designed, sited, constructed, finished and sided in a manner that is visually compatible with the character of adjacent and neighbouring lands. The following siting guidelines will be considered by the Development Authority:

(i) the unit shall not be placed in the front yard;

(ii) the unit shall not be placed on easements and shall not be placed on a gas line;

(iii) the unit should not be placed in a manner which could obstruct the view from a house on an adjacent property;

(iv) the unit shall be sited in accordance with all setback regulations;

(v) the lot should be graded to ensure positive drainage away from the unit, without affecting the drainage of the adjacent properties; and

(vi) a secondary suite –external shall be detached from the principal dwelling unit

PART TWELVE – SPECIAL LAND USE PROVISIONS: ACCESSORY AND RELATED USES

SECTION 78 ACCESSORY BUILDINGS AND STRUCTURES

Where rules for specific types of Accessory Buildings are not included elsewhere in the bylaw these rules shall apply:

(1) Where an accessory building is attached to the principal building by a roof, an open or enclosed structure, except carports where vehicular access to the rear yard is not obstructed, said accessory building is to be considered part of the principal building and not as an accessory building, and subsequently shall adhere to the appropriate principal building setback regulations.

(2) Unless otherwise allowed by this bylaw, the following regulations are applicable to accessory buildings:
   (a) an accessory building shall not be used as a dwelling and shall only be constructed after the principal building has been constructed;
   (b) a maximum of 4 accessory buildings per lot is permitted in residential districts within hamlets and all other residential districts other than the RD – Rural District.

(3) An accessory building or structure shall be setback a minimum 2 m (6.6 ft) from the principal dwelling and from all other structures on the same lot;

(4) An accessory building or structure shall be aesthetically compatible with other buildings and landscaping on site and shall not materially interfere with or affect the use and enjoyment of adjacent properties; and

Height

(5) If the height is not specifically listed in the land use district, an accessory building or structures shall not exceed 4.88m (16 ft.) in height for most districts and 10m (32.8 ft.) for the Rural District. The height is measured from the inside wall grade to the top of the roof. The Development Authority at its discretion, may vary this height taking into account the impact on nearby or adjacent uses and development and predominant height of dwellings buildings and structures in the area; and

(6) The Development Authority who shall have regard for the following in determining discretionary height, in any land use district:
   (a) the topography of the property upon which the accessory building or structure is or is to be situated as well as the topography of immediately adjacent properties and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject property and adjacent property are not unduly obstructed by the height of the accessory building;
   (b) the height of an accessory building shall be in proportion with the principal and accessory buildings on immediately adjacent properties as well as in keeping with the neighbourhood itself;
   (c) the height of an accessory building shall be such that the accessory building, in relation to the principal building, does not visually dominate the property; and

(d) the fire safety provisions of the Alberta Safety Codes Act S-1 RSA 2000, regulations, and any amendments thereto, and the capacity and availability of fire fighting equipment and personnel.

Siting of buildings

(7) In all hamlet residential districts, except for the HRD – Hamlet Restricted Development District, and in the MHP – Manufactured Home Park District, detached garages, carports and accessory buildings and structures shall be located:

(a) a minimum of 2.0 m (6.5 ft.) from the dwelling provided that both buildings meet the requirements of the Alberta Safety Codes Act S-1 RSA 2000 and any amendments thereto;

(b) no closer to the front parcel line than the front line of the principal building. This regulation may be relaxed for garages and carports only where, at the discretion of the Development Authority, insufficient setbacks exist to place the building in the rear yard or side yard. In no case however, shall the building encroach beyond the front yard setback;

(c) no closer than 1.5 m (4.9 ft.) to the rear parcel line provided there is no encroachment of any part of the building onto public utility easements or into adjacent property maintenance easements;

(d) where the vehicle approach faces the lane, the garage or carport shall be no closer that 5.0 m (16.4 ft.) from the lane; and

(e) no closer than 1.5 m (4.9 ft.) to the side property line excepting where an agreement exists between the owners of adjoining properties to building their garages centered on the property line, in which case a fire wall will be constructed to the requirements of the Alberta Safety Codes Act S-1 RSA 2000, regulations, and any amendments thereto.

Sundecks, Patios and Balconies:

(8) In all districts, sundeck, patios and balconies:

(a) which are higher than 0.6 m (2 ft.) above grade at any point shall adhere to the siting regulations for the principal building where attached to the principal building, and to the siting requirements for accessory buildings where detached; and

(b) which are higher than 0.6 m (2 ft.) above grade at any point shall be in accordance with any site coverage requirements; and

(c) which do not project more than 0.6 m (2 ft.) above grade shall adhere to the siting requirements for accessory buildings, whether attached or detached, except that such structures may be allowed within the required front yard, but not closer than 1.5 m (4.92 ft.) from the front parcel line.

Private Swimming Pools and Hot Tubs

(9) Privately owned swimming pools or hot tubs shall be sited as per the siting requirements for accessory buildings.

(10) Every privately-owned swimming pool and hot tub must be constructed and fenced in accordance with all relevant Safety Codes.

Additional Regulations

(11) Notwithstanding any provision in this SECTION, where a site has vehicular access from the front only, one side yard setback shall be a minimum of at least 3.0 m (9.8 ft.) to accommodate a driveway for vehicular passage and general access, to the rear of the property, except where an attached garage or carport is provided.

(12) Flag poles may be located in front yards to the satisfaction of the Development Authority.

SECTION 79 HOME DAY CARE

(1) In considering a home day care operation, the Development Authority shall, among other factors, consider if the development would be suitable for the property taking into account:
- (a) the size of the property given the intended use;
- (b) appropriate yard setbacks in relation to adjacent land uses;
- (c) potential traffic generation;
- (d) proximity to park, open space or recreation areas;
- (e) buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of neighbouring property; and
- (f) consistency with other land uses in the surrounding area/land use districts in terms of nature and intensity of use.
- (g) meets all Provincial requirements.

SECTION 80 HOME OCCUPATIONS

Home Occupations are uses considered to be generally subordinate to the primary function of residential use and are divided into two categories, minor and major.

Home Occupation Minor

(1) A minor home occupation:
- (a) shall be operated as a secondary use only, and shall not change the principal character or external appearance of the dwelling in which it is located;
- (b) shall not employ any person who lives outside of the home;
- (c) shall not generate traffic uncharacteristic to the residential area; and
- (d) may not extend beyond the confines of the primary residential dwelling. There shall be no outside storage of materials, goods or equipment on the site.

(2) No advertising or display of product shall be permitted on the property except for one indirectly illuminated sign of 1 square metre in area placed flat against the building or fence.

(3) The maximum gross floor area of the Home Occupation – Minor may not exceed 50% of the gross floor area of the primary structure. The Home Occupation – Minor may not be conducted within an accessory building.

(4) A Home Occupation – Minor, that is a noxious use or which creates noise, vibration, smoke, dust or odours, shall not be permitted.

(5) Storage of any materials or goods needed for the business must be accommodated within the primary residence. Storage of materials or goods will be counted towards the 50% of

gross floor area outlined in number (3).

(6) No outside storage is allowed.

(7) The following information must be supplied when applying for a Home Occupation – Minor:
- (a) description of the business;
- (b) materials and equipment that will be used for the Home Occupation – Minor and where they will be stored;
- (c) number of resident employees;
- (d) number of business visits per day;
- (e) number of parking spaces on the property; and
- (f) type of signage for the Home Occupation – Minor;
- (g) sketch of floor plan indicating where the Home Occupation is to be carried out, including room dimensions.

(8) A Home Occupation – Minor may not take place where the parcel does not have a habitable residence, power, on-site potable water supply, a sewage disposal system, and legal and physical access to a municipal all-weather road.

(9) As a condition of Development Permit approval, the Development Authority may impose conditions to include screening, buffering and landscaping as outlined in this bylaw.

(10) As a condition of Development Permit approval, the Development Authority may impose conditions to limit the hours and/or days of operation.

Home Occupation - Major

The owner or operator of the home occupation must be a resident of the site's single detached dwelling or manufactured home.

(1) A major home occupation:
- (a) may utilize accessory buildings, while still maintaining the residential use as the primary use on the site;
- (b) may employ two (2) persons who do not live on the site or within the primary residence in addition to those persons living on the site;
- (c) may not generate traffic uncharacteristic to the residential or rural area;
- (d) shall provide all required parking on-site; and
- (e) shall not include outdoor storage of materials, goods or equipment on the site.

(2) No advertising or display of product shall be permitted on the property except for one indirectly illuminated sign of 1 square metre in area placed flat against the building or fence;

(3) The following information must be supplied when applying for a Home Occupation – Major:
- (a) description of the business;
- (b) materials, equipment and/or vehicles that will be used for the Home Occupation – Major and where they will be stored;
- (c) number of resident and non-resident employees;
- (d) number of business visits per day;
- (e) number of parking spaces on the property;
- (f) type of signage for the Home Occupation – Major; and

(g) sketch of floor plan indicating where the Home Occupation is to be carried out, including room dimensions. If an accessory building is used a sketch is required indicating the locations of existing buildings and the location of any buildings relating to the proposed Home Occupation.

(4) If at any time, any of the conditions for a Home Occupation – Major have not, in the opinion of the Development Authority been complied with, the Development Authority may issue a Stop Order.

(5) A development permit for a Home Occupation – Major may be issued on a temporary basis, or for an indefinite duration. If issued on a temporary basis, the development permit for a Home Occupation – Major shall be valid for 5 years from the date the permit was granted. This permit may be renewed for another 5 years and it is the responsibility of the owner to renew the permit.

(6) There shall be no mechanical or electrical equipment used which creates visual, audible or electrical interference with radio or television reception.

(7) No commodity other than the product or service produced by the home occupation shall be sold on the premises.

(8) Any vehicles parked on-street or off-street as a result of the home occupation shall not, in the opinion of the Development Authority, be a source of inconvenience to adjacent landowners or tenants.

(9) The home occupation shall not, in the opinion of the Development Authority, be a source of inconvenience, materially interfere with or affect the use, enjoyment or value of neighbouring properties, by way of excessive noise, smoke, steam, odour, dust, vibration or refuse matter which would not commonly be found in the neighbourhood.

(10) As a condition of Development Permit approval, the Development Authority may impose conditions to include screening, buffering and landscaping as outlined in this bylaw to effectively screen, parking, accessory buildings or other components of the proposed development.

(11) As a condition of Development Permit approval, the Development Authority may impose conditions to limit the hours and/or days of operation.

SECTION 81 HOME BUSINESSES

Home Businesses are subordinate to the primary function of residential use and are divided into two categories, minor and major. Home Businesses allow for more employees, floor space, outside storage and activities than a Home Occupation. The owner or operator of the Home Business must be a resident of the site's single detached dwelling or manufactured home.

Home Business - Minor

(1) Home Business – Minor may be allowed where:

(a) the Home Business – Minor does not undermine liveability standards of the residential use of the property, the adjacent properties and the area;

(b) the parcel has a habitable residence, power, on-site potable water supply, a sewage disposal system, and legal and physical access to a municipal all-weather road;

(2) The total of non-resident employees, including part-time and full-time employees directly or indirectly employed by the business, involved with the Home Industry – Minor shall not exceed 4.

(3) Minimum parcel size to conduct a Home Business – Minor is 2 ha (4.94 ac).

(4) The maximum floor space that may be used for the Home business – Minor is 600m^2 or 6,458 ft^2.

(5) The minimum setback from all property lines is 6 m (19.5 ft).

(6) The maximum number of commercial vehicles used for the Home business – Minor will be 3. Storage of trailers or other items used in conjunction with the stored vehicles may be permitted outdoors if the storage is adequately screened and sited appropriately as determined by the Development Authority.

(7) No Home business – Minor, that is a noxious use or which creates noise, vibration, smoke, dust or odours beyond the boundary of the property, shall be permitted.

(8) A minimum of one parking stall per employee and one parking stall for customers is required, in addition to the required parking for the residence. All required parking must be accommodated on site.

(9) The following information must be supplied when applying for a Home Industry – Minor:
(a) description of the business;
(b) materials, equipment and/or vehicles that will be used for the Home Business – Minor and where they will be stored;
(c) number of resident and non-resident employees;
(d) number of business visits per day;
(e) number of parking spaces on the property;
(f) type of signage for the Home Business – Minor; and
(g) sketch or plot plan indicating the locations of existing buildings and the location of any buildings relating to the proposed Home Business.

(10) A development permit for a Home Business – Minor may be issued on a temporary basis, or for an indefinite duration. If issued on a temporary basis, the development permit for a Home Business – Minor shall be valid for 5 years from the date the permit was granted. This permit may be renewed for another 5 years and it is the responsibility of the owner to renew the permit.

(11) If at any time, any of the conditions for a Home Business – Minor have not, in the opinion of the Development Authority been complied with, the Development Authority may issue a stop order;

(12) The applicant may be required to enter into a Road Use Agreement and/or Developers Agreement with the County.

(13) As a condition of Development Permit approval, the Development Authority may impose conditions to include screening, buffering and landscaping as outlined in this bylaw to effectively screen outdoor storage, parking, accessory buildings or any other aspect of the proposed development;

(14) As a condition of Development Permit approval, the Development Authority may impose conditions to limit the hours of operation or conditions to limit the amount of noise created by the development.

Home Business – Major

(1) A Home Business – Major may be allowed where:
   (a) the Home Business – Major does not undermine liveability standards of the residential use of the property, the adjacent properties and the area.
   (b) the parcel has a habitable residence, power, on-site potable water supply, a sewage disposal system, and legal and physical access to a municipal all-weather road.

(2) The total of non-resident employees, part-time and full-time employees directly or indirectly employed by the Home Business – Major, involved with the Home Business – Major shall not exceed 6.

(3) Minimum parcel size to conduct a Home Business – Major is 4 ha (9.88 ac).

(4) The maximum floor space that may be used for the Home Business – Major is 600 m^2 or 6,458ft^2, excluding the floor space required to store commercial vehicles used for the Home Business – Major.

(5) The maximum number of commercial vehicles used for the Home Business – Major will be five (5). Storage of trailers or other items used in conjunction with the stored vehicles may be permitted outdoors if storage is adequately screened and sited appropriately as determined by the Development Authority.

(6) No Home Business – Major, that is a noxious use or which creates noise, vibration, smoke, dust or odours beyond the boundary of the property, shall be permitted.

(7) A minimum of one parking stall per employee, one parking stall per commercial vehicle, and one parking stall for customers is required, in addition to the required parking for the residence. All required parking must be accommodated on site;

(8) The following information must be supplied when applying for a Home Business – Major:
   (a) description of the business;
   (b) materials, equipment and/or vehicles that will be used for the Home Business – Major and where they will be stored;
   (c) number of resident and non-resident employees;
   (d) number of business visits per day;
   (e) number of parking spaces on the property;
   (f) type of signage for the Home Business – Major; and
   (g) sketch or plot plan indicating the locations of existing buildings and the location of any buildings relating to the proposed Home Business.

(9) A development permit for a Home Business – Major may be issued on a temporary basis, or for an indefinite duration. If issued on a temporary basis, the development permit for a Home Business – Major shall be valid for 5 years from the date the permit was granted. This permit may be renewed for another 5 years and it is the responsibility of the owner to renew the permit.

(10) If at any time, any of the conditions for a Home Business – Major have not, in the opinion of the Development Authority been complied with, the Development Authority may issue a stop order.

(11) The applicant may be required to enter into a Road Use Agreement and/or Developers Agreement with the County.

(12) As a condition of Development Permit approval, the Development Authority may impose conditions to include screening, buffering and landscaping as outlined in this bylaw to effectively screen outdoor storage, parking, accessory buildings or any other aspect to the proposed development.

(13) As a condition of Development Permit approval, the Development Authority may impose conditions to limit the hours and/or days of operation or conditions to limit the amount of noise created by the development.

SECTION 82 GENERAL INDUSTRIAL USES in the RURAL DISTRICT

(1) Development permits for General Industrial Use may be approved in the Rural District where the Development Authority is satisfied that:
- (a) there is adequate legal access to transportation facilities;
- (b) the site is suitable for on-site sewage disposal and water supply; and
- (c) there would be no substantial conflicts with existing adjacent land uses; and
- (d) any other factors which the Development Authority may consider necessary have been met.

(2) No subdivision shall be allowed and no development permit shall be issued for a proposed general industrial use where it would result in more than one (1) general industrial use in one quarter section unless Council has first reclassified such lots to the Rural Industrial District.

(3) One (1) surveillance suite may be permitted per lot, as a secondary use to a Rural Industrial Use.

(4) A Development Permit for a General Industrial Use may be approved where it meets the following:

- (a) the proposed General Industrial Use does not undermine livability standards of any residential use of the property, the adjacent properties and the area;
- (b) the parcel has a habitable residence, power, on-site potable water supply, a sewage disposal system, and legal and physical access to a municipal all-weather road;

(5) When located in the RD – Rural District, the total of non-resident employees, part-time and full-time employees directly employed by the general industrial use, shall not exceed ten (10). Minimum parcel size to conduct a General Industrial Use is 4 ha (9.88 ac);

(6) If a General Industrial Use is conducted entirely within an accessory building in one of the rural residential districts, the maximum floor space that may be used for the General Industrial Use is 600 m2 or 6,458 ft2,

(7) The maximum number of commercial vehicles used for the General Industrial Use will be five (5). Storage of trailers or other items used in conjunction with the stored vehicles may be permitted outdoors if storage is adequately screened and sited appropriately as determined by the Development Authority;

(8) Uses that are a noxious use or create noise, vibration, smoke, dust or odours beyond the boundary of the property, shall not be permitted;

(9) A minimum of one parking stall per employee, one parking stall per commercial vehicle, and one parking stall for customers is required, in addition to the required parking for any other uses. All required parking must be accommodated on site;

(10) The following information shall be supplied when applying for a General Industrial Use:
- (a) description of the business;
- (b) materials, equipment and/or vehicles that will be used for the General Industrial Use and where they will be stored;
- (c) number of resident and non-resident employees;
- (d) number of business visits a day;
- (e) number of parking spaces;
- (f) type, location and number of signs proposed; and
- (g) a plan indicating the locations of existing and proposed buildings relating to the application.

(11) A development permit for a General Industrial Use may be issued on a temporary basis, or for an indefinite duration. If issued on a temporary basis, the development permit for a General Industrial Use shall be valid for no less than 5 years from the date the permit was granted. This permit may be renewed for another period of no less than 5 years and it is the responsibility of the owner to renew the permit.

(12) In addition to the regulations in the land use districts, a General Industrial Use shall meet the following regulations:

(i)	Minimum parcel area	4 ha (9.88ac)
(ii)	Minimum setback to Buildings used for the General Industrial Use	60.0m (±196 ft.) adjacent to residential property 30.0m (±98 ft.) to all other property boundaries
(iii)	Minimum setback to all outdoor storage and activity areas	30.0 m (±98ft.) adjacent to residential property 15.0m (±49 ft.) to all other property boundaries

(13) If at any time, any of the conditions for a General Industrial Use have not, in the opinion of the Development Authority been complied with, the Development Authority may issue a Stop Order;

(14) The applicant may be required to enter into a Road Use Agreement and/or Developers Agreement with the County.

(15) As a condition of Development Permit approval, the Development Authority may impose conditions to include screening, buffering and landscaping as outlined in this bylaw to

effectively screen outdoor storage, parking, accessory buildings or any other aspect of the proposed development.

(16) As a condition of Development Permit approval, the Development Authority may impose conditions to limit the hours and/or days of operation or conditions to limit the amount of noise created by the development.

(17) A development officer shall require as a condition of a development permit for any use of dangerous goods that are produced, processed, handled, stored or dispose of on-site, that an applicant retain a qualified professional acceptable to the Development Officer to prepare a risk assessment review statement, to determine whether the proposed development is to be approved, approved with conditions, or refuse. Guidelines for preparation of the risk assessment review statement will be provided by the County.

SECTION 83 GENERAL INDUSTRIAL USES IN INDUSTRIAL DISTRICTS

(1) One (1) surveillance suite may be permitted per lot, as a secondary use to a general industrial use

(2) There is no maximum number of employees or commercial vehicles allowable

(3) A minimum of one parking stall per employee, one parking stall per commercial vehicle, and one parking stall for customers is required, in addition to the required parking for any other uses. All required parking must be accommodated on-site

(4) The following information must be supplied when applying for a general industrial use:
(i) description of the business
(ii) materials, equipment and or vehicles that will be used for the rural industrial use and where they will be stored;
(iii) number of resident and nonresident employees;
(iv) number of business visits a day;
(v) number of parking spaces on the property;
(vi) type of signage for the general industrial use; and
(vii) sketch or plot plan indicating the locations of existing buildings and the location of any buildings related to the proposed general industry

(5) If at any time, any other condition for a general industrial use have not, in the opinion of the Development Authority been complied with, the Development Authority may issue a stop order;

(6) The applicant may be required to enter into a Road Use Agreement and/or Developers Agreement with the County

(7) As a condition of development permit approval, the Development Authority may impose conditions to include screening, buffering, and landscaping as outlined in this bylaw to effectively screen outdoor storage, parking, accessory buildings or any other aspect of the proposed development

(8) As a condition of the development permit approval the Development Authority may impose conditions to limit the hours and/or days of operation or conditions to limit the amount of noise created by the development

(9) In industrial districts no General Industrial Use that is a noxious use or which creates noise, vibration, smoke, dust or odours beyond the boundary of the district, shall be permitted

(10) A Development Officer shall require as a condition of a development permit for any use of dangerous goods that are produced, processed, handled, stored or dispose of on-site, that an applicant retain a qualified professional acceptable to the Development Officer to prepare a risk assessment review statement, to determine whether the proposed development is to be approved, approved with conditions, or refuse. Guidelines for preparation of the risk assessment review statement will be provided by the County.

SECTION 84 SURVEILLANCE SUITES

(1) Where allowed by the land use district, a surveillance suite may be allowed at the discretion of the Development Authority, to a maximum of one (1) suite per lot and accessory to the principal use. Where approval for a suite is given, the following regulations shall apply:

(a) where a surveillance suite is attached to the principal building on a site, by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the principal building;

(b) detached surveillance suites shall be located to the satisfaction of the Development Authority, and the suite shall comply with the minimum setbacks of this district;

(c) where the surveillance suite is a manufactured home unit, the unit shall have Canadian Standards Association certification or equivalent. Proof of these shall be submitted with the development permit application;

(d) the manufactured home unit shall be secured and properly skirted to the satisfaction of the Development Authority;

(e) the quality of exterior treatment and design for the surveillance suite shall be to the satisfaction of the Development Authority. The character and appearance of the suite shall be compatible with any other buildings existing on the property and the buildings in the surrounding area.

(f) The developer must provide evidence that the surveillance suite satisfies the requirements of the Alberta Safety Codes.

PART THIRTEEN – SPECIAL LAND USE PROVISIONS: VARIOUS NON-RESIDENTIAL USES

SECTION 85 ACCOMMODATION AND COMMERCIAL RECREATION USES

(1) Bed and Breakfast and Country Inn Establishments

(a) If the Development Authority determines that a Bed and Breakfast or Country Inn could affect or be affected by the integrity or capacity of the existing or proposed on-site sewage disposal system associated with the subject single detached dwelling or manufactured home, the Development Authority shall require that the development permit application be accompanied by supporting documentation prepared by a qualified person attesting to the integrity and capacity of the existing or proposed on-site sewage disposal system to accommodate the existing and additional demand on the system.

(b) If it is shown that the existing or proposed on-site sewage disposal systems cannot accommodate the existing and additional demand on the system, the Development Authority shall not approve the Bed and Breakfast or Country Inn.

(c) A Bed and Breakfast or Country Inn shall comply with the following standards:
(i) Any alteration to the residential structure shall be limited to ensure that the dwelling remains within the character of the area within which it is located.
(ii) A sign must identify rather than advertise the establishment and not exceed 1.0 m² (10.76 ft²) in size unless approved by the Development Authority. See Section 59 Signs for further regulations.

(d) In addition to any other off-street parking required in the Bylaw, one additional space shall be provided for each guest room.

(e) A development permit issued for a Bed and Breakfast or Country Inn does not exempt compliance with health regulations or any other requirements of other agencies.

(f) Bed and Breakfast operations and Country Inn require a development permit. A permit may be revoked at any time if, in the opinion of the Development Authority, the operator has violated any provision of this Bylaw or the conditions of a permit.

(2) Campgrounds

(a) Where listed as either a permitted or discretionary use, the application must include all requirements listed in this bylaw and in particular must demonstrate suitability of the proposed use, with special regard to provision of potable water and septic disposal;
(b) Where listed as a permitted or discretionary use, the following conditions may be placed on a permit approved for a Campground, in addition to all other uses in this bylaw:
(i) the site plan for a proposed campground shall detail internal traffic circulation requirements, street widths, pedestrian circulation, site access

and egress, emergency access, parking areas, storage areas, toilet and laundry areas, recreational areas and campsite areas;

(ii) the number of access points to the campground shall be limited to control the entry and departure of vehicles and to minimize interference with neighbouring uses and traffic flow;

(iii) the location of primary access points shall not route traffic through residential areas;

(iv) access points shall be designed to accommodate two-way traffic and shall provide a clear unobstructed view for traffic and turning vehicles. The provision of acceleration and deceleration lanes may be required;

(v) all campgrounds and sites shall have clear access and identification for fire fighting, ambulance and police;

(vi) for campgrounds proposed to be open year-round, provision shall be made in the design of internal roads for snow removal and snow storage;

(vii) for destination campgrounds, particularly long lease arrangements, parking space is required for visitors. The location of visitor parking shall not interfere with pedestrian safety;

(viii) each campsite shall have a minimum area of at least 186 m^2 (2,002.2 ft^2) with an open and graded parking space sufficient to permit a clearance of 4.5 m (14.8 ft.) between sides and 3 m (9.8 ft.) between ends of adjacent recreation vehicles;

(ix) campsites shall be accessible by means of a driveway at least 3 m (9.8 ft.) wide where the driveway is for one-way traffic, or at least 6 m (19.68 ft.) wide where the driveway is for two-way traffic, and so constructed that automobiles and trailers will not become mired;

(x) one table and one garbage can (or an equivalent central garbage disposal area) shall be provided for each campsite;

(xi) recreational facilities shall not be located where they would intrude on the privacy of adjacent campers;

(xii) noise control measures may also be required and may include the use of berms, natural barriers and screens or orientation of the campground to mitigate noise;

(xiii) roads leading to a proposed campground may be required as a condition of development approval, to be brought into a condition necessary to sustain the volume and type of traffic to be generated by the proposed campground;

(xiv) within the campground development, a circular one-way system with gently curving roads, sensitive to topography and site characteristics is preferred, and shall be "signed" to avoid confusion; and

(xv) all facilities shall meet public health regulations and the applicant may be required to submit documentation verifying receipt of all Public Health requirements, Safety or Building Code requirements or other Provincial or Federal requirements.

(c) Where listed as a Discretionary Use, the following may be considered by the Development Authority in considering the appropriateness and suitability of a Campground, or determining an appropriate density for a proposed campground development:

(i) accessibility to a public road without creating a traffic hazard or nuisance to nearby residential lands;

(ii) compatibility with adjacent land uses;

(iii) environmental sensitivity. Areas with sensitive environmental hazards (e.g. wilderness, waterbodies, and vegetation) may be limited to a lower density;
(iv) physical suitability and serviceability of the site itself;
(v) roads leading to a proposed campground may be required, as a condition of development approval, to be brought into a condition necessary to sustain the volume and type of traffic to be generated by the proposed campground;
(vi) separation between a Campground and the boundary of a multi-lot subdivision or agricultural operation;
(vii) areas with natural amenities (e.g. wilderness, waterbodies, and vegetation) shall be developed at a lower density;
(viii) in areas where there is little natural vegetation, densities shall also be lower to provide more privacy between sites;
(ix) where the terrain is sensitive to development, the permitted density shall be lower to preserve the natural balance; and
(x) long-term occupancy campgrounds shall be at a lower density because the Recreational Vehicle (Accommodation) uses tend to be larger and contain accessory uses.

(3) Motels

(a) The requirements for motels are as follows:

	Minimum Site Area / unit	**Minimum Front Yard Setback**	**Minimum Rear and Side Yard Setbacks**	**Building Separation**	**On-Site Parking**	**Minimum Floor Area/unit**
1 Storey	140.0 m² (1507 sq. ft.)	7.6 m (25 ft.)	3.0m (10 ft.)	3.5 m (12 ft.)	1 stall/ rental unit and 1 stall/ 3 employees	25.0 m² (270 sq. ft.)
2 Storey	93.0 m² (1000 sq. ft.)	7.6m (25 ft.)	3.0m (10 ft.)	3.5m (12 ft.)	1 stall/ rental unit and 1 stall/ 3 employees	25.0 m² (270 sq. ft.)

(b) Each rentable unit shall face onto or abut a driveway not less than 6.0 m (19.68 ft.) in width and shall have unobstructed access thereto.

(c) The owner, tenant, operator or person in charge of a motel shall at all times:
(i) maintain the site and the buildings, structures, and improvements thereon in a clean, tidy and attractive condition and free from all rubbish and debris;
(ii) maintain garbage and incineration facilities to the satisfaction of the Development Authority;
(iii) maintain an appropriate fence where required around the boundaries of the site; and
(iv) keep the site well maintained.

(4) Staff Accommodation

The Development Authority, at its discretion, may require that:

(a) Any motel, hotel, or resort development, providing employment for more than fifty (50) staff (full or part time) shall provide staff accommodation for fifty percent (50%) of the staff. This staff accommodation must be provided on-site;

(b) Staff accommodation may be predominantly dormitory style housing, with a minimum of ten percent (10%) of the housing units for family accommodation (2 and 3 bedroom units);
(c) Notwithstanding any conflicting part of this Bylaw, parking for staff accommodation will be provided at a rate of one (1) parking space per four (4) dormitory units and one (1) parking space per family unit;
(d) Staff accommodation may be located on the site away from the main buildings but no further than 0.8 km (0.5 mi.) from those buildings.

SECTION 86 KENNELS

(1) Pens, rooms, exercise runs and holding stalls shall be soundproofed to the satisfaction of the Development Authority;

(2) All facilities shall meet any applicable public health regulations;

(3) No facility or exterior exercise area used to accommodate the animals shall be located within 25 m (82 ft.) of any property line of the parcel on which the facility is to be sited;

(4) All exterior exercise areas, such as runs, shall be enclosed with a fence acceptable to the Development Authority with a minimum height of 1.8 m (6 ft.);

(5) All facilities, including buildings and exterior exercise areas, may be required to be sited behind the principal building;

(6) All facilities must be visually screened from existing dwellings on adjoining lots to the satisfaction of the Development Authority;

(7) The Development Authority may regulate the hours at which the animals are allowed outdoors and may require additional setbacks as deemed necessary.

SECTION 87 TELECOMMUNICATIONS TOWERS [18.14]

NOTE: Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location of radio communication facilities, including telecommunication towers. In making its decision regarding the communication tower and related facilities, Industry Canada considers the following:

(a) the input provided by the land-use authority;
(b) compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
(c) Health Canada's safety guidelines respecting limits of exposure to radio frequency fields;
(d) an environmental assessment may be required in order to comply with the Canada Environmental Assessment Act

(1) The participation of the County in the consultation process does not assume any federal decision-making authority, nor does it confer a right of veto in the location of the telecommunication facility.

(2) A wireless communications tower could be located within:
a) Agricultural areas;
b) Industrial areas;

c) Multi parcel subdivision areas;

(3) Prior to submitting a request for a development permit the applicant must contact the Chief Administrative Officer or his designate and arrange for a preliminary consultation and provide written confirmation that they have made contact with tower owners in the vicinity and have pursued collocation opportunities.

(4) All satellite dish and amateur radio antennas applied for ham radios or citizen band radio, and a telecommunication device that only receives signals, shall be located on the same site as the intended signal user.

(5) An antenna and supporting structure for the following uses are permitted in any district if accessory to a permitted use and if they comply with applicable regulations of the distrct in which situated:

a) Ham radio:
b) Citizen band radio, and
c) A telecommunication device that only received signals.

An antenna and supporting structure for the following uses are discretionary in all districts:

(a) radio and television transmission;
(b) two-way radio;
(c) common carriers;
(d) land-mobile systems; and
(e) fixed point microwave.

(6) Where possible, Communication towers should be visually unobtrusive and are encouraged to be located on existing infrastructure such as water towers, buildings or other infrastructure.

(7) Towers shall be located 20 meters from the top of bank of any named river, creek or water body.

(8) The Collocation of multiple providers on towers is preferred. Where appropriated, new towers should be built to a standard to accommodate multiple wireless tenants. Any exclusivity agreements which limit access to other providers is strongly discouraged.

(9) Tower base must be setback from abutting parcels, occupied dwellings and roadways by the distance of the tower height plus ten percent of the height.

(10) Guy wire anchors shall be setback at least 1.0m (3.28 ft) from the property line..

(11) The design or appearance of all communication facilities including antennas, antenna mounts, equipment shelters and cable runs should minimize the visibility of facilities through the use of color, consistent architectural styles and aesthetic design.

(12) Sites for commercial towers shall be fenced with suitable protective anticlimb fencing as required by the County.

(13) All equipment shelters must meet the County's setback distances to roads and property lines.

(14) A municipal development permit is required for the location of all proposed commercial/industrial wireless communication towers with a height of 15m or higher.

(15) An application for a development permit shall include a site plan drawn to scale and identifying the site boundary; tower; guy wire anchors, existing and proposed structures' vehicular parking and access; existing vegetation to be retained, removed, or replaced; and uses and structures on the site and abutting properties.

(16) Where Transport Canada requires that a telecommunication tower be lighted, the following steps are encouraged to minimize visual impacts;
- (a) the lighting of equipment structures and any other facilities on site should be shielded from adjacent properties where possible without interfering with the requirement of Transport Canada;
- (b) all lighting should be a minimum number of low intensity white lights; and
- (c) the strobe interval should be the maximum allowable by Transport Canada, and the strobe lights should only be used if absolutely necessary

(17) The County requires the Applicant to conduct a public consultation meeting for all wireless communication towers greater than 15 meters in height for area landowners/residents. All landowners within the tow (2) km of the proposed tower must be notified.

(18) A public consultation/meeting will <u>not</u> be required for proposed tower sites in the green zone that are at least tow (2) km away from the nearest titles property.

(19) At the public consultation meeting, the Applicant will be request to take an attendance log and record issues and concerns expressed by the public, and provide responses as to how issues will be addressed. These issues, as well as letters of support and non support must be provided to both County and Industry Canada.

(20) The applicant shall pay for all costs of the public consultation process including mail outs, newspaper advertisements, property signs and public meetings where required.

(21) A sign not less than one (1) square meter in size or newspaper advertisement providing information of the public consultation may also be requested on site at the discretion of the Chief Administrative Officer of his designate.

(22) The Chief Administrative Officer of his designate will provide a letter of concurrence or non-concurrence based on the results of the consultation process, and the goals of Yellowhead County being attained.

(23) Yellowhead County continues to update its rural communication coverage study and requires all Applicants to provide the following information:
- (a) Estimated coverage of the new tower by township;
- (b) Spectrum being deployed on the tower including licensed, unlicensed and lightly licensed.

(24) Communication facilities and towers are to be removed within six months of cessation of use

SECTION 88 SERVICE STATIONS, GAS BARS AND BULK FUEL STORAGE AND DISTRIBUTION

(1) Applications for development permits for service stations, gas bars and bulk fuel storage and distribution shall be referred to:

(a) the Yellowhead County Infrastructure Department for comments in terms of siting and access; and
(b) the Yellowhead County Fire Chief for comments in terms of the Alberta Fire Code Regulation and any amendments thereto.

(2) All applicable petroleum tanks shall be registered with the Petroleum Tank Management Association of Alberta, and comply with the requirements of the Alberta Fire Code Regulation any amendments thereto.

(3) An application for a Service Station, Gas Bar or Bulk Fuel Storage or Distribution development shall include the approval required from the Petroleum Tank Management Association for placement of the petroleum storage tank.

Site Location

(4) Notwithstanding the land use district regulations, a use pursuant to this SECTION shall not be located on sites which, in the opinion of the Development Authority, would be considered unsafe in terms of vehicle circulation, and access and egress from the site.

Site Area

(5) The site area for a service station or gas bar, whether free standing, part of a commercial complex, or combined with a convenience store, shall be to the satisfaction of the Development Authority; and

(6) The site area for bulk fuel storage and distribution shall be to the satisfaction of the Development Authority.

Site and Building Requirements

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

(8) A minimum of ten percent (10%) of the site area of a gas bar and service station under this SECTION shall be landscaped to the satisfaction of the Development Authority.

SECTION 89 WORK CAMPS

(1) An application for a development permit for a work camp must provide the following information:

(a) the location, type and purpose of the camp;
(b) location and standard of access to the camp;
(c) adjacent uses;

(d) the method of supplying water, sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the Alberta Private Sewage Treatment and Disposal Regulation, and amendments thereto, and be to the satisfaction of the Regional Health Authority;

(e) the number of persons proposed to live in the camp;
(f) location of any propane tanks or other petroleum storage on the site;
(g) method of power generation on site (i.e. generators);
(h) the start date for development, date of occupancy by residents, and projected removal date for the camp;
(i) reclamation measures once the camp is no longer needed;
(j) letters of support from the adjacent landowners or residents, or relevant agencies (R.C.M.P.) when required by the Development Authority.

(2) As a condition of approval, the Development Authority may include conditions to uphold all conditions in the Land Use Bylaw, and may also include the following:
(a) requirement for County road upgrading (if required) or entering into a road use agreement with respect to impact on the roadway such as dust control and other matters;
(b) temporary issuance of permit for one year period, at which time it may be extended by reapplying with permit fee and letters of support from adjacent landowners/residents and re-advertised, at which time those objecting may appeal to the Subdivision and Development Appeal Board;
(c) requirements to limit noise to daytime hours (generally 7 am to 11 pm), with the exception of generator noise, which must be mitigated by shielding or other method when it is found to be detrimental to an adjacent property;
(d) requirement to maintain any existing natural buffers (trees, etc.);
(e) requirement to mitigate traffic impact by using vans or buses for transporting workers to and from job sites or urban areas.

SECTION 90 GOLF COURSES

(1) Any application for golf course development will be required to include a Construction Management Plan which will outline:

(a) the construction season;
(b) the impact on the vegetation, water courses and wildlife;
(c) and will outline the operation plan including;
(i) drainage, and
(ii) chemicals to be used in golf course development and maintenance (pesticides, herbicides and fungicides);

to the satisfaction of the Development Authority. The Development Authority has the right to refer this Construction Management Plan to any outside expert or Provincial agency.

SECTION 91 STORAGE CONTAINERS

(1) Storage Containers:
(a) Are not an allowable use within designated hamlets or mobile home parks except as included in specific land use district use tables or in section (e) below;

(b) Shall be used for storage purposes only, and shall not contain any dangerous or hazardous materials or containers;
(c) Shall not be stacked one upon another;
(d) Shall have an exterior finish to match or compliment the exterior finish of the principal building; or be screened from view to the satisfaction of the Development Officer.
(e) May be allowed on a temporary basis for use during the construction of an approved development within a designated hamlet. The Shipping Container must be removed within 30 days of the occupation of the new development, the suspension or the expiry of the development permit. Only one Storage Container will be allowed on a site under this provision.

(2) The maximum number of containers that shall be allowed on a parcel or parcels of land, other than in an industrial district, is as follows:
(a) less than 8 ha (20 ac) – one container
(b) 8 ha to 15 ha (20 ac to 37 ac) – two containers
(c) 15 ha (37 ac) or more – four containers

(3) There is no maximum number of Storage Containers allowed on a parcel designated LI or RI.

SECTION 92 WIND ENERGY SYSTEMS (WES)

(1) The following shall apply to all Wind Energy Systems (WES) – MAJOR:
(a) Prior to making a decision on a development application for a WES, the Development Authority should circulate the application to and consider the input of the following agencies and departments:
(i) Alberta Utilities Commission
(ii) Transport Canada;
(iii) Alberta Community Development
(iv) Alberta Environment and Sustainable Resource Development
(iii) Adjacent municipalities (if affected).

(b) The Development Authority may approve multiple WES on a case by-case basis having regard for:

(i) proximity to other immediate land uses;
(ii) density (number) of WES
(iii) adjacent land uses, and
(iv) information received through the circulation process.

(c) As a minimum a WES shall comply with all the setbacks that govern the district in which it is located.
(d) A WES shall be located not less than twice the height of the WES, as measured from the ground to the highest point of rotor's arc, from a dwelling unit.
(e) Where, in the opinion of the Development Authority the setbacks referred to in subsections (c), (d) and (f) are not sufficient to reduce the impact of a WES upon a public roadway or an existing development the Development Authority may increase the required setback

(f) A WES shall be located so that the horizontal distance measured at grade from the tower to any property boundary is at least the total height of the WES plus ten percent (10%).

(g) In the case of multiple WES, setbacks may be increased from the minimum setback requirements in the district depending upon the number of WES in a group and the prominence of the location.

(h) The minimum vertical blade clearance from grade shall be 7.6 m (25.0 ft) for a WES employing a horizontal axis rotor unless otherwise required by the Development Authority.

(i) To ensure public safety, the Development Authority may require the following:
  (i) a security fence with a lockable gate shall surround a WES tower not less than 1.8 M (6.0ft) in height if the tower is climbable or subject to vandalism that could threaten tower integrity;
  (ii) no ladder or permanent tower access device shall be located less than 3.6 m (12.0 ft) from grade;
  (iii) a locked device shall be installed on the tower to preclude access to the top of the tower; and
  (iv) all of the above be provided or such additional safety mechanisms or procedures be provided as the Development Authority considers reasonable and appropriate.

(j) The use of tubular towers, with locked door access, will preclude the above requirements.

(k) All power lines on the site of the approval to the substation or grid should be underground.

(l) Unless otherwise required by the Development Authority, a WES shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the satisfaction of the Development Authority.

(m) No lettering or advertising shall appear on the towers or blades. In other parts of the WES, the only lettering will be the manufacturer's identification or municipal symbol.

(n) A Development Permit issued for a WES MAJOR may require, as a condition of approval, that it shall be the sole responsibility of the developer to ensure that such signs, fences and boarding are put in place as the Development Authority shall consider necessary to protect the public generally and the residents of the area in particular from any danger arising as a result of the construction or installation of the freestanding tower on the developer's property.

(2) The following shall apply to all Wind Energy Systems (WES) MINOR:

(a) A freestanding WES - MINOR shall be setback from all property lines a distance equal to the total tower height plus ten percent (10%).

(b) A WES MINOR tower shall not exceed 15.0 m (49.2 ft) from grade to its highest point.

(c) No illumination of a WES MINOR shall be allowed unless required by Navigation Canada.

(d) A Development Permit issued for a WES MINOR may require, as a condition of approval, that it shall be the sole responsibility of the developer to ensure that such signs, fences and boarding are put in place as the Development Authority shall consider necessary to protect the public generally and the residents of the area in particular from any danger arising as a result of the construction or installation of the freestanding tower on the developer's property.

PART FOURTEEN - LAND USE DISTRICTS

SECTION 93 ESTABLISHMENT OF DISTRICTS

(1) For the purposes of this Bylaw, Yellowhead County is divided into the following Land Use Districts:

Resource Districts	
Forestry District	FD
Residential, Agricultural Districts, and Mixed Use Districts	
Rural District	RD
Country Residential District	CR
Country Residential (Small Lot) District	CR (SL)
Country Residential Limited District	CR (L)
Country Residential Minor Industrial District	CR (MI)
County Residential Mountain Park Properties	CR (MPP)
Country Residential Restricted	CR (R)
Country Residential Tourism District	CR (T)
Rural Manufactured Home Park District	RMHP
Hinton East Rural Residential District	HERR
Hinton East Urban Fringe District	HEUF
Hamlet Residential Districts	
Hamlet Residential District	HR
Hamlet Residential Tourism District	HR (T)
Hamlet Residential Estate District	HR (E)
Hamlet Residential (Brule) District	HR (B)
Hamlet Residential (Cadomin) District	HR (C)
Hamlet Residential (Robb) District	HR (R)
Hamlet Urban Reserve District	HUR
Commercial, Recreation and Mixed Use District	
Recreational Use District	RU
Resort Recreational (Mountain Park Properties)	RR (MPP)
Cougar Rock Recreation District	R (CR)
Highway Commercial District	HWY-C
Hamlet Commercial District	HC
Hamlet General District	HG
Business Commercial/Light Industrial District	BCLI
Industrial Districts	
Rural Industrial District	RI
Hamlet Industrial District	HI
Light Industrial District	LI
Institutional and Open Space Districts	
Environmental Preservation District	EP
Hamlet Restricted Development District	HRD

Public Institutional District	PI
Direct Control Districts	
Direct Development Control District	DC
Site Specific Direct Control District1 – MACKAY	DC 1
Site Specific Direct Control District3 – ROBB FLOODPLAIN	DC 2
Site Specific Direct Control District2 – EAST RIVER ROAD	DC 3
Site Specific Direct Control District4 – MARLBORO	DC 4
Stonewater Ranch Districts	
Stonewater Ranch Resort Centre District	SR-RC
Stonewater Ranch Single Detached District	SR-R1
Stonewater Ranch Medium Density Residential	SR-R2
Stonewater Ranch Apartment District	SR-R3
Stonewater Ranch RV Park District	SR-RV

(2) The boundaries of the Districts listed above are delineated on the land use maps being attached hereto and as amended from time to time.

(3) All public streets and lanes (roads) are excluded from any of the land use districts under this Bylaw.

SECTION 94 ESTABLISHMENT OF LAND USE DISTRICT REGULATIONS

(1) Land use districts and regulations shall be set forth in PART FOURTEEN of this Bylaw and the same may be amended in the similar manner as any other part or section of this Bylaw.

(2) The uses table sets out the uses, buildings and structures permitted in the district. Only the uses, buildings and structures listed, and no others, are permitted in the subject district.

(3) The regulation table sets out the regulations that apply to the district where the first column sets out the matter to be regulated and second column sets out the regulations. Additional regulations may also be included following the table in each district.

(4) On a parcel in an area within the district, no building, structure or use shall be constructed, located or altered, and no plan of subdivision approved which contravenes the regulations set out in the regulations table.

PART FOURTEEN A – RESOURCE DISTRICTS

SECTION 95 FD – FORESTRY DISTRICT

(1) General Purpose of District:

The general purpose of this district is to recognize the lands within or near to the Provincial Green Area.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Buildings Accessory Structures Agricultural Building Agriculture (Extensive) Institutional Use Public Utility Secondary Suite (Internal) Signs	Agriculture (Intensive) Agricultural Processing Campground Cemetery Community Facility Country Inn General Industrial Home Business-Major Home Business – Minor Home Occupation -Major Home Occupation- Minor Hostel Manufactured Home Natural Resource Extraction Natural Resource Processing Oilfield Service and Supply Recreational Cabin Recreation (Extensive) Recreation (Intensive) Secondary Suite (external) Storage Container Single Detached Dwelling Storage Building, Residential Surveillance Suite Telecom Tower Wind Energy System – minor Wind Energy System - major Work Camp

(3) Regulation Table:

(a) Minimum site area and density	64 ha (160 ac) or at Discretion of Subdivision or Development Authority
(b) Minimum front setback (i) From ROW of any Provincial highway (ii) From ROW of any municipal road allowance or secondary road (iii) From the front yard property line adjacent to an internal subdivision road	 40.0 m (131 ft.) 30.0 m (98 ft.) 10.7 m (35 ft.)
(c) Minimum side setback (i) From ROW of any Provincial highway (ii) adjacent to an external roadway or road rights-of-way (iii) other	 40.0 m (131 ft.) 30.0 m (98 ft.) 6.0 m (19.68 ft.)
(d) Minimum rear setback (i) From ROW of any Provincial highway (ii) adjacent to an external roadway or road rights-of-way (iii) other	 40.0 m (131 ft.) 30.0 m (98 ft.) 6.0 m (19.68 ft.)
(e) Maximum Height of Buildings and Structures	To the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of buildings and structures in the area.
(f) Other Regulations	All land use regulations apply as contained in this Bylaw

(4) In no case shall approval be granted for developments or uses requiring a municipal fire protection system or which, in the opinion of the Development Authority, would require offsite fire protection requirements, unless the applicant/developer has agreed to install and provide all required fire protection systems

(5) In no case shall approval be granted for storage or handling of flammable or explosive materials in any development, unless the applicant/developer has provided details to the Development Authority of how all relevant *Alberta Safety Codes* will be addressed by the applicant/developer.

(6) All applications for development or subdivision in this district may be required to include details from an accredited Alberta Safety Codes official indicating how the development will be able to address Alberta Safety Codes requirements. Any approvals granted may include conditions to require the submission of all required Alberta Safety Codes permits.

PART FOURTEEN B – RURAL DISTRICTS

SECTION 96 RD – RURAL DISTRICT

(1) General Purpose of District:

The general purpose of this district is to provide for uses which are appropriate in a rural environment and support or can co-exist in area of agricultural use.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Buildings Accessory Structures Agriculture (Extensive) Bed and Breakfast Boarding House Home Occupation (Major) Home Occupation (Minor) Manufactured Home Public Utility Recreation (Extensive) Recreational Cabin Secondary Suite-Internal Single Detached Dwelling Tourist Home	Abattoir Agriculture (Intensive) Agricultural Building Agriculture Processing Auctioneering Establishment Campground Cannabis Production, Processing, and Distribution **[01.19]** Cemetery Community Facility Country Inn Day Care Facility Equestrian Facility Family Care Facility General Industrial Group Care Facility Home Care Facility Home Day Care Home Business (Major) Home Business (Minor) Institutional Use Kennel Manufactured Home – Additional Manufactured Home - Park Model Natural Resource Extraction Natural Resource Processing Secondary Suite - External Storage Container Signs Single Detached Dwelling (Additional) Storage Building – Residential Telecom Tower Wind Energy System - Major Wind Energy System - Minor Work Camp

(3) Regulation Table:

(a)	Minimum parcel area	1 ha (2.47 ac)
(b)	Minimum front setback	
	(i) From Right-of-Way (ROW) of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
(c)	Minimum side setback	
	(i) from any road ROW	30.0 m (98 ft.)
	(ii) other	6.0 m (19.68 ft.)
(d)	Minimum rear setback	
	(i) from any road ROW	30.0 m (98 ft.)
	(ii) other	6.0 m (19.68 ft.)
(e)	Maximum Building Height: Principal Building, Accessory Buildings and Structures	To the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Subdivision

(a) Notwithstanding the following, in all policy areas, for lands within (0.8 km (0.5 mile) of the right of way of a paved road, oiled road or road proposed to be paved or oiled (measured from the edge of the widened road right of way to the nearest edge of the parcel of land to be subdivided), subdivision of up to four (4) parcels from the parent quarter section (creating a maximum of five (5) parcels per quarter section), may be considered, providing:

(i) the lot has legal and physical access to the satisfaction of the Subdivision Authority and/or Development Authority;
(ii) a suitable building site exists;
(iii) the parcel area can accommodate a means of sewage disposal and supply of potable water acceptable to Yellowhead County;
(iv) there is no substantial conflict with existing adjacent land uses; and
(v) the site will accommodate one of the permitted or discretionary uses.

The subdivision is subject to urban fringe provisions of this Bylaw and the Municipal Development Plan;

(b) Agricultural Policy Area

(i) Within the Agricultural Policy area, except as set out in the Municipal Development Plan, subdivision is limited to one residential parcel per quarter section (in addition to the remnant parcel);
(ii) This parcel size shall be no greater than 4.0 hectares (9.8 acres) unless in the opinion of the Subdivision Authority a larger parcel size is required to include all of the amenities;
(iii) The minimum parcel size is 1.0 hectare (2.47 acres);
(iv) If a parcel has already had one 4 ha (10 acres) parcel subdivided out it may be considered for additional subdivision if it is fragmented by a topographic or manmade feature making it difficult to farm.

(c) Rural Policy Area

(i) Subdivision of up to four (4) parcels from the parent quarter section (creating a maximum of five (5) parcels per quarter section), may be allowed, providing:

- the lot has legal and physical access to the satisfaction of the Subdivision Authority an/or Development Authority;
- a suitable building site exists;
- the parcel area can accommodate a means of sewage disposal and supply of potable water acceptable to Yellowhead County;
- the subdivision complies with the Rural Area policies of the Municipal Development Plan;
- there is no substantial conflict with existing adjacent land uses; and
- the site will accommodate one of the permitted or discretionary uses;
- subdivision is subject to urban fringe provisions of this Bylaw;

(ii) Subdivision on Better Agricultural Lands, except within 3 km of a Hamlet, shall be limited to the approval of one residential parcel out of the quarter section provided there is a developed habitable dwelling on the parcel. This parcel size shall be no greater than 4.0 hectares (9.8 acres) unless in the opinion of the Subdivision Authority a larger parcel size is required to include all of the amenities;

(iii) If a parcel has already had one 4 ha (10 acres) parcel subdivided out it may be considered for additional subdivision if it is fragmented by a topographic or manmade feature making it difficult to farm.

(iv) Minimum parcel size is 1.0 hectare (2.47 acres);

(d) All other Policy Areas

(i) Subdivision of up to four (4) parcels from the parent quarter section (creating a maximum of five (5) parcels per quarter section), may be allowed, providing:

- the lot has legal and physical access to the satisfaction of the Subdivision Authority an/or Development Authority;
- a suitable building site exists;
- the parcel area can accommodate a means of sewage disposal and supply of potable water acceptable to Yellowhead County;
- there is no substantial conflict with existing adjacent land uses; and
- the site will accommodate one of the permitted or discretionary uses;
- subdivision is subject to urban fringe provisions of this Bylaw;

(4) In no case shall approval be granted for developments or uses requiring a municipal fire protection system or which, in the opinion of the Development Authority, would require offsite fire protection requirements, unless the applicant/developer has agreed to install and provide all required fire protection systems

(5) In no case shall approval be granted for storage or handling of flammable or explosive materials in any development, unless the applicant/developer has provided details to the Development Authority of how all relevant *Alberta Safety Codes* will be addressed by the applicant/developer.

(6) All applications for development or subdivision in this district may be required to include details from an accredited Alberta Safety Codes official indicating how the development

will be able to address Alberta Safety Codes requirements. Any approvals granted may include conditions to require the submission of all required Alberta Safety Codes permits.

(7) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 97 CR - COUNTRY RESIDENTIAL DISTRICT

(1) General Purpose of District:

The general purpose of this district is to provide appropriate locations for larger lot, multi-lot country residential use and to regulate such development.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Buildings Accessory Structures Bed and Breakfast Home Occupation (Minor) Manufactured Home* Public Utility Secondary Suite-Internal Single Detached Dwelling	Agriculture-Intensive Boarding House Country Inn Day Care Facility Family Care Facility Group Care Facility Home Care Facility Home Occupation (Major) Institutional Use Kennel Manufactured Home – Additional Manufactured Home - Park Model Recreation (Extensive) Recreational Cabin Secondary Suite - External Single Detached Dwelling (Additional) Storage Container Signs Storage Building, Residential Telecom Tower Tourist Home Wind Energy System - Minor

(3) Regulation Table:

(a)	Minimum parcel area	1 ha (2.47 ac)
(b)	Minimum site width	46.0 m (151 ft)
(c)	Minimum density	6 lots per 64 ha (160 ac)
(d)	Minimum front setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
(e)	Minimum side setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
	(iv) To property line	6.0 m (19.68 ft.)

(f)	Minimum rear setback (i) From ROW of any Provincial highway (ii) From ROW of any municipal road allowance or secondary road (iii) From an internal subdivision road (iv) To property line	 40.0 m (131 ft.) 30.0 m (98 ft.) 10.7 m (35 ft.) 6.0 m (19.68 ft.)
(g)	Maximum Building Height (Principal Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater**
(h)	Maximum Building Height (Accessory Buildings and Structures)	4.88 m (16 ft)**

* - *Refer to Section 51 Manufactured Home Rules and Regulations,*

** - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 98 CR (SL) - COUNTRY RESIDENTIAL SMALL LOT DISTRICT

(1) General Purpose of District:

The general purpose of this district is to provide appropriate locations for smaller sized lot, multi-lot country residential uses and to regulate such development.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Buildings Accessory Structures Home Occupation (Minor) Manufactured Home* Public Utility Secondary Suite-Internal Single Detached Dwelling	Agriculture -Intensive Bed and Breakfast Boarding House Day Care Facility Family Care Facility Home Care Facility Home Occupation (Major) Institutional Use Recreational Cabin Secondary Suite -External Signs Storage Container Storage Building, Residential Telecom Tower Tourist Home Wind Energy System-Minor

(3) Regulation Table:

(a)	Maximum parcel area (without community water and sewer	1.0 ha (2.47 ac)
(b)	Minimum parcel area (without community water and sewer)	0.2 ha (0.5 ac)
(c)	Minimum site width	32 m (105 ft)
(d)	Minimum front setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
(e)	Minimum side setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
	(iv) To property line	6.0 m (19.68 ft.)
(f)	Minimum rear setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
	(iv) To property line	6.0 m (19.68 ft.)

(g)	Maximum number of dwelling units per parcel	as per SECTION 73
(h)	Maximum Building Height (Principal Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater**
(i)	Maximum Building Height (Accessory Buildings and Structures)	4.88 m (16 ft)**

* - *Refer to Section 51 Manufactured Home Rules and Regulations,*

** - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 99 CR (L) – COUNTRY RESIDENTIAL LIMITED DISTRICT

(1) General Purpose of District:

The general purpose of this district is to provide appropriate locations for small multi-lot residential subdivisions in areas of better agricultural land and to regulate such development.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Buildings Accessory Structures Bed and Breakfast Home Occupation (Minor) Manufactured Home* Public Utility Secondary Suite – Internal Single Detached Dwelling Tourist Home	Agriculture-Intensive Boarding House Country Inn Day Care Facility Family Care Facility Group Care Facility Home Care Facility Home Occupation (Major) Institutional Use Kennel Manufactured Home -Additional Recreational Cabin Storage Container Signs Single Detached Dwelling (Additional) Storage Building, Residential Secondary Suite - External Telecom Tower Wind Energy System - Minor

(3) Regulation Table:

(a) Minimum parcel area	1 ha (2.47 ac)
(b) Maximum parcel area	2 ha (4.94 ac), unless in the opinion of the Subdivision Authority a larger parcel size is required to follow natural or man-made boundaries, etc.
(c) Minimum site width	46.0 m (151 ft) or ad determined by the Subdivision Authority
(d) Maximum density	2 subdivided parcels per quarter section for a total of three parcels per quarter section
(e) Minimum front setback	
(i) From ROW of any Provincial highway	40.0 m (131 ft.)
(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
(iii) From an internal subdivision road	10.7 m (35 ft.)

(f)	Minimum side setback (i) From ROW of any Provincial highway (ii) From ROW of any municipal road allowance or secondary road (iii) From an internal subdivision road (iv) To property line	 40.0 m (131 ft.) 30.0 m (98 ft.) 10.7 m (35 ft.) 6.0 m (19.68 ft.)
(g)	Minimum rear setback (i) From ROW of any Provincial highway (ii) From ROW of any municipal road allowance or secondary road (iii) From an internal subdivision road (iv) To property line	 40.0 m (131 ft.) 30.0 m (98 ft.) 10.7 m (35 ft.) 6.0 m (19.68 ft.)
(h)	Maximum Building Height (Principal Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater**
(i)	Maximum Building Height (Accessory Buildings or Structures)	4.88 m (16 ft)**

* - Refer to Section 51 Manufactured Home Rules and Regulations.

** - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Conditions of Subdivision Approval

As a condition of subdivision approval in the CR (L) district, the Subdivision Authority may require, in addition to any other requirements, that the developer:

(a) construct or install measures to reduce potential impacts on neighbouring agricultural uses(e.g. fencing with page wire);

(b) register a restrictive covenant on the titles of the CR (L) parcels requiring the owners to maintain the fencing and other measures in perpetuity, to reduce potential impacts on neighbouring agricultural uses;

(c) register a restrictive covenant on the titles of the CR (L) parcels limiting number of domestic pets,

(d) any other measure which serves to reduce potential conflicts between residential and adjacent uses.

(5) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 100 CR (MI) – COUNTRY RESIDENTIAL MINOR INDUSTRIAL DISTRICT

(1) General Purpose of District:

The general purpose of this district is to provide appropriate locations for country residential subdivisions, which also include small scale industrial uses.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Buildings Accessory Structures Home Occupation (Minor) Home Occupation (Major) Manufactured Home* Public Utility Secondary Suite - Internal Single Detached Dwelling	Agriculture – Intensive Bed & Breakfast Home Business (Major) Home Business (Minor) Institutional Use Kennel Recreational Cabin Secondary Suite-External Signs Single Detached Dwelling - Additional Storage Building, Residential Storage Container Telecom Tower Wind Energy System-Minor

(3) Regulation Table:

(a)	Minimum parcel area	2 ha (4.94 ac)
(b)	Maximum parcel area	n/a
(c)	Minimum site width	46.0 m (151 ft.) or ad determined by the Subdivision Authority
(d)	Minimum front setback	
	(iv) From ROW of any Provincial highway	40.0 m (131 ft.)
	(v) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(vi) From an internal subdivision road	10.7 m (35 ft.)
(e)	Minimum side setback	
	(v) From ROW of any Provincial highway	40.0 m (131 ft.)
	(vi) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(vii) From an internal subdivision road	10.7 m (35 ft.)
	(viii) To property line	6.0 m (19.68 ft.)
(f)	Minimum rear setback	
	(v) From ROW of any Provincial highway	40.0 m (131 ft.)
	(vi) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(vii) From an internal subdivision road	10.7 m (35 ft.)
	(viii) To property line	6.0 m (19.68 ft.).

(g)	Maximum Building Height (Principal Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater**
(h)	Maximum Building Height (Accessory Buildings or Structures)	4.88 m (16 ft)**

* - Refer to Section 51 Manufactured Homes Rules and Regulations

** - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Additional Conditions of Subdivision and/or Development Approval

(a) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall compliment the natural features and character of the site to the satisfaction of the Development Officer.

(b) Accessory structures and additions shall be fabricated so as to compliment the main residence.

(c) In addition to other provisions of this bylaw, any approved use may be subject to screening from view by vegetation or other screening of a visually pleasing nature as required by the Development Officer, in accordance with Section 57.

(5) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 101 CR (R) – COUNTRY RESIDENTIAL RESTRICTED DISTRICT

(1) General Purpose of District:

The general purpose of this district is to provide locations for primarily residential uses being restricted to Single Detached Dwellings, and a limited amount of secondary uses.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Buildings Accessory Structures Public Utility Secondary Suite- Internal Single Detached Dwelling	Home Occupation (Minor) Institutional Use Recreational Cabin Secondary Suite – External Signs Storage Building-Residential Telecom Tower Wind Energy System – Minor

(3) Regulation Table:

(a)	Minimum parcel area	1 ha (2.47 ac)
(b)	Minimum site width	46.0 m (151 ft.)
(c)	Minimum density	6 lots per 64 ha (160 ac)
(d)	Maximum number of dwelling units per parcel	1
(e)	Minimum front setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
(f)	Minimum side setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
	(iv) To property line	6.0 m (19.68 ft.)
(g)	Minimum rear setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
	(iv) To property line	6.0 m (19.68 ft.)
(h)	Maximum number of dwelling units per parcel	one (1)

(i)	Maximum Building Height (Principal Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater*
(j)	Maximum Building Height (Accessory Buildings and Structures)	4.88 m (16 ft)*

* Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 102 CR (T) – COUNTRY RESIDENTIAL TOURISM DISTRICT

(1) General Purpose of District:

The general purpose of this district is to provide appropriate regulations for multi-lot county residential use, with commercial accommodation uses.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Buildings Accessory Structures Bed and Breakfast Home Occupation (Minor) Public Utility Secondary Suite-Internal Single Detached Dwelling Tourist Home	Country Inn Day Care Facility Family Care Facility Home Care Facility Recreation (Extensive) Recreational Cabin Secondary Suite - External Signs Single Detached Dwelling - Additional Storage Container

(3) Regulation Table:

(a)	Minimum parcel area	1 ha (2.47 ac)
(b)	Minimum site width	46.0 m (151 ft.)
(c)	Minimum density	6 lots per 64 ha (160 ac)
(d)	Minimum front setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
(e)	Minimum side setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
	(iv) To property line	6.0 m (19.68 ft.)
(f)	Minimum rear setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
	(iv) To property line	6.0 m (19.68 ft.)
(g)	Maximum Building Height (Principal Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater*
(h)	Maximum Building Height (Accessory Buildings or Structures)	4.88 m (16 ft)*

* - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Tourist Homes shall meet all conditions as outlined in this bylaw.

(5) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 103 CR (MPP) – COUNTRY RESIDENTIAL (MOUNTAIN PARK PROPERTIES)

(1) General Purpose of District:

The general purpose of this district is to provide appropriate locations for the multi-lot country residential use in the Mountain Park Properties subdivision in SE 24-49-27-W5, Condominium Plan #852-0527, and to regulate such development.

(4) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Public Utility Single Detached Dwelling	Home Occupation (Minor) Tourist Home

(5) Regulation Table:

(a)	Minimum site area	At the discretion of the Development Authority, who shall consider site dimensions sufficient to accommodate the proposed development, the prevalent lot sizes in the area of the proposed subdivision or development as well as minimum setback requirements and servicing needs.
(b)	Minimum front setback (i) From an internal subdivision road	4.5m (14.8 ft) to 7.6m (24.9ft)**
(c)	Minimum side setback (i) To property line	2.5m (8.2 ft)
(d)	Minimum rear setback (i) To property line	2.5 (8.2 ft) to 7.6m (24.9 ft)**
(e)	Maximum number of dwelling units per parcel	One Single Detached Dwelling
(f)	Maximum Building Height (Principal Building)	10m (32.8ft.) or two and one half storeys above grade, whichever is greater*
(g)	Maximum Building Height (Accessory Buildings and Structures)	4.88m (16 ft)*

* - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

** - Setbacks vary depending on lot location; buildings must be situated in accordance with Non-Buildable areas (Schedule D of Bylaws of the Condominium Corporation 852-0527, adopted on May 5, 1975 and amended from time to time.

(6) Other Regulations.

(a) Developers in this subdivision shall have due regard for the Bylaws of the Condominium Corporation 852-0527 with special attention to Sections pertaining to Building and Land Use, Building & Non-Building Area, Completion of Improvements, Services and Utilities and Renovations.

(b) All developers in this District must obtain a letter confirming compliance with the Condominium Bylaws from the Board of Condominium Corporation 852-0527 – to be submitted to the Development Authority at the same time as a Development Permit Application.

(c) All land use regulations apply as contained in Yellowhead County Land Use Bylaw.

SECTION 104 MHP – MANUFACTURED HOME PARK DISTRICT

(1) General Purpose of District:

The general purpose and intent of this district is to provide serviced sites specifically designed for manufactured housing in comprehensively designed communities wherein sites are provided on a lease or rental basis. A community may include facilities intended for the use and enjoyment of community residents.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Home Occupation (Minor) Manufactured Home Manufactured Home Park Park Public Utility	Community Facility Day Care Facility Manufactured Home - Park Model Recreation (Extensive) Recreational Vehicle (Accommodation) Retail Establishment Signs Surveillance Suite Telecom Tower Wind Energy System-Minor

(3) Regulation Table:

The setbacks indicated refer to the Principal Building. Setback requirements for Accessory Buildings are listed in Section 79

(a) Minimum site area (i) Single wide (ii) Double wide	 350 m² (3767 sq,ft,) 400 m² (4305 sq,ft,)
(b) Minimum site dimensions (i) Single section (ii) Multi-section	 12 m x 29 m (39.3 ft. x 95 ft.) 13.5 m x 27 m (44.3 ft. x 88 ft.)
(c) Maximum density	20 Manufactured Homes / ha (/2.47 ac)
(d) Minimum setback around entire perimeter of park (i) From ROW of any Provincial highway (ii) From ROW of any municipal road allowance or secondary road (iii) From an internal subdivision road	 40.0 m (131 ft.) 30.0 m (98 ft.) 7.6m (25 ft.)

	(iv) Side and rear property line	6.0 m (19.68 ft.)
(e)	Minimum front setback (from Manufactured Home to internal road)	3.0 m (9.84 ft.)
(f)	Minimum side setback (from Manufactured Home to edge of stall)	2.5m (8.2 ft)
(g)	Minimum rear setback (from Manufactured Home to edge of stall)	3.0 m (9.84 ft.)
(h)	Site coverage	50% of the site area, and all accessory buildings and structures combined shall not exceed 15%
(i)	Maximum Building Height (Principal or Main Building)	6.0 m (19.68 ft.) for homes and 10.0 m (32.8 ft.) for community centre and other common buildings
(j)	Maximum Building Height (Accessory Buildings or Structures)	4.88 m (16 ft)*

* - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Manufactured Homes shall meet Section 51 - Design, Character and Appearance of Manufactured Homes

(5) Where the Manufactured Home Park has received a Development Permit approval for the park, separate permits for each individual Manufactured Home are not required if they conform to the permit approval for the Manufactured Home Park.

(6) The owner/operator of a manufactured home park shall notify the County in writing of:

(a) the name and address of the owner of each manufactured home in the manufactured home park within fourteen (14) days of the date of occupancy; and

(b) any change of ownership or occupancy or any removal of a manufactured home from the park within fourteen (14) days of the change or removal.

(7) Manufactured home parks must provide for common storage areas for Recreational Vehicle(s) (Accommodation) and other equipment that will not be allowed to be stored outside on the manufactured home site.

(8) Piped and treated, communal water and sanitary sewer systems are mandatory for all manufactured home parks and are to be developed to the satisfaction of the County and Province of Alberta.

(9) All internal roads in a mobile home park shall conform to the following regulations:

(a) Road shall be privately owned and maintained and form part of the common area:

(b) Roads shall be designed to be compatible with the existing municipal street/road and public utility systems (Where available);

(c) All roads will have a minimum right-of-way 10.0m and a minimum carriage-way-width of 8.5m.

(d) Dead end roads shall be discouraged; however, where design alternatives are not available, a minimum of 16.8m radius right-of-way (12.0m carriage way) for cud-de-sacs, shall be provided.

(10) Utilities shall be underground and roads shall be hard-surfaced using a material satisfactory to the Development Authority but, at a minimum, packed gravel or shale, and roads shall also be well drained and maintained to the satisfaction of the Development Authority.

(11) For mobile home parks, two separate means of access shall be provided. In mobile home parks under one hundred units, this may be in the form of a boulevard road with a central dividing strip so that in the event of a blockage on one side, the other side is available for two-way emergency traffic.

(12) Recreational Vehicles(s) (Accommodation) may be allowed to be located on sites within the manufactured home park provided they comply with the regulations of this SECTION and a separate serviced area has been provided for and authorized by a development permit.

(13) An application for a permit for Manufactured Home Park in this district shall include the following information:

(a) Buffers and landscaping;

(b) Community facilities

(c) Minimum setback dimensions

(d) Open space

(e) Servicing of each site by piped water and sewer

(f) Storm sewers, ditches

(g) Fire fighting facilities

(h) Signs

(i) Site dimensions

(j) The type of dwelling unit on each site

(k) Waste disposal containers and locations; and

(l) Any other matters required by the Development Authority.

(14) A minimum of 5% of gross site area of a manufactured home park shall be devoted to outdoor recreation in a convenient and accessible location. The open space area must be developed at the tie park of construction and will be a condition or development permit approval.

(15) Other regulations.
All land use regulations apply as contained in the Bylaw.

SECTION 105 HERR – HINTON EAST RURAL RESIDENTIAL DISTRICT

(1) General Purpose of District:

The land use district applies to the area referred to as the "East River Road Rural Residential Area" in the Hinton East Boundary Joint Area Structure Plan and is generally intended to provide for land use, subdivision and development with respect to these lands in accordance with the provisions of the Hinton East Boundary Joint Area Structure Plan.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building* Accessory Structure Home Occupation (Minor) Public Utility Secondary Suite-Internal Single Detached Dwelling	Bed and Breakfast Family Care Facility Home Care facility Home Occupation (Major) Institutional Use Kennel Manufactured Home Storage Container Signs Telecom Tower Wind Energy System-Minor

(3) Regulation Table:

(a)	Minimum parcel area	2 ha (4.94 ac), or at the discretion of the Subdivision Authority having regarding to the provisions of the Hinton East Boundary Joint Area Structure Plan
(b)	Minimum site width	45.0 m (148 ft.), or at the discretion of the Subdivision Authority having regarding to the provisions of the Hinton East Boundary Joint Area Structure Plan
(c)	Maximum number of dwelling units per parcel	1
(d)	Maximum number of accessory buildings (commercial or industrial)*	1
(d)	Minimum front setback (i) From ROW of any municipal road allowance or secondary road (ii) From an internal subdivision road	 20.0 m (66 ft.) 10.0 m (32.8 ft.)
(e)	Minimum side setback (i) From ROW of any municipal road allowance or secondary road (ii) From an internal subdivision road (iii) To property line	 20.0 m (66 ft.) 10.0 m (32.8 ft.) 6.0 m (19.68 ft.)

(f)	Minimum rear setback (v) From ROW of any municipal road allowance or secondary road (vi) From an internal subdivision road (vii) To property line	 20.0 m (66 ft.) 10.0 m (32.8 ft.) 6.0 m (19.68 ft.)
(g)	Maximum site coverage for all buildings and structures	10% of the area of the lot
(h)	Maximum Building Height (Principal or Main Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater*
(i)	Maximum Building Height (Accessory Buildings or Structures) Refer to Section 79 of this Bylaw – except as indicated in Section 4 below	4.88 m (16 ft)**

* *- Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

Storage/Inside industrial

(4) *Only one accessory building for industrial or commercial purposes is allowed on each lot of this district. It entails the on-site storage, inside a single accessory building, of equipment owned by a resident of the site's single detached dwelling or manufactured home. The storage building for these purposes, which may be allowed in addition to a vehicle garage and other accessory buildings, shall be no larger than 300m² (+/-3,200 sq. ft.), 10.0m (32.8 ft) in height and be designed to match or complement the Single Detached Dwelling or Manufactured Home to the satisfaction of the Development Authority;

Subdivision Application Requirements:

(5) In addition to all other requirements of this bylaw, no application to subdivide any of the lands within this land use district for residential purposes will be accepted as complete unless a full geotechnical analysis is conducted. The geotechnical analysis being referred to here shall address but not be limited to addressing potable groundwater, near-surface water table, soil suitability for on site sewage disposal, and surface drainage.

Minimum Subdivision Standards

(6) The Subdivision Authority shall ensure the following in deciding upon an application to subdivide the lands within the land use district for residential purposes:

(a) sufficient potable groundwater, both in terms of quality and quantity, exists to support the proposed subdivision for a minimum twenty (20) year expectation without any adverse effect on the twenty (20) year future supply of potable groundwater for any existing or future residential subdivision or development provided for by this land use district dependant on the same supply of groundwater, in accordance with the *Water Act*;

(b) near-surface water table and soil tests demonstrate suitability for on site sewage disposal (pump-out tanks are unacceptable as a means of sanitary sewage collection);

(c) all hazard lands, as defined in this Bylaw, are identified and the hazard in question, if any, have been or can be satisfactorily eliminated or mitigated;

(d) a storm water management plan is prepared and approved by Alberta Environment and Sustainable Resource Development;

(e) the owner/developer is responsible for constructing or paying for the construction of all roads required to service the proposed subdivision to the standards and satisfaction of the County in accordance with County policy and

(f) proposed parcels are adequately separated from sour gas facilities.

(7) A 0.4 ha (1 ac.) site which is suitable for development must be proven within each proposed parcel.

Resubdivision of Parcels Created Pursuant to this Land Use District:

(8) All of the regulations of this SECTION shall apply in consideration of applications for resubdivision. In addition, consideration shall be given to impacts on existing adjacent lots and the adequacy of existing roads and other services to accommodate additional development;

(9) In addition to (5) above, the following criteria will be used to assess a subdivision application:

(a) the proposed parcel cannot be smaller than the smallest existing residential lot in the subdivision;

(b) access to the proposed parcel must be from the internal subdivision road; and

(c) the Subdivision Authority or Development Authority may require, as part of a subdivision or development permit application, that testing be conducted, the results of which bearing the seal and signature of an accredited professional, registered in the province of Alberta, to verify that sufficient quality and quantity of groundwater is available to service the additional parcels(s) and that soil conditions are suitable for on-site sewage disposal;

(10) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 106 HEUF – HINTON EAST URBAN FRINGE DISTRICT

(1) General Purpose of District:

The land use district applies to the area referred to as the "Hinton East Urban Fringe" in the Hinton East Boundary Joint Area Structure Plan, and amendments thereto. According to the Hinton East Boundary Joint Area Structure Plan, these lands are to be held in reserve in terms of subdivision and significant development until it is economical to provide municipal services to them.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building*	Agricultural (Extensive)
Accessory Structure	Bed and Breakfast
Public Utility	Family Care Facility
	Home Care Facility
	Home Day Care
	Home Occupation (Minor)
	Home Occupation (Major)
	Kennel
	Manufactured Home
	Oilfield Service and Supply
	Recreation (extensive)
	Secondary Suite - Internal
	Storage Container
	Signs
	Single Detached Dwelling
	Telecom Tower
	Wind Energy System - Minor

(3) Regulation Table:

(a)	Minimum parcel area	
	(i) Extensive agricultural use	64 ha (160 ac), or as determined by the Subdivision or Development Authority, with regard to applicable statutory plans
	(ii) Other	
(b)	Maximum number of dwelling units per parcel	1
(c)	Minimum front setback	
	(i) From Highway 16	40.0 (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
(d)	Minimum side and rear setback	
	(i) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(ii) From an internal subdivision road	6.0 m (19.68 ft.)

(h)	Maximum Building Height (Principal or Main Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater*
(i)	Maximum Building Height (Accessory Buildings or Structures)	4.88 m (16 ft)** except as indicated in Section 4 below

** - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Storage/Inside industrial

*Only one accessory building for industrial or commercial purposes is allowed on each lot of this district. It entails the on-site storage, inside a single accessory building, of equipment owned by a resident of the site's single detached dwelling or manufactured home. The storage building for these purposes, which may be allowed in addition to a vehicle garage and other accessory buildings, shall be no larger than 300m² (+/-3,200 sq. ft.), 10.0m (32.8 ft) in height and be designed to match or complement the Single Detached Dwelling or Manufactured Home to the satisfaction of the Development Authority;

(5) No subdivision is permitted in this district unless supported by the Town of Hinton and Alberta Transportation;

(6) Other Regulations: All land use regulations apply as contained in this Bylaw.

PART FOURTEEN C – HAMLET RESIDENTIAL DISTRICTS

SECTION 107 HR – HAMLET RESIDENTIAL DISTRICT

(1) General Purpose of District:

The general purpose of this district is to regulate residential development in designated hamlets.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Home Occupation (Minor) Manufactured Home* Public Utility Secondary Suite-Internal Single Detached Dwelling	Apartment Bed and Breakfast Day Care Facility Duplex Family Care Facility Home Care Facility Home Care Facility Home Day Care Home Occupation (Major) Institutional Use Manufactured Home* Secondary Suite-External Stacked Townhouse Townhouse

** - Refer to Section 51 Manufactured Home Rules and Regulations, Manufactured Home may be Permitted or Discretionary Uses.*

(3) Regulation Table:

The setbacks indicated refer to the Principal Building. Setback requirements for Accessory Buildings are listed in Section 79

(a) Site Dimensions	At the discretion of the Development Authority, who shall consider site dimensions sufficient to accommodate the proposed development, the prevalent lot sizes in the area of the proposed subdivision or development as well as minimum setback requirements and servicing needs.
(b) Site coverage	35% of the total site area
(c) Minimum front setback	7.6 m (25 ft.)
(d) Minimum side setback (i) Dwellings less than 2 Storeys (ii) Dwellings of two storeys or more (iii) On corner sites flanking street	 2.5m (8.2 feet) 2.5 m (8.2 ft.) 4.5 m (14.76 ft.)
(e) Minimum rear setback	6.0 m (19.68 ft.)

(f)	Maximum Building Height (Principal or Main Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater**
(g)	Maximum Building Height (Accessory Buildings or Structures)	4.88 m (16 ft)**

** - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Where a site has vehicular access from the front only, one side yard setback shall be a minimum of at least 3.0 m (9.8 ft.) to accommodate a driveway for vehicular passage and general access, to the rear of the property, except where an attached garage or carport is provided.

(5) Manufactured Homes shall meet Section 51 - Design, Character and Appearance of Manufactured Homes

(6) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 108 HR (B) – HAMLET RESIDENTIAL (BRULE) DISTRICT

(1) General Purpose of District:

The land use district applies to hamlet residential lots in Brule and is generally intended to provide for land use(s), subdivision(s) and development(s) with respect to these residential lots in accordance with the Hamlet of Brule Area Structure Plan.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building	Bed and Breakfast
Accessory Structure	Boarding House
Home Occupation (Minor)	Family Care Facility
Manufactured Home*	Home Care Facility
Public Utility	Home Day Care
Secondary Suite-Internal	Manufactured Home *
Single Detached Dwelling	Secondary Suite-External

* - Refer to Section 51 Manufactured Home Rules and Regulations, manufactured Homes may be Permitted or Discretionary Uses.

(3) Regulation Table:

The setbacks indicated refer to the Principal Building. Setback requirements for Accessory Buildings are listed in Section 78

(a)	Site Dimensions	At the discretion of the Development Authority, who shall consider site dimensions sufficient to accommodate the proposed development, the prevalent lot sizes in the area of the proposed subdivision or development as well as minimum setback requirements and servicing needs.
(b)	Site coverage	35% of the total site area
(c)	Maximum number of dwelling units per parcel	1
(d)	Minimum front setback	7.6 m (25 ft.)
(e)	Minimum side setback (i) Dwellings less than 2 Storeys (ii) Dwellings of two storeys or more (iii) On corner sites flanking street	 2.5m (8.2 feet) 2.5 m (8.2 ft.) 4.5 m (14.76 ft.)
(f)	Minimum rear setback	6.0 m (19.68 ft.)
(g)	Maximum Building Height (Principal or Main Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater**
(h)	Maximum Building Height (Accessory Buildings or Structures)	4.88 m (16 ft)**

* *- Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Notwithstanding the above, where a property has vehicular access from the front only, one sideyard setback must be a minimum of 3.0 m (9.8 ft.) to provide for unobstructed access to the rear of the property.

(5) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 109 HR (C) – HAMLET RESIDENTIAL (CADOMIN) DISTRICT

(1) General Purpose of District:

The general purpose of this district is to regulate residential development in the Hamlet of Cadomin.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Home Occupation (Minor) *Manufactured Home** Public Utility Secondary Suite - Internal Single Detached Dwelling	Bed and Breakfast Boarding House Duplex Family Care Facility Home Business (Minor) Home Care Facility Home Daycare Home Occupation (Major) Institutional Use *Manufactured Home* * Secondary Suite – External Townhouse

** - Refer to Section 51 Manufactured Home Rules and Regulations,*

(3) Regulation Table:

The setbacks indicated refer to the Principal Building. Setback requirements for Accessory Buildings are listed in Section 78

(a)	Site Dimensions	At the discretion of the Development Authority, who shall consider site dimensions sufficient to accommodate the proposed development, the prevalent lot sizes in the area of the proposed subdivision or development as well as minimum setback requirements and servicing needs.
(b)	Minimum lot size	697 m^2 (7,500 $ft.^2$)
(c)	Site coverage	35% of the total site area
(d)	Minimum front setback	7.6 m (25 ft.)
(e)	Minimum side setback (iv) Dwellings less than 2 Storeys (v) Dwellings of two storeys or more (vi) On corner sites flanking street	 2.5m (8.2 feet) 2.5 m (8.2 ft.) 4.5 m (14.76 ft.)
(f)	Minimum rear setback	6.0 m (19.68 ft.)
(g)	Maximum Building Height (Principal or Main Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater**
(h)	Maximum Building Height (Accessory Buildings or Structures)	4.88 m (16 ft)**

* *- Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Where a site has vehicular access from the front only, one side yard setback shall be a minimum of at least 3.0 m (9.8 ft.) to accommodate a driveway for vehicular passage and general access, to the rear of the property, except where an attached garage or carport is provided.

(5) Manufactured Homes shall meet Section 51 - Design, Character and Appearance of Manufactured Homes.

(6) The minimum width of a Manufactured Home shall be 4.9 m (16 ft.).

(7) The architecture, construction materials and appearance of buildings and other structures shall be to accepted standards and shall complement the natural features and character of the site and Cadomin's surroundings to the satisfaction of the Development Officer.

(8) All buildings shall be located, designed, and constructed in a manner to minimize the possibility of ignition from a wildfire and to minimize the spread of a structural fire to the surrounding wild land.

(9) All new development shall be required to utilize fire retardant roofing and exterior wall materials such as, but not limited to, tile, metal or asphalt shingles (for roofs) and stucco, stone veneer, cement fiber, wood clapboard, brick, engineered wood, aluminum and seamless steel (for exterior walls.) Wooden shakes and shingles shall be prohibited for use as roofing material on any new structure within the Hamlet.

(10) Other Regulations:

(a) All land use regulations apply as contained in this Bylaw.

SECTION 110 HR (E) – HAMLET ESTATE RESIDENTIAL DISTRICT

(1) General Purpose of District:

The general purpose of this district is to regulate residential development in designated hamlets.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Home Occupation (Minor) Public Utility Secondary Suite - Internal Single Detached Dwelling	Bed and Breakfast Family Care Facility Home Care Facility Home Day Care Home Occupation (Major) Institutional Use Manufactured Home * Secondary Suite - External .

** - Refer to Section 51 Manufactured Home Rules and Regulations.*

(3) Regulation Table:

The setbacks indicated refer to the Principal Building. Setback requirements for Accessory Buildings are listed in Section 78

(a)	Site Dimensions	At the discretion of the Development Authority, who shall consider site dimensions sufficient to accommodate the proposed development, the prevalent lot sizes in the area of the proposed subdivision or development as well as minimum setback requirements and servicing needs.
(b)	Site coverage	35% of the total site area
(c)	Maximum number of dwelling units per parcel	1
(d)	Minimum front setback	7.6 m (25 ft.)
(e)	Minimum side setback (i) Dwellings less than 2 Storeys (ii) Dwellings of two storeys or more (iii) On corner sites flanking street	 2.5m (8.2 feet) 2.5 m (8.2 ft.) 4.5 m (14.76 ft.)
(f)	Minimum rear setback	6.0 m (19.68 ft.)
(g)	Maximum Building Height (Principal or Main Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater**
(h)	Maximum Building Height (Accessory Buildings or Structures)	4.88 m (16 ft)**

** - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) For the purposes of determining the front yard setback for lots referred to in this district, the Development Authority shall consider that the setback for the flanking front yard should

be no less than 4.5 m (14.76 ft.), or 6.0 m (19.68 ft.) when the vehicle approach for the attached garage faces the flanking street.

(5) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 111 HR (R) – HAMLET RESIDENTIAL (ROBB) DISTRICT

(1) General Purpose of District:

This land use district applies to all residential lots in Robb (both those connected to the municipal sanitary sewer system and those relying on on-site sewage disposal) in which existing dwellings are not affected by the 1:100 year floodplain of the Embarras River as well as any future residential lots allowed pursuant to the Hamlet of Robb Area Structure Plan.

(2) Uses Table:

(a) The following uses are provided for on lots within this land use district that are connected or could readily be connected to the municipal sanitary sewer system in Robb:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Home Occupation (Minor) Manufactured Home* Public Utility Secondary Suite-Internal Single Detached Dwelling	Bed and Breakfast Boarding House Duplex Family Care Facility Home Care Facility Home Day Care Home Occupation (Major) Institutional Use Manufactured Home* Secondary Suite-External Stacked Townhouse Townhouse

** - Refer to Section 51 manufactured Home Rules and Regulations, Manufactured Homes may be Permitted or Discretionary Uses.*

(b) The following uses are provided for on lots within this land use district that are not connected or could not readily be connected to the municipal sanitary sewer system in Robb:

Permitted Uses	Discretionary Uses
Accessory Buildings Accessory Structures Public Utility Single Detached Dwelling	Bed and Breakfast Boarding House Home Day Care Home Occupation (Minor) Manufactured Home

(3) Regulation Table:

The setbacks indicated refer to the Principal Building. Setback requirements for Accessory Buildings are listed in Section 78

(a)	Site Dimensions	At the discretion of the Development Authority, who shall consider site dimensions sufficient to accommodate the proposed development, the prevalent lot sizes in the area of the proposed subdivision or development as well as minimum setback requirements and servicing needs.
(b)	Site coverage	35% of the total site area
(c)	Minimum front setback	7.6 m (25 ft.)
(d)	Minimum side setback (i) Dwellings less than 2 Storeys (ii) Dwellings of two storeys or more (iii) On corner sites flanking street	 2.5m (8.2 feet) 2.5 m (8.2 ft.) 4.5 m (14.76 ft.)
(e)	Minimum rear setback	6.0 m (19.68 ft.)
(f)	Maximum Building Height (Principal or Main Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater**
(g)	Maximum Building Height (Accessory Buildings or Structures)	4.88 m (16 ft)**

** - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Minimum Setback Regulations:

(a) For the purposes of determining the front yard setback for lots referred to in said section, the Development Authority shall consider that the setback for the flanking front yard should be no less than 4.5 m (14.76 ft.), or 6.0 m (19.68 ft.) when the vehicle approach for the attached garage faces the flanking street; and

(b) Where a property has vehicular access from the front only, one sideyard setback must be a minimum of 3.0 m (9.8 ft.) to provide for unobstructed access to the rear of the property.

(5) The Development Authority may require, as a condition of approval, that a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the building that is the subject of the development permit application, be submitted by the owner/developer upon completion of the building foundation, or siting in the case of mobile or portable units on permanent foundations, and prior to the commencement of framing or further structural construction to ensure that the building is sited according to the provisions of the development permit, the Hamlet of Robb Area Structure Plan, including, if applicable, the Hamlet of Robb Floodplain Study with respect to building elevation in relation to the computed water surface elevations for the 1:100 year flood, this land use district and this Bylaw.

(6) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 112 HR (T) – HAMLET RESIDENTIAL TOURISM DISTRICT

(1) General Purpose of District:

The general purpose of this district is to regulate residential development in hamlets, while allowing for minor recreation and commercial activities.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Bed and Breakfast Home Occupation (Minor) Public Utility Secondary Suite-Internal Single Detached Dwelling Tourist Home	Apartment Day Care Facility Duplex Family Care Facility Home Care Facility Home Day Care Home Occupation (Major) Institutional Use Manufactured Home Stacked Townhouse Townhouse .

(3) Regulation Table:

The setbacks indicated refer to the Principal Building. Setback requirements for Accessory Buildings are listed in Section 78

(a)	Site Dimensions	At the discretion of the Development Authority, who shall consider site dimensions sufficient to accommodate the proposed development, the prevalent lot sizes in the area of the proposed subdivision or development as well as minimum setback requirements and servicing needs.
(b)	Site coverage	35% of the total site area
(c)	Maximum number of dwelling units per parcel	1
(d)	Minimum front setback	7.6 m (25 ft.)
(e)	Minimum side setback (i) Dwellings less than 2 Storeys (ii) Dwellings of two storeys or more (iii) On corner sites flanking street	 2.5m (8.2 feet) 2.5 m (8.2 ft.) 4.5 m (14.76 ft.)
(f)	Minimum rear setback	6.0 m (19.68 ft.)
(g)	Maximum Building Height (Principal or Main Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater*
(h)	Maximum Building Height (Accessory Buildings or Structures)	4.88 m (16 ft)*

* - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Where a site has vehicular access from the front only, one side yard setback shall be a minimum of at least 3.0 m (9.8 ft.) to accommodate a driveway for vehicular passage and general access, to the rear of the property, except where an attached garage or carport is provided.

(5) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 113 HUR - HAMLET URBAN RESERVE DISTRICT

(1) General Purpose of the District:

The general purpose of this district is to reserve those areas within hamlets which are rural in character, but which are planned for future subdivision or development.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Public Utility	Accessory Building Accessory Structure Agriculture (Extensive) Recreation (Extensive) Secondary Suite-External Secondary Suite-Internal Storage Container Signs Telecom Tower **[18.14]**

(3) Regulation Table:

The setbacks indicated refer to the Principal Building. Setback requirements for Accessory Buildings are listed in Section 79

(a)	Minimum Site Dimensions	At the discretion of the Development Authority, who shall consider site dimensions sufficient to accommodate the proposed development, and minimum setback requirements and servicing needs.
(b)	Maximum Site coverage	At the discretion of the Development Authority.
(c)	Maximum number of dwelling units per parcel	1
(d)	Minimum front setback	
	(i) From ROW of any Provincial highway	40.0 (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an hamlet street	7.6 m (25 ft.)
(e)	Minimum side setback	
	(i) From ROW of any Provincial highway	40.0 (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From a hamlet street	7.6 m (25 ft.)
	(iv) To property line	6.0 m (19.68 ft.)
(f)	Minimum rear setback	
	(i) From ROW of any Provincial highway	40.0 (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	10.7 m (35 ft.)
	(iv) To property Line	6.0 m (19.68 ft.)

(g)	Maximum height of buildings	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater*

* - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Unless required for municipal purposes, no subdivision is permitted in this district.

(5) Other Regulations: All land use regulations apply as contained in this Bylaw.

PART FOURTEEN D – COMMERCIAL, RECREATION AND MIXED-USE DISTRICTS

SECTION 114 RU – RECREATIONAL USE DISTRICT

(1) General Purpose of District:

The general purpose of this district is to accommodate a full range of public and private recreational developments

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Agriculture (Extensive) Bed and Breakfast Campground Country Inn Family Care Facility Home Occupation (Major) Home Occupation (Minor) Manufactured Home Motel Public Utility Recreation (Extensive) Recreational Cabin Resort Recreation Facility Secondary Suite-Internal Single Detached Dwelling Staff Accommodation	Eating and Drinking Establishment Equestrian Facility Institutional Use Manufactured Home (Additional) Manufactured Home - Park Model Recreation (Intensive) Retail Establishment, Secondary Suite-External Storage Container Signs Single Detached Dwelling –Additional Spectator Entertainment Establishment Surveillance Suite Telecom Tower Vehicular Oriented Use Wind Energy System - Minor

(3) Regulation Table:

(a) Minimum parcel area	1 ha (2.47 ac), or as determined by the Subdivision or Development Authority taking into account the suitability of the lands for the intended purpose and the prevalent pattern of land use and parcel size in the area.
(b) Minimum front setback	
i. From ROW of any Provincial highway	40.0 m (131 ft.)
i. From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
i. From an internal subdivision road	10.7 m (35 ft.)
(c) Minimum side setback	
(i) From any road ROW	30.0 m (98 ft.)
(ii) Other	6.0 m (19.68 ft.)

(d)	Minimum rear setback (i) from any road ROW (ii) other	 30.0 m (98 ft.) 6.0 m (19.68 ft.)
(e)	Maximum Building Height (Principal or Main Building)	12.0 m (39 ft.) or two and one half storeys above grade, whichever is greater*
(f)	Maximum Building Height (Accessory Buildings or Structures)	10 m (32.5 ft)*

* - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Other Regulations: All land use regulations apply as contained in this Bylaw

SECTION 115 RR (MPP) – RESORT RECREATIONAL-MOUNTAIN PARK PROPERTIES

(1) General Purpose of District:

The general purpose of this district is to provide appropriate regulations for the commercial/recreational developments in the Mountain Park Properties subdivision, Condominium Plan 852-0527, in SE 24-49-27-W5 and to regulate such development.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Eating and Drinking Establishment Hotel Motel Public Utility	Accessory Building Accessory Structure Signs Staff Accommodation

(3) Regulation Table

(a)	Minimum parcel area	At the discretion of the Development Authority, who shall consider site dimensions sufficient to accommodate the proposed development, the prevalent lot sizes in the area of the proposed subdivision or development as well as minimum setback requirements and servicing needs
(b)	Minimum front setback (i) From an internal subdivision road	4.5m (14.8ft) to 7.6m (24.9 ft)**
(c)	Minimum side setback (i) To property line	1.5m (4.9 ft) to 4.5, (15.8 ft)**
(d)	Minimum rear setback (i) To property line	1.5m (4.9 ft) to 7.6m (24.9 ft)**
(e)	Maximum Building Height (Principal or Main Building)	May not exceed the height of the existing improvements in this District*
(f)	Maximum Building Height (Accessory Buildings or Structures)	May not exceed the height of the existing improvements in this District

*- If the existing buildings are destroyed, the maximum building height will be determined by a decision of the Board of the Condominium Corporation 852-0527.

** - Setbacks vary depending on lot location: buildings must be situated in accordance with Non-Buildable areas (Schedule D of Bylaws of the Condominium Corporation 852-0527), adopted May 5, 1985 and amended from time to time.

(4) Regulations

Developers in this subdivision shall have due regard for the Bylaws of the Condominium Corporation 852-0527 with special attention to Sections pertaining to Building and Land Use, Building & Non-Building Area, Completion of Improvements, Services and Utilities, and Renovations.

All developers in this District must obtain a letter confirming compliance with Condominium Bylaws from the Board of Condominium Corporation 852-0527 – to be submitted to the Development Authority at the same time as a Development Permit Application.

All land use regulations apply as contained in Yellowhead County Land Use Bylaw No. 16.13

SECTION 116 R (CR) – COUGAR ROCK RECREATIONAL DISTRICT

(1) General Purpose of District:

The general purpose of this district is to permit and control the development and use of land within the Cougar Rock Development Node, as identified within the Cougar Rock Area Structure Plan. The uses may range from fixed roof accommodations (including motel or hotel complex), convention centre (for meetings and education, entertainment or information), indoor and outdoor recreation, eating and drinking establishments, and associated uses to support the comprehensive development. The Cougar Rock area may be developed as lands leased by the Province of Alberta, or may be developed as privately titled lands.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Campground Eating and Drinking Establishment Institutional Use Public Utility Recreation (Extensive) Recreation (Intensive) Resort Recreation Facility Retail Establishment (which is clearly subordinate to the principal use, or clearly oriented to commercial recreation and tourism users) Signs	Recreational Cabin Storage Container Staff Accommodation Surveillance Suite Telecom Tower Wind Energy System - Minor

(3) Regulation Table:

For Developments or Subdivision proposed with on-site water and sewer disposal systems, the following shall apply:

(a)	Minimum Floor Area	Shall be determined by the adequacy of water supply for firefighting purposes as required by the Alberta Building Code and Council Policy
(b)	Minimum parcel area	
	(i) single unit residential, commercial or recreational	1 ha (2.47 ac)
	(ii) multi-unit residential, commercial or recreational	1 ha (2.47 ac) or at the discretion of the Subdivision or Development Authority, taking into account the capacity of the on-site servicing systems to adequate service the proposed use(s)
(c)	Minimum site width	46.0 m (151 ft.)

(d)	Minimum front setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	7.6 m (25 ft.)
(e)	Minimum side setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	7.6 m (25 ft.)
	(iv) To property line	6.0 m (19.68 ft.)
(f)	Minimum rear setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	7.6 m (25 ft.)
	(iv) To property line	6.0 m (19.68 ft.)
(g)	Maximum Building Height (Principal or Main Building)	
	(i) Single Detached Residential or recreational	10.0 m (32.8 ft.)*
	(ii) Multi-Unit Residential or Recreation (intensive)	21 m (69 ft.), or six storeys
(h)	Maximum Building Height (Accessory Buildings or Structures)	10.0 m (32.8 ft)*

* - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

For Developments or Subdivisions proposed with community water and sewer disposal systems (approved by Yellowhead County and Province of Alberta), the following shall apply:

(a)	Maximum Floor Area	Shall be determined by the adequacy of water supply for firefighting purposes as required by the Alberta Building Code and Council Policy
(b)	Minimum parcel area	
	(i) single unit residential, commercial or recreational	465m^2 (5,000 ft^2)
	(ii) multi-unit residential, commercial or recreational	At the discretion of the Subdivision or Development Authority, taking into account the capacity of the servicing systems to adequately service the proposed use(s)
(c)	Minimum site width	
	(i) single unit residential, commercial or recreational	15.0 m (49.2 ft.)
	(ii) multi-unit residential, commercial or recreational	46.0 m (151 ft.)
(d)	Minimum front setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road	7.6 m (25 ft.)

(e)	Minimum side setback (i) From ROW of any Provincial highway (ii) From ROW of any municipal road allowance or secondary road (iii) From an internal subdivision road (iv) To property line	 40.0 m (131 ft.) 30.0 m (98 ft.) 7.6 m (25 ft.) 6.0 m (19.68 ft.)
(f)	Minimum rear setback (i) From ROW of any Provincial highway (ii) From ROW of any municipal road allowance or secondary road (iii) From an internal subdivision road (iv) To property line	 40.0 m (131 ft.) 30.0 m (98 ft.) 7.6 m (25 ft.) 6.0 m (19.68 ft.)
(g)	Maximum Building Height (Principal Buildings) (i) Single Detached Residential or recreational (ii) Multi-Unit Residential or Recreation (Intensive)	 10.0 m (32.8 ft)* 21 m (69 ft), or six storeys
(h)	Maximum Building Height (Accessory Buildings and Structures)	10.0 m (32.8 ft.)*

* - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

General Conditions for all Uses:

(4) All development must adhere to the Cougar Rock Area Structure Plan Bylaw, as amended. The Cougar Rock Area Structure Plan allows for flexibility in land uses within the plan area based in the land use concept contained in the plan, but requires strict adherence to all guidelines for development and architectural control;

(5) All development must be designed in accordance with all Provincial legislation and municipal bylaws. This includes the design and provision of municipal services such as communal water and sewer systems, fire protection services, and the provision of adequate road rights-of-way for access roads in and through the various leasehold areas;

(6) The development, and cost, of any and all infrastructure (roads, access, water, sewer, power, gas, etc.) and the development of amenities in the Cougar Rock node is the responsibility of the developer; and

(7) Further to SECTION 19 of this bylaw, decisions on Development Permit applications may include conditions to address any or all of the following:

(a) adherence to the policies and, in particular, the design guidelines of the Cougar Rock Area Structure Plan;

(b) adherence to servicing plans proposed for each use and development; and

(c) the requirement for the provision of security in the form of an Irrevocable Letter of Credit or equivalent security in order to secure performance of any and all conditions of approval.

Application Requirements

(8) Notwithstanding any development permit application requirements in this Bylaw, the Development Authority may specify the following additional development permit application requirements in this land use district:

Site Plan/Architectural

(a) A detailed Site Plan, at a minimum scale of 1:500, showing the location of the proposed development relative to the boundaries of the Site shall be provided.

(b) The detailed site plan shall include:
  (i) a directional true north arrow with the north point located in the such a manner that the true north is in the upper position of the drawing;
  (ii) setbacks and yard dimensions;
  (iii) the location of all buildings and structures in relation to property lines (lease boundary lines); and
  (iv) dimensioned layout of existing and proposed parking areas, driveways, entrances and exits, abutting public roadways, median breaks and auxiliary lanes, including the number of parking and loading spaces required and provided.

(c) Existing and proposed grades of the site, at 0.5 m contour intervals;

(d) Identification of the scale of the development with respect to:
  (i) floor area, in square metres;
  (ii) site coverage, in square metres;
  (iii) height, in metres; and
  (iv) number of floors or storeys.

(e) Estimated value, in dollars, of the proposed work;

(f) Site plan of sidewalks, walkways, Separation Spaces and, where applicable, garbage storage and collection areas;

(g) Floor plans at a minimum scale of 1:100, indicating all uses and occupancies;

(h) Elevations and drawings indicating sections and the bulk of the buildings, at a minimum scale of 1:100;

(i) Description of the exterior building materials to be used;

(j) Written statement and other supportive material by the applicant that the proposal conforms to the design guidelines and the criteria of the Cougar Rock Area Structure Plan;

(k) To the level of detail determined by the Development Authority, applicants shall fully disclose the precise nature and extent of the proposed use or development, including intended hours of operation so that their applications can be thoroughly evaluated in accordance with this land use district and the Cougar Rock Area Structure Plan;

(l) All architectural requirements of this section shall be prepared and submitted by an architect, licensed to practice in the Province of Alberta;

(m) A landscape plan, prepared to the same scale as the site plan, to include any combination of, or all of, the following, to the satisfaction of the Development Authority;

(i) details of shrubs, trees and landscape materials (number, size, species, etc.) to be used in conjunction with any of the foregoing to effectively screen the site from the adjacent properties and roadways, and implement the goals, policies and objectives of the Cougar Rock Area Structure Plan;

(ii) details of the surfacing of the parking area and access (driveways) and landscaping within the parking areas; and

(iii) all landscape plan requirements of this SECTION shall be prepared and submitted by a landscape architect, licensed to practice in the Province of Alberta.

Servicing/Infrastructure

(n) A Traffic Impact Assessment indicating the effect of the proposed development on the existing and proposed roadway network in terms of additional traffic, and may suggest those roadway improvements necessary to accommodate the development. It shall be prepared by a professional engineer registered in the Province of Alberta, and shall contain the following information:

(i) trip generation of the development;

(ii) trip distribution of traffic bound to and from the development;

(iii) trip assignment of traffic bound to and from the development; and

(iv) detailed site plan(s) showing vehicular circulation, location and geometrics of access points and existing and proposed geometrics for adjacent roadway.

(o) To determine if the lands in question are suitable for the development in question, the Development Authority may require, before accepting an application as complete, any geotechnical assessment considered necessary to properly evaluate the application. The Development Authority will ensure that the assessment required is prepared and substantiated by qualified persons licensed to practice in the Province of Alberta. This may include, but is not limited to:

(i) Engineering Study of soil and slope stability conditions prepared by a professional engineer registered in the Province of Alberta certifying that the site conditions can safely accommodate the intended use and development of the lands;

(ii) Engineering Study of soil conditions prepared by a professional engineer registered in the Province of Alberta certifying that the site can accommodate long term, satisfactory, on-site sewage disposal and treatment in accordance with the standards and guidelines of Alberta Environment and Sustainable Resource Development.

(iii) Engineering Study of the Ground Water Supply prepared by a professional engineer registered in the Province of Alberta certifying the availability of sufficient ground water supply for both potable and fire fighting purposes.

(iv) A Storm Water Management and Overall Drainage Plan prepared by a professional engineer registered in the Province of Alberta, indicating the existing and post development drainage patterns of the development node and surrounding area, and any mitigative measures recommended by the engineer.

Fire

(p) All applications for development in this district shall include details of adequate water supply for fire fighting purposes as required by the Alberta Building Code, in accordance with Council Policy. Development and construction of any development or structure cannot begin until evidence is provided, to the satisfaction of the Yellowhead County, that the requirements have been met;

(q) Applicants may be required to submit a Fire Hazard Assessment and plan to address wildlife mitigation guidelines as contained in the Partners in Protection Program (1999) “FireSmart: Protecting Your Community from Wildfire”.

Access

(r) Proponents must provide details of access routes serving each development node. In the case of main access routes serving more than one leasehold area, all construction plans and details must be submitted to the satisfaction of the Development Authority, including a long-term strategy for maintenance and upkeep of the internal roadway system.

(s) Proponents must provide details of all trail development proposed in, through and nearby the development, in accordance with the policies of the Cougar Rock Area Structure Plan.

Phasing

(t) Proponents must provide a Phasing Plan, indicating the timing and sequence of development and uses proposed in each development node.

(9) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 117 HWY-C – HIGHWAY COMMERCIAL DISTRICT

(1) General Purpose of District:

The general purpose of this district is to accommodate the development of highway commercial land uses in locations best suited to serve the travelling public without adversely affecting the safety of highways or conflicting with other land uses.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Automotive & Minor Recreational Vehicle Sales Convenience Store Eating and Drinking Establishment Hotel Institutional Use Motel Public Utility Signs Travel Information Centre Vehicular Oriented Use	Arcade Bulk Fuel Storage and Distribution Campground Gas Bar Liquor store Oilfield Service and Supply Personal Service Shop Service Station Recreation – Intensive Recreational Vehicle Storage Retail Establishment Service Station Storage Commercial Storage Container Surveillance Suite Telecom Tower Wind Energy System-Minor Work Camp

(3) Regulation Table:

(a) Minimum Area	At the discretion of the Development/ Subdivision Authority who shall consider: (1) access and egress from the site; (2) traffic circulation within the site; (3) adequate surfacing and drainage of the site; (4) adequate parking and loading requirements; and (5) snow removal and cleaning accessibility.
(b) Minimum front setback	
(i) From ROW of any Provincial highway	40.0 m (131 ft.)
(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
(iii) From the front yard property line adjacent to an internal subdivision road or other County road	10.7 m (35 ft.)

(c)	Minimum side and rear setback (i) Adjacent to a ROW of any municipal road allowance or secondary road (ii) Other, including an internal subdivision road or other County road	 30.0 m (98 ft.) 6.0 m (19.68 ft.)
(d)	Maximum Building Height (Principal or Main Building)	10.0 m (23.8 ft.) or two and one half storeys above grade, whichever is greater*
(e)	Maximum Building Height (Accessory Buildings or Structures)	10.0 m (32.8 ft)*

* - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Where the developer adopts architectural control guidelines for a specific development, the following elements shall be contained in the document in order to ensure the aesthetic and functional quality of the buildings:

(a) compatibility of lot grading and drainage requirements within the lot;

(b) the placement of the building on the site to ensure proper utilization of the land and compatibility with surrounding buildings;

(c) styling and type of building to ensure compatibility with surrounding buildings; and

(d) compatibility of exterior finish and coordination of colour relationships.

(5) The Subdivision Authority may recommend that 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) In reviewing an application for a discretionary use, the Development Authority shall consider the design, siting, landscaping, and screening of the proposed development in order to minimize any objectionable aspects or incompatibilities such as traffic and patrons using the site, increased noise, dust, odours, or refuse and any other factors which would interfere with or affect the use and enjoyment of adjacent land uses.

(7) Where specific Architectural or Landscape Requirements have been adopted by Council, all development shall be in accordance with the specific requirements.

(8) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 118 HC – HAMLET COMMERCIAL DISTRICT

(1) General Purpose of District:

The general purpose of this district is to accommodate a wide variety of retain and service commercial uses which will service the needs of residents in and around the hamlet.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Automotive and Minor Recreational Vehicle Sales and Service Business Commercial Convenience Store Eating and Drinking Establishment Hotel Institutional Use Motel Office Personal Service Shop Public Utility Retail Establishment Signs Vehicular Oriented Use Veterinary Clinic	Apartment Arcade Auctioneering Establishment Auto Body and Paint Shop Bulk Fuel Storage and Distribution Dwelling Unit – Upper Gas Bar Liquor Store Recreation (Intensive) Recreational Vehicle Storage Retail Cannabis Store **[01.19]** Service Station Single Detached Dwelling Spectator Entertainment Establishment Storage Commercial Surveillance Suite Telecom Tower **[18.14]**

(3) Regulation Table:

(a)	Site Dimensions	At the discretion of the Subdivision/Development Authority
(b)	Site coverage	At the discretion of the Subdivision/Development Authority
(c)	Minimum setbacks	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.) if required
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From the front yard property line adjacent to an internal subdivision road or other County road within a hamlet;	0 0
	(iv) From a residential property	3 m (9.8 ft.)
(d)	Maximum Building Height (Principal or Main Building)	12.0 m (39.4 ft.) or three storeys above grade, whichever is greater *
(e)	Maximum Building Height (Accessory Buildings or structures	10.0 m (32.8 ft.)*

* - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) The Development Authority may require, at their discretion, that those side and rear yards abutting residential districts be screened by means of a fence or landscaping, or both.

Outside Storage and Display:

(5) There shall be no outside storage of goods, products, materials, or equipment permitted within the front yard setback of this district;

(6) Outside storage of goods, products, materials, or equipment shall be screened from public thoroughfares to the satisfaction of the Development Authority;

(7) When part of the site is to be used for the temporary outdoor display of goods or products for sale, lease or hire, such display shall be arranged and maintained in a neat and tidy manner, and shall not, in the opinion of the Development Authority:

(a) unduly interfere with the amenities of the district; or

(b) materially interfere with or affect the use, enjoyment or value of neighbouring properties.

(8) Where specific Architectural or Landscape Requirements have been adopted by Council, all development shall be in accordance with the specific requirements.

(9) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 119 HG – HAMLET GENERAL DISTRICT

(1) General Purpose of District:

The general purpose of this district is to accommodate a variety of residential and commercial uses in an area of a hamlet which is in or acts as a transition from commercial to residential uses.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building	Apartment
Accessory Structure	Arcade
Bed and Breakfast	Automotive and Minor Recreational Vehicle sales
Day Care Facility	Convenience Store
Duplex	Dwelling Unit, - Upper
Family Care Facility	Eating and Drinking Establishment
Home Occupation (Major)	Gas Bar
Home Occupation (Minor)	Hotel
Institutional Use	Kennel
Manufactured Home *	Liquor Store
Public Utility	*Manufactured Home**
Secondary Suite-Internal	Motel
Single Detached Dwelling	Personal Service Shop
Veterinary Clinic	Recreation (Intensive)
	Recreational Vehicle Storage
	Retail Cannabis Store **[01.19]**
	Retail Establishment
	Secondary Suite-External
	Service Station
	Signs
	Spectator Entertainment Establishment
	Stacked Townhouse
	Staff Accommodation
	Surveillance Suite
	Telecom Tower **[18.14]**
	Townhouse

**- Refer to Section 51 Manufactured Home Rules and Regulations, Manufactured Home may be Permitted or Discretionary Uses.*

(3) Regulation Table:

(a)	Site Dimensions	At the discretion of the Subdivision or Development Authority
(b)	Site coverage	At the discretion of the Subdivision or Development Authority

(c)	Minimum setbacks (i) From ROW of any Provincial highway (ii) From ROW of any municipal road allowance or secondary road (iii) From the front yard property line adjacent to an internal subdivision road or other County road within a hamlet; (iv) From a residential property	 40.0 m (131 ft.) if required 30.0 m (98 ft.) 0 0 3 m (9.8 ft.)
(d)	Maximum Building Height (Principal or Main Building)	12.0 m (39.4 ft.) or three storeys above grade, whichever is greater **
(e)	Maximum Building Height (Accessory Buildings or structures	10.0 m (32.8 ft.)**

** - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) The Development Authority may require, at their discretion, that those side and rear yards abutting residential districts be screened by means of a fence or landscaping, or both.

Outside Storage and Display:

(5) There shall be no outside storage of goods, products, materials, or equipment permitted within the front yard setback of this district;

(6) Outside storage of goods, products, materials, or equipment shall be screened from public thoroughfares to the satisfaction of the Development Authority;

(7) When part of the site is to be used for the temporary outdoor display of goods or products for sale, lease or hire, such display shall be arranged and maintained in a neat and tidy manner, and shall not, in the opinion of the Development Authority:

(a) unduly interfere with the amenities of the district; or

(b) materially interfere with or affect the use, enjoyment or value of neighbouring properties.

(8) Where specific Architectural or Landscape Requirements have been adopted by Council, all development shall be in accordance with the specific requirements.

(9) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 120 BCLI - Business Commercial/Light Industrial District

(1) General Purpose of District:

To provide for a mix of highway oriented business, commercial and light industrial uses located within the Highway 16 corridor area. The District is directed by the intent of the area pursuant to the Town of Edson and Yellowhead County Intermunicipal Development Plan and the Edson West and Branch Corner Area Structure Plans.

(2) Uses Table

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Automotive and Minor Recreational Vehicle Sales Business Commercial Campground Eating and Drinking Establishment Public Utility Service Station Signs Storage Commercial Travel Information Centre Veterinary Clinic	Agricultural Service Facility Auctioneering Establishment – no livestock Auto Body and Paint Cannabis Production, Processing, and Distribution **[01.19]** Gas Bar General Contractor Services Light Industrial Oilfield Service and Supply Recreational Vehicle Storage Retail Establishment Rural Industrial Park Storage Container Surveillance Suite Telecom Tower

(3) Regulation Table

The following regulations shall apply to every development in this district.

(a) Minimum Area	1.0 ha (2.47 ac) or At the discretion of the Development Authority who shall consider: (1) access and egress from the site; (2) traffic circulation within the site; (3) adequate surfacing and drainage of the site; (4) adequate parking and loading requirements; and (5) snow removal and clearing accessibility.
(a) Minimum Site Dimensions	At the discretion of the Development Authority
(b) Front Setback	40.0m from a Provincial highway 30.0m from any municipal road allowance 10.7m from an internal subdivision road or property line
(c) Side and Rear Setback	30.0m from a Provincial highway or any municipal road allowance 6.0m from an internal subdivision road or property line.
(d) Maximum Height	15.0 m (49 ft.)

(e)	Maximum Site Coverage	45%

(4) Additional Regulations

(a) No operation or activity associated with any use that would create a nuisance factor from noise, odor, earth-borne vibrations, heat, intense light sources or dust, outside an enclosed building shall be permitted in this District. All loading, service, garbage collection and storage areas (where permitted), shall be located to the rear and sides of the principal building and shall be screened from view from any public roadway other than a lane, and from adjacent sites by a wall, landscape materials, berms, fences, or a combination of these features, to the satisfaction of the Development Officer.

(b) The Development Officer may require that any exposed projections outside the building, such as mechanical and electrical equipment and cooling towers, be screened from view from any public roadway and adjacent sites if, in the opinion of the Development Officer, such projections are inconsistent with the character and appearance of surrounding development or intended visual qualities of this District.

(c) All buildings shall be constructed and finished with durable materials. The Development Officer may require that the appearance of metal, and/or concrete block be improved with finishing materials that maintain an appearance which is characteristic of surrounding development.

(d) The provisions of the Highway 16 Corridor Overlay shall be applied.

HWY 16 OD Highway 16 Corridor Overlay District Regulations

1. PURPOSE

To establish a positive visual impression of the Highway 16 corridor by:

(a) Providing greenery and seasonal colour to visually soften paved areas and buildings;
(b) Preserving existing trees wherever possible;
(c) Screening unsightly equipment or materials from the view of the highway, adjacent roadways or adjoining properties; and,
(d) Enhancing the quality and appearance of developed properties within the overlay district.

2. APPLICATION

2.1 The Overlay regulation applies to the development or redevelopment of all lots that are located adjacent to or are visible from Highway 16 at the discretion of the Development Authority.

2.2 The Overlay District regulations are to be applied as a condition of a Development Permit.

2.3 The Overlay District applies to the redevelopment of existing buildings and facilities as well as all new development.

2.4 Wherever possible, trees existing on the site shall be preserved and protected or replaced. Notwithstanding the status of existing vegetation, landscaping of the site shall be subject to the provisions of the Overlay District.

2.5 Where the provisions of the Overlay District conflict with other regulations of this bylaw, the more restrictive provisions shall take precedence.

3. GENERAL

3.1 All applications for development permits shall be accompanied by a landscaping plan completed by Landscape Architect or a person qualified to perform such work. No development permit shall be issued prior to the approval of the required landscaping plan.

3.2 The landscaping plan shall include the following:

(a) Boundaries and dimensions of the subject site;
(b) Location of all the buildings, parking areas, driveways and entrances;
(c) Location of all exterior lights on the site and their projected light patterns in relation to adjacent public roadways and developments;
(d) Location of existing plant materials to be retained;
(e) Location of new plant materials;
(f) Plant material list identifying the name, quantity and size of plant material;
(g) All other physical features, existing or proposed; including berms, walls, fences, outdoor furniture, lighting and decorative paving; and,
(h) A location plan showing the proposed development and landscaping relative to the landscaping and improvements on adjacent properties.

3.3 The owner of the property, or his/her successor or assignees, shall be responsible for landscaping and proper maintenance. As a condition of a development permit, an irrevocable letter of credit may be required, up to a value of the estimated cost of the proposed landscaping/planting to ensure that such landscaping/planting is carried out with reasonable diligence. The conditions of the security being that:

(a) If the landscaping is not completed in accordance with this Bylaw and the landscaping plan within one year after occupying the building or site, then the municipality shall use the security to complete the approved landscape development; and,
(b) If the landscaping does not survive a two (2) year maintenance period, the applicant must replace it with a similar type of species and with a similar calliper width or forfeit the portion of the amount fixed equal to the cost of replacing the affected landscaping materials.
(c) The letter of credit will be released when the landscaping and other improvements have been completed to the satisfaction of the Development Authority and the two-year maintenance period has expired.

4. PLANTING STANDARDS

4.1 All required yards on the site shall be landscaped in accordance with the approved landscaping plan.

4.2 To provide year round colour and interest, a tree mix of approximately 50% coniferous and 50% deciduous, shall be provided.

4.3 50% of required deciduous trees shall be at least 50mm (2.4 in.) calliper and 50% shall be a minimum of 75mm (3.0 in.) calliper above the root ball.

4.4 75% of coniferous trees shall be a minimum of 2.0m (6.6 ft.) in height and 25% shall be minimum of 3.5m (11.5 ft.) in height above the root ball.

4.5 Trees or shrubs shall be provided in accordance with this Section. The number is determined on the basis of the following:

(a) One (1) tree for every 40.0 m^2 (430.6 ft^2) and one (1) shrub for each 20 m^2 (215.3 ft^2) of any required yard or setback;

(b) One (1) tree for each 25.0 m^2 (269.1 ft^2) and one (1) shrub for each 10.0 m^2 (107.6 ft^2) of required parking area islands. In no case shall there be less than one tree per required parking area island.

4.6 Trees or shrubs should be clustered or arranged in planting beds within the site.

4.7 Trees and shrubs shall be evenly placed at regular intervals when used for screening of adjacent development.

4.8 As required by the Development Authority, all required yards and all open spaces on the site excluding parking areas, driveways, and outdoor storage and service areas shall be landscaped in accordance with the approved landscaping plan.

4.9 Planting beds shall consist of an odd number of trees to approximate a site mix of 50% coniferous and 50% deciduous with shrubs in a mulched medium such as shredded wood, rocks, or similar materials. Mulch shall not be used as a substitute for plant materials.

4.10 At a minimum, a planting bed shall be composed of a mix of three (3) coniferous trees, two (2) ornamental deciduous trees and shrubs.

4.11 As required by the Development Authority, the undeveloped portion of the site, excluding parking areas, driveways, outdoor storage and service areas must be graded, contoured and seeded.

4.12 On the advice of a Landscape Architect or Arborist, planting standards may be altered to suit unique site topography or soils or micro-climatic conditions.

4.13 Retained natural vegetation may be applied to satisfy landscape yard requirements. These plantings may be extended with plant material as specified in this section.

5. LANDSCAPE ISLANDS WITHIN PARKING AREAS

5.1 Landscape islands shall be required within at-grade parking areas with a capacity of twenty-five (25) or more vehicles. These islands shall be landscaped in accordance with Section 4 – Planting Standards.

5.2 Parking islands shall be placed to provide visual relief and to organize large areas of parking into smaller cells. The number of islands provided shall be to the satisfaction of the Development Authority.

6. ADDITIONAL AESTHETIC REGULATIONS

6.1 The Development Authority may require the application of additional aesthetic regulations, if in the opinion of the Development Authority:

(a) There is a likelihood that the proposed development will generate undesirable impacts on surrounding sites, such as poor appearance, excessive noise, light, odours, traffic, litter, or dust;

(b) There is a likelihood that undesirable impacts may be generated on the site, and cause conflicts with other businesses within the development;

6.2 The additional aesthetic regulations that may be required at the discretion of the Development Authority may include, but are not limited to, the following:

(a) Additional separation space between incompatible use classes;

(b) The use of trees, shrubs, opaque fences, walls, and berms to buffer or screen uses of negative impact;

(c) The use of trees, shrubs, planting beds, street furniture and surface treatments to enhance the appearance of a proposed development.

7. SIGNS

7.1 Signs shall identify on site developments or facilities only. Signs advertising off-premises developments or facilities (billboards) are not permitted within the overlay district.

7.2 Where more than one business occupies a building, additional signage shall be located in accordance with a comprehensive signage package prepared for the building, and submitted as part of the required landscape plan.

7.3 One freestanding identification sign per lot shall be allowed. The sign shall not exceed 9.13 metres (30.0 ft.) in height with no dimension exceeding 4.5 metres (14.76 ft.)

7.4 Illuminated freestanding signs shall not exceed 7.62 m (25.0 ft.) in height.

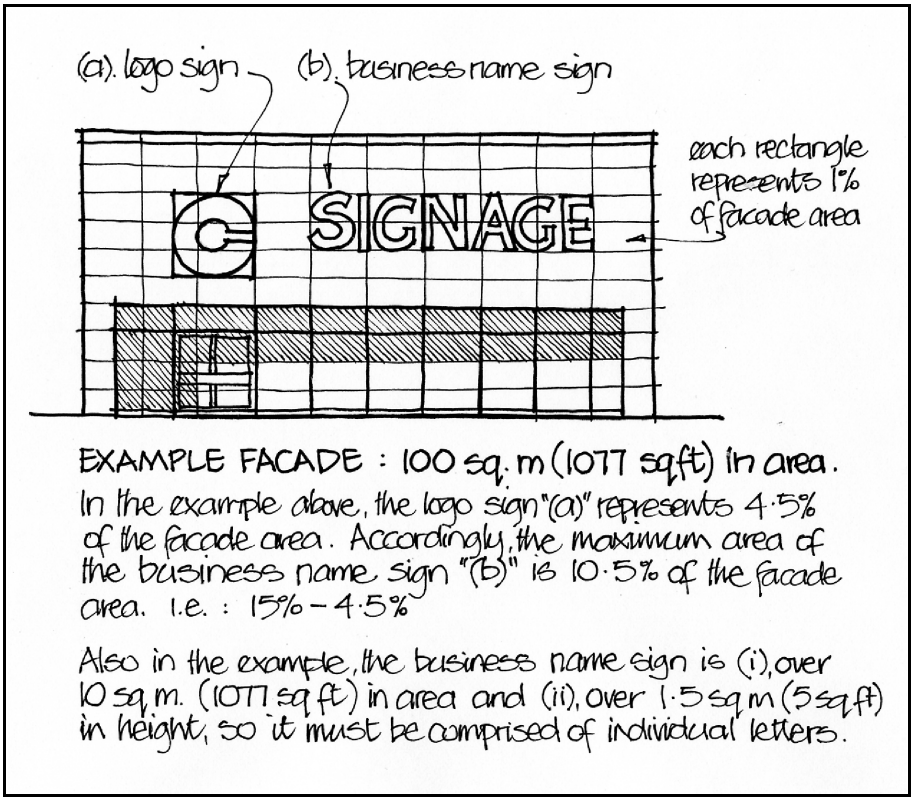
7.5 Moving or animated signs and electronic message boards that may distract adjacent highway users are not permitted within the overlay district.

7.6 Where buildings abut the highway corridor, signs facing and visible from that corridor may be considered by the Development Authority if they comply with the following principles:

(a) One illuminated logo sign per visible façade. The maximum dimension of such sign shall not exceed 3.0m (9.8 ft.) in vertical and horizontal direction, parallel to the façade of the building, nor exceed a depth of 0.305m (1.0 ft.)

(b) One illuminated business name sign per visible façade shall not exceed 15% of the area of the façade of the building or business premises, whichever governs and shall in no case exceed 40.0 m2 (430.6 ft2) (less the area of any logo sign: see a above).

(c) To discourage the use of building facades as billboards a business sign exceeding an area of 10.0 m2 (107.7 ft2) and 1.5m (5.0 ft.) in height, shall be limited to individual letters or shapes.



8. LIGHTING

8.1 Outdoor lighting provided for security, display or attraction purposes for any development shall be arranged so that no direct rays of light are directed at any adjoining site or interfere with the effectiveness of adjacent traffic, and shall comply with the following provisions:

(a) No light structure shall exceed a height of 7.62m (25.0 ft.);

(b) No light shall be attached to a structure above a height of 7.62m (25.0 ft.) along that structure;

(c) The developer shall provide a plan indicating the location of all exterior lights, including the projected light patterns in relation to adjacent public roadways and developments; and,

(d) No flashing or strobe, or revolving lights, which may impact the safety of motorists using adjacent public roadways, shall be installed on any structure or site.

PART FOURTEEN E - INDUSTRIAL DISTRICTS

SECTION 121 RI - RURAL INDUSTRIAL DISTRICT

(1) General Purpose of District:

The general purpose of this district is to permit and control the development of those industries which require large tracts of land and which may not be appropriate for development within an urban municipality. This district may apply to both isolated industrial developments or to industrial subdivisions.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Public Utility Signs	Agriculture Service Facility Auto Body and Paint Shop Auctioneering Establishment Bulk Fuel Storage and Distribution Cannabis Production, Processing, and Distribution **[01.19]** General Contractor Services General Industrial Institutional Use General Industrial Oilfield Service and Supply Recreational Vehicle Storage Rural Industrial Park Salvage Establishment Storage Commercial Storage Container Storage, Outdoor Industrial Storage, Outdoor Industrial - Dangerous Goods Surveillance Suite General Contractor Services Natural Resource Extraction Natural Resource Processing Telecom Tower Wind Energy System - Minor Wind Energy System - Major

(3) Regulation Table:

(a) Minimum site area	1.0 ha (2.47 acres) or the minimum size required to accommodate the intended use, all on site servicing and any facilities required to address requirements of the Alberta Building Code or Alberta Fire Code. For parcels existing prior to 2001, the existing parcel size is deemed to conform to this bylaw

(b)	Minimum site width	50.0 m (164 ft.), or at the Discretion or the Development or Subdivision Authority
(c)	Minimum front setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From the front yard property line adjacent to an internal subdivision road	6 m (19.68 ft.)
(d)	Minimum side and rear setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From an internal subdivision road or property line	6.0 m (19.68 ft.)
(e)	Maximum principal building height	At the discretion of the Development Authority

(4) In no case shall approval be granted for developments or uses requiring a municipal fire protection system or which, in the opinion of the Development Authority, would require offsite fire protection requirements, unless the applicant/developer has agreed to install and provide all required fire protection systems

(5) In no case shall approval be granted for storage or handling of flammable or explosive materials in any development, unless the applicant/developer has provided details to the Development Authority of how all relevant *Alberta Safety Codes* will be addressed by the applicant/developer.

(6) All applications for development or subdivision in this district shall include details from an accredited Alberta Safety Codes official indicating how the development will be able to address Alberta Safety Codes requirements. Any approvals granted may include conditions to require the submission of all required Alberta Safety Codes permits.

(7) As a condition of a development permit, the Development Authority may require an automatically renewable Letter of Credit or cash in an amount sufficient in order to secure performance of any condition of development.

Rural Industrial Subdivision

(8) Prior to the consideration of an industrial development or subdivision, the County may require that an Area Structure Plan be prepared. The plan will consider the following:

(a) the phasing of development;
(b) the size and number of parcels proposed;
(c) the installation and construction of roads, services, and utilities;
(d) the types of industries to be contained on the site;
(e) potential impacts on adjacent land uses, and proposed measures to reduce those impacts;
(f) the environmental suitability of the site with particular consideration to the soils, slopes, drainage and availability of services, proximity to wildlife management areas and hazard land; and
(g) any other matters which the County considers necessary.

(9) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 122 HI - HAMLET INDUSTRIAL

(1) General Purpose of District:

The general purpose of this district is to allow for a wide variety of industrial uses in hamlets, where services may be available, away from residential and commercial uses, and will contribute to the economic growth, development and viability of the hamlet.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Auctioneering Establishment Automotive and Minor Recreation Vehicle Sales General Contractor Services Public Utility	Agricultural Processing Agriculture Servicing Facility Auto Body and Paint Shop Bulk Fuel Storage and Distribution Cannabis Production, Processing, and Distribution **[01.19]** General Industrial Kennel Oilfield Service and Supply Salvage Establishment Service Station Storage Commercial Storage Container Signs Surveillance Suite Telecom Tower **[18.14]** Wind Energy System - Minor

(3) Regulation Table:

(a) Minimum Site Dimensions	At the discretion of the Subdivision or Development Authority
(b) Maximum Site coverage	At the discretion of the Subdivision or Development Authority
(c) Minimum front setback	
(i) From ROW of any Provincial highway	40.0 m (131 ft.)
(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
(iii) From the front yard property line adjacent to an internal subdivision road	6 m (19.68 ft.)
(d) Minimum side and rear setback	
(i) From ROW of any Provincial highway	40.0 m (131 ft.)
(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
(iii) From an internal subdivision road or property line	6.0 m (19.68 ft.)
(e) Maximum height of buildings	15.0 m (49 ft.)

(4) Where specific Architectural or Landscape Requirements have been adopted by Council, all development shall be in accordance with the specific requirements.

(5) The Development Authority may require, at its discretion, that those side and rear yards abutting residential districts be screened by means of a fence or landscaping.

(6) In no case shall approval be granted for developments or uses requiring a municipal fire protection system or which, in the opinion of the Development Authority, would require offsite fire protection requirements, unless the applicant/developer has agreed to install and provide all required fire protection systems

(7) All applications for development or subdivision in this district shall include details of adequate water supply for firefighting purposes as required by the Alberta Building Code Regulation and any amendments thereto. Development and construction of any development of structure cannot begin until evidence is provided, to the satisfaction of Yellowhead County, that the requirements of the Alberta Building Code Regulation and any amendments thereto have been met with respect to provision of an adequate water supply for firefighting purposes.

(8) General Industrial and Light Industrial Uses may be approved if they do not generate noise, glare, dust, odour or vibration impacts beyond the boundary of the parcel.

(9) There shall be no outside storage of goods, products, materials, or equipment permitted within the front yard setback of this district;

(10) Outside storage of goods, products, materials, or equipment shall be screened from public thoroughfares to the satisfaction of the Development Authority;

(11) When part of the site is to be used for the temporary outdoor display of goods or products for sale, lease or hire, such display shall be arranged and maintained in a neat and tidy manner, and shall not, in the opinion of the Development Authority:
   (a) Unduly interfere with the amenities of the district; or
   (b) Materially interfere with or affect the use, enjoyment or value of neighbouring properties.

(12) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 123 LI - LIGHT INDUSTRIAL DISTRICT

(1) General Purpose of District:

The general purpose of this district is to provide an area for light industrial uses which are compatible with the area and do not cause external, objectionable or dangerous conditions beyond the boundary of the parcel.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Light Industrial Oilfield Service and Supply Public Utility Signs	Agriculture Service Facility Auctioneering Establishment Cannabis Production, Processing, and Distribution **[01.19]** General Contractor Services General Industrial Manufactured Home Recreational Vehicle Storage Storage Container Single Detached Dwelling Storage Commercial Surveillance Suite TelecomTower Wind Energy System - Minor

(3) Regulation Table:

(a) Minimum Site Area	1.0 ha (2.47 acre) or the minimum size required to accommodate the intended use, all on site servicing and any facilities required to address requirements of the Alberta Building Code or Alberta Fire Code
(b) Minimum site width	At the discretion of the Subdivision or Development Authority
(c) Minimum front setback	
(i) From ROW of any Provincial highway	40.0 m (131 ft.)
(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
(iii) From the front yard property line adjacent to an internal subdivision road	6 m (19.68 ft.)

(d)	Minimum side and rear setback (iv) From ROW of any Provincial highway (v) From ROW of any municipal road allowance or secondary road (vi) From an internal subdivision road or property line	30.0 m (131 ft.) 30.0 m (98 ft.) 6.0 m (19.68 ft.)
(e)	Maximum principal building height	At the discretion of the Development Authority
(f)	Maximum building size	600 sq. m / 6,458 square feet
(g)	Landscaping/Screening	Please refer to Section 57
(h)	Access, Parking & loading	Please refer to Section 56
(i)	Signage	Please refer to Section 59

(4) In no case shall approval be granted for developments or uses requiring a municipal fire protection system or which, in the opinion of the Development Authority, would require offsite fire protection requirements, unless the applicant/developer has agreed to install and provide all required fire protection systems

(5) In no case shall approval be granted for storage or handling of flammable or explosive materials in any development, unless the applicant/developer has provided details to the Development Authority of how all relevant *Alberta Safety Codes* will be addressed by the applicant/developer.

(6) All applications for development or subdivision in this district may be required to include details from an accredited Alberta Safety Codes official indicating how the development will be able to address Alberta Safety Codes requirements. Any approvals granted may include conditions to require the submission of all required Alberta Safety Codes permits.

(7) Developments should not exceed 10 employees and 5 commercial vehicles using the site.

(2) The business is contained within an enclosed building and outdoor storage is restricted to 40% of the total parcel size.

(9) As a condition of a development permit, the Development Authority may require an automatically renewable Letter of Credit or other such instrument in an amount to sufficient to secure performance of any condition of development.

(10) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 123.A LC – LANDFILL AND COMPOSTING DISTRICT [04.18]

(1) General Purpose of District:

The general purpose of this district is to regulate landfill and composting development within Yellowhead County which is encouraged to be located on Crown land, away from residential settlements. The interpretation of definitions and uses in this district shall be consistent with their use in the Alberta Environmental Protection and Enhancement Act, and the applicable regulations under that Act.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Agriculture (Extensive) Buildings and uses accessory to permitted uses (excluding dwellings) Compost Facility – Class I Compost Facility – Class II Landfill – Class II Landfill – Class III Public Utility Renewable and Alternate Energy Facility Storage Site	General Industrial Oilfield Waste Related Facilities

(3) Regulation Table:

(a) Site Dimensions	4.0 ha (9.88 acres) or the minimum size required to accommodate the intended use, all on site servicing and any facilities required to address requirements of the Alberta Building code or Alberta Fire Code.
(b) Minimum front setback	60.0 m (196.85 ft)
(c) Minimum side setback	60.0 m (196.85 ft)
(d) Minimum rear setback	60.0 m (196.85 ft)

REGULATIONS FOR COMPOST FACILITIES AND LANDFILLS

(4) All Relevant Provincial authorizations shall be in place prior to commencement of operation.

(5) Hours of public access and hours of operation for heavy machinery may be restricted to 7:00 am and 11:00 pm. Extended hours may be considered based upon consideration of site characteristics, results of noise modeling analysis, feedback from landowners and on-site noise suppression applications.

(6) Litter catchment fences at a minimum height of 3.6m shall be installed to the satisfaction of the Development Authority. These fences shall be placed immediately downwind (from the generally prevailing winds) of any working face to capture litter.

(7) Perimeter fencing at a minimum height of 1.8m, consisting of a continuous chain-link fence or similar material with appropriate gate or gates, to the satisfaction of the Development Authority.

(8) Any gates shall be closed and locked when facilities are not opened to the public for security and public safety purposes.

(9) In addition to perimeter fencing, buffer/screening that is a minimum of 30.0 meter (98 ft) of tree vegetation may be required, to the satisfaction of the Development Authority. The buffer may also be required to consist of a soil berm that consists of tree shelterbelt either natural or constructed.

(10) The applicant shall adopt a program satisfactory to the Development Authority to retrieve litter that accumulates on site or any litter that escapes from the site.

(11) The site shall be manned when open to the public.

(12) The applicant shall submit a reclamation and closure plan on terms acceptable to the Development Authority and the relevant Provincial Department(s).

(13) The developer shall enter into a development agreement with the County which, in addition to the matters indicated in Section 655(1)(b) of the Act, shall deal with:

(a) routing of any traffic that accesses the development,

(b) road maintenance, including dust control,

(c) directional signage, and

(d) security for the above, and for compliance with the conditions of the development agreement.

ADDITIONAL REGULATIONS FOR LANDFILLS

(14) In addition, the developer shall ensure that waste deposited in the working area is promptly compacted and covered to minimize odour and to minimize wind blowing litter.

(15) The Development Authority may implement recommendations contained in any Environmental Site Assessment to minimize the impact or risk from the proposed development, and

(16) The Development Authority may request security to ensure that financial viability of the reclamation and closure plan.

REDISTRICTING INFORMATION

(17) In addition to the other requirements of this Bylaw, prior to Council approving an amendment to this Bylaw changing land within the County to LC – Land Fill and Composting District, the applicant may be required to submit an Environmental Site Assessment and a Hydrogeological report relating to the proposed use and the environmental conditions of the site.

PART FOURTEEN F – INSTITUTIONAL OR OPEN SPACE DISTRICTS

SECTION 124 EP – ENVIRONMENTAL PRESERVATION DISTRICT

(1) General Purpose of the District:

The purpose of this district is to provide for the preservation of natural open space and the protection of environmentally sensitive lands from incompatible development.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Public Utility	Accessory Building Accessory Structure Recreation (Extensive) Signs

(3) Regulation Table:

(a)	Minimum Site Dimensions, Site Coverage, Setbacks, and Building Requirements	At the discretion of the Development Authority, who shall consider the impact of proposed development on the environmental sensitivity of the site and surrounding area

(4) General Provisions:

(a) Clearing, tree cutting, trail construction, irrigation, or similar activity require prior permission be obtained from the Development Authority.

(b) Any development permit applications or request for clearing, tree cutting, trail construction, irrigation, or similar activity which requires the restoration and rehabilitation of a site upon completion of such activity shall be accompanied by detailed landscaping plan prepared to the satisfaction of the Development Authority.

(c) No permanent structures will be allowed within this land use district, unless the lands are deemed suitable for development through mitigation or further study, in accordance with PART 9 of this Bylaw.

(5) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 125 HRD - HAMLET RESTRICTED DEVELOPMENT DISTRICT

(1) General Purpose of the District:

The general purpose of this district is to clearly identify lands considered to be inappropriate or unsafe for permanent development to ensure that public health and safety is guarded and all development is directed away from the hazardous land. In addition, this district may be used to protect environmentally sensitive areas.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Public Utility	Accessory Building Accessory Structure Recreation (Extensive) Signs Single Detached Dwelling

(3) Regulation Table:

(a)	Minimum Site Dimensions	At the discretion of the Subdivision/Development Authority, who shall consider site dimensions sufficient to accommodate the proposed development and the minimum setback requirements and servicing needs.
(b)	Maximum Site coverage	At the discretion of the Development Authority.
(c)	Maximum number of dwelling units per parcel	1
(d)	Minimum setbacks	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.) if required
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From the front yard property line adjacent to an internal subdivision road or other County road within a hamlet	7.6 m (25 ft.)
	(iv) Corner sites on side flanking street	4.5 m (14.76 ft.)
	(v) From a residential property	1.5 m (4.92 ft.)
(e)	Maximum height of buildings	10.0 m (32.8 ft.) or two and one-half storeys above grade, whichever is greater

(4) Where a site has vehicular access from the front only, one side yard setback shall be a minimum of at least 3.0 m (9.8 ft.) to accommodate a driveway for vehicular passage and general access, to the rear of the property, except where an attached garage or carport is provided. Where an attached garage or carport is provided, then the setback regulations for a principal building apply.

(5) There shall not be a minimum site area or site specifications (including parcel width or depth). Rather, the appropriate site requirements shall be determined by the Subdivision/Development Authority and any studies conducted on the site to determine lands which may be hazardous.

(6) No permanent structures will be allowed within this land use district, unless the lands are deemed suitable for development through mitigation or further study, in accordance with PART 9 of this Bylaw.

(7) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 126 PI – PUBLIC INSTITUTIONAL DISTRICT

(1) General Purpose of the District:

The general purpose of this district is to establish an area for the development of publicly or privately owned institutional or community services and recreational pursuits.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building	Cemetery
Accessory Structure	Recreation (Extensive)
Community Facility	Recreation (Intensive)
Institutional Use	Storage Container
Public Utility	Signs
Travel Information Centre	Telecom Tower
	Wind Energy System - Minor
	Wind Energy System - Major

(3) All site and development regulations shall be at the discretion of the Subdivision Authority and the Development Authority.

(4) In reviewing an application for a permitted or discretionary use the Development Authority shall consider the design, siting, landscaping, and screening of the proposed development in order to minimize any objectionable aspects or incompatibilities such as traffic and patrons using the size, increased noise, dust, odours, or refuse and any other factors which would interfere with or affect the use and enjoyment of adjacent land uses and land use districts

(5) Other Regulations: All land use regulations apply as contained in this Bylaw.

PART FOURTEEN G - DIRECT CONTROL DISTRICTS

SECTION 127 DC - DIRECT CONTROL DISTRICT

(1) General Purpose of the District:

The general purpose of this district is to provide for detailed, sensitive control of the use, development, siting and design of land as required and/ or allowed by an adopted Area Structure Plan or Area Redevelopment Plan.

(2) Uses:

A Development Permit must be issued for those uses prescribed for the land, in an approved Area Structure Plan or Area Redevelopment Plan.

General Provisions

(3) Council shall, unless specifically determined otherwise, act as Development Authority on Development Permit applications in the DC (Direct Development Control) District and such applications are not subject to appeal to the Subdivision and Development Appeal Board.

(4) In evaluating a proposed land use, subdivision or development in a Direct Control District, Council or the Development Authority:

(a) shall have regard for, but not be limited to:
  (i) the existing use of the lands;
  (ii) the general and special regulations as contained elsewhere in this Bylaw; and
  (iii) the land use regulations of adjoining land use districts; and

(b) shall comply with the *Act*, Subdivision and Development Regulation, Yellowhead County Municipal Development Plan and any statutory plan or conceptual scheme in effect specifically for the purpose of directing the implementation and administration of this land use district;

(5) All parcel regulations shall be as determined by Council, who, in determining such regulations, shall consider all information it obtains pursuant to the provisions of this SECTION and comply with any applicable provisions of any statutory plan in effect.

(6) No activity may be undertaken that would, in the opinion of Council, unduly interfere with the amenities or materially interfere with or affect the use, enjoyment or value of neighbouring properties by reason of excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or containment of hazardous materials.

(7) The design, external finish, architectural appearance, siting, landscaping, screening and buffering of any building or structure shall be to the satisfaction of Council so that there shall be general conformity in such matters with respect to adjacent buildings, adequate protection afforded to the amenities of the adjacent residential properties and any objectionable aspects or potential incompatibility with other uses and developments in adjacent land use districts is or can be minimized.

Application Requirements

(8) Notwithstanding that Council may decide(s) on all permits in the DC District, the application shall be received and processed by the Development Authority.

(9) Notwithstanding any development permit application requirements to the contrary in the Bylaw, and in addition to any subdivision application requirements specified under Section 653 of the *Act*, Subdivision and Development Regulation or any policies of the County related to subdivision application requirements adopted pursuant thereto, Council (or the Development Authority) may specify the following additional application requirements in the case of an application within a Direct Control District:

(a) to determine if the lands in question are suitable for and can physically support the use, subdivision, or development in question, the Council or the Development Authority may require, before accepting an application as complete, geotechnical analysis or any other engineering, environmental or technical assessment and information it considers necessary to properly evaluate the application. The Council or the Development Authority will ensure that the information required is prepared or substantiated by qualified persons licensed to practice in the Province of Alberta;

(b) to the level of detail determined by Council or the Development Authority, applicants shall fully disclose the precise nature and extent of the proposed use, subdivision or development, including intended hours of operation, so that their applications can be thoroughly evaluated; and

(c) to assist in the comprehensive evaluation of a direct control district application, Council or the Development Authority may undertake, or require that the applicant undertake in a manner satisfactory to Council or the Development Authority, a polling of the adjacent residential and other properties.

Development and Subdivision Application Referrals

(10) Upon receipt of a completed application pursuant to a Direct Development Control District, the Council or the Development Authority may, prior to a decision being made, refer the application to the any municipal department or any other external agency for comment and may require a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the building that is the subject of the development permit application.

(a) Council will consider but shall not be bound by the comments it receives from the referrals; and

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

Conditions of Approval

(11) The Council may approve, with or without conditions, or refuse the application, giving reasons for the refusal.

(12) The Council may also:
- (a) as a condition of approval, require that the applicant enter into a development agreement with the County pursuant to the *Act* and the Land Use Bylaw. To ensure compliance with the conditions in the agreement, the County may be protected by caveat registered in favour of the County;
- (b) set a time period for which the agreement is to remain in effect;
- (c) as a condition of approval, require financial guarantees, in a form and amount acceptable to the County, from the application to secure performance of any of the conditions of the approval; or
- (d) revoke an approval in the case where satisfactory arrangements have not been made by a developer for the supply of water, sewerage and road access, or any of them, including payment of the costs of installing or constructing any such utility by the developer.

(13) In the case of new construction, the Council or the Development Authority may require, as a condition of approval, that a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the building that is the subject of the development permit application, be submitted by the owner/developer upon completion of the building Foundation, or siting in the case of mobile or portable units on permanent foundations, and prior to commencement of framing or further structural construction to ensure that the building is sited according to the provisions of the development permit and this Bylaw.

(14) The Council may stipulate the times of day or week during which an approved use or development may operate as well as the length of time its approval remains in effect.

(15) As a condition of approval, Council or the Development Authority may require, to their satisfaction, that an approved use or development be screened from public thoroughfares and adjacent residential uses by a solid wall, fence or other means.

(16) When part of the site is to be used for outdoor display of goods or products for sale, lease or hire, such display shall be arranged and maintained in a neat and tidy manner.

(17) The Council or the Development Authority may issue a temporary development permit where the Council is of the opinion that the proposed use is of a temporary nature.

(18) If at any time, in the opinion of Council or the Development Authority, any of the provisions of this Bylaw have not been complied with, the Council or the Development Authority may utilize the enforcement mechanisms available under the *Act* and this Bylaw.

SECTION 128 DC 1 – SITE SPECIFIC DIRECT CONTROL DISTRICT1 - MACKAY

(1) General Purpose of the District:

This land use district is intended to provide for land use(s), subdivision(s) and development(s) within the boundaries of Plan 032-5212, Block 1, Lot 1 in North East of Section 08, Township 54, Range 11, West of the 5th Meridian.

As background, the 10.6 acre parcel is located on the MacKay Highway and is adjacent to the MacKay Cemetery. The future use of the area will be to accommodate uses currently listed in the RD – Rural District for the majority of the property, and a Pet Cemetery on the small portion of the land. All uses which are currently listed in the RD – Rural District will only be considered if it is shown to the Development Authority that there is no adverse effect on the surrounding properties.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Home Occupation (Minor) Manufactured Home Public Utility Secondary Suite-Internal Single Detached Dwelling	Cemetery Kennel Recreation (Extensive) Secondary Suite-External Signs Storage Building, Residential

(3) Regulation Table:

(a)	Minimum parcel area	1 ha (2.47 ac)
(b)	Minimum front setback (i) From (ROW)of any Provincial highway (ii) From ROW of any municipal road allowance or secondary road (iii) From an internal subdivision road	 40.0 m (131 ft.) 30.0 m (98 ft.) 10.7 m (35 ft.)
(c)	Minimum side setback (i) from any road ROW (ii) other	 30.0 m (98 ft.) 6.0 m (19.68 ft.)
(d)	Minimum side setback (i) from any road ROW (ii) other	 30.0 m (98 ft.) 6.0 m (19.68 ft.)
(e)	Maximum number of dwelling units per parcel	As per the RD – Rural District and Section 73
(f)	Maximum Building Height (Principal Building)	To the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.
(g)	Maximum Building Height (Accessory Buildings and Structures)	To the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development,

	and the predominant height of dwellings and structures in the area.

(4) Decision

(a) Applications for development in this land use district shall be decided by the Development Authority (and not Council acting as the Development Authority), and are therefore subject to appeal to the Subdivision and Development Appeal Board.

(b) The Development Authority may approve, with or without conditions, or refuse the application, giving reasons for the refusal.

(5) Application Requirements:

a) Notwithstanding any development permit application requirements to the contrary in this Bylaw, the Development Authority, may specify the following additional development permit application requirements in this land use district:

(i) To determine if the lands in question are suitable for and can physically support/sustain the interim use or development in question, the Development Authority may require, before accepting an application as complete, any geotechnical assessment/information considered necessary to properly evaluate the application. The Development Authority will ensure that the analysis/assessment required is prepared and substantiated by qualified persons licensed to practice in the Province of Alberta.

(ii) To the level of detail determined by the Development Authority, applicants shall fully disclose the precise nature and extent of the proposed interim use or development, including intended hours of operation so that their applications can be thoroughly evaluated in accordance this land use district.

(iii) In support on an application within this land use district, the Development Authority may undertake, or require that the applicant undertake in a manner satisfactory to them, a polling of the adjacent residential and other properties to assist in the comprehensive evaluation of the application before it.

(6) Development Application Referrals:

(a) The Development Authority may refer for comment any application within this land use district to any adjacent land owner or person or agency they may consider to be affected prior to a decision being made by them;

(b) The Development Authority, in considering a development permit application, will consider but shall not be bound by the comments it receives.

(7) General Provisions:

(a) In evaluating a proposed land use or development, the Development Authority:

(i) shall have regard for, but not be limited to:

(a) the existing use of the lands;

(b) the general and special regulations as contained elsewhere in this Bylaw; and

(c) the land use regulations of adjoining land use districts; and

(ii) shall comply with the Municipal Government Act, Subdivision and Development Regulation, Yellowhead County Municipal Development Plan and any statutory plan or conceptual scheme in effect specifically for the purpose of directing the implementation/administration of this land use district;

(b) All parcel regulations shall be as determined by the Development Authority who, in determining such regulations, shall comply with any applicable provisions in the Yellowhead County Land Use Bylaw (and in particular the RD – Rural District) and Municipal Development Plan and/or any other statutory plan or conceptual scheme specifically for the purpose of directing the implementation/administration of this land use district.

(8) Additional Provisions:

(a) The Development Authority may stipulate the times of the day or week during which an approved use or development may operate as well as the length of time its approval remains in effect;

(b) No activity may be undertaken that would, in the opinion of the Development Authority:

(i) unduly interfere with the amenities of this land use district; or

(ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties;

by reason of excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or containment of hazardous materials;

(9) Design, Character and Appearance of Buildings and Structures:

The design, siting, external finish, architectural appearance of each single detached dwelling or manufactured home, accessory building or structure, shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with respect to adjacent dwellings or residential buildings and that there may be adequate protection afforded to the amenities of adjacent properties. As a condition of approval, the Development Authority may require that an approved use or development be screened from public thoroughfares and adjacent residential uses by a solid wall, fence (excluding barbed wire) or other means in a manner and to a height satisfactory to them;

(10) Other Provisions: All Land use regulations apply as contained in this Bylaw.

SECTION 129 DC 2 – SITE SPECIFIC DIRECT CONTROL DISTRICT 2 – EAST RIVER ROAD

(1) General Purpose of the District:

This land use district applies to the area referred to as the "Special Planning Area" in the Hinton East Boundary Joint Area Structure Plan. As background, the lands at the eastern end of East River Road were placed within a "Special Planning Area" due to the mix of industrial and non-industrial uses (including residential), the porous subsurface underlying the area, the nature of previous and existing land use activities (e.g. auto wreckers, saw mill, heavy equipment storage), the potential for site contamination as well as the existing rights to extract and process gravel.

In Keeping with the "Special Planning Area" designation ascribed in the Hinton East Boundary Joint Area Structure Plan, this land use district provides for the continuance of the land uses and developments lawfully existing at the time this land use district came into effect. Furthermore, in terms of future land use, subdivision and development, this land use district generally provides for industrial uses to predominate over time while providing for any future residential use on a subordinate use (i.e. surveillance suite) basis only.

Further subdivision and development may be considered if the subdivision or development can be made consistent and compatible with all of the existing and proposed uses within this land use district as well as in the surrounding land use districts.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building	Agriculture Service Facility
Accessory Structure	General Contractor Services
Public Utility	General Industrial
Secondary Suite-Internal	Institutional Use
Single Detached Dwelling	Natural Resource Extraction
Signs	Natural Resource Processing
	Oilfield Supply and Service
	Rural Industrial Park
	Salvage Establishment
	Secondary Suite-External
	Storage Container
	Storage, Outdoor Industrial
	Surveillance Suite
	Telecom Tower

(3) Regulation Table:

(a)	Minimum site area	1.0 ha (2.47 ac.), or minimum size required to accommodate the intended use, all on site servicing and any facilities required to address requirements of the Alberta Building Code or Alberta Fire Code.
(b)	Minimum site width	50.0 m (164 ft.), or at the Discretion or the Development or Subdivision Authority
(c)	Minimum front setback	
	(i) From ROW of any Provincial highway	40.0 m (131 ft.)
	(ii) From ROW of any municipal road allowance or secondary road	30.0 m (98 ft.)
	(iii) From the front yard property line adjacent to an internal subdivision road	10.7 m (35 ft.)
(d)	Minimum side and rear setback	
	(i) Adjacent to a roadway	30.0 m (98 ft.)
	(ii) Adjacent to an internal subdivision road	6.0 m (19.68 ft.)
	(iii) Other	6.0 m (19.68 ft.)
(e)	Maximum principal building height	As the discretion of the Development Authority
(f)	Minimum floor area	As the discretion of the Development Authority
(g)	Maximum site coverage	60% if the total site area
(h)	Maximum floor area	Determined by the adequacy of water supply for firefighting purposes as required by the Alberta Building Code Regulation

(4) Decision

(a) Lands adjacent to residential lands: For lands adjacent to lands that are districted or proposed for residential uses, applications for subdivision and development shall be decided by the Council, and are not subject to appeal to the Subdivision and Development Appeal Board. Council may approve, with or without conditions, or refuse the application, giving reasons for the refusal.

(b) Lands not adjacent to residential lands: For lands which are not adjacent to lands districted or proposed for residential uses, applications for subdivision and development in this land use district shall be decided by the Development Authority or Subdivision Authority (and not Council acting as the Development or Subdivision Authority), and are therefore subject to appeal to the Subdivision and Development Appeal Board. The Subdivision/Development Authority may approve, with or without conditions, or refuse the application, giving reasons for the refusal.

(5) Application Requirements

(a) All applications for development or subdivision in this district shall include details from an accredited Alberta Safety Codes official indicating how the development will be able to address Alberta Safety Codes requirements. Any approvals granted may include conditions to require the submission of all required Alberta Safety Codes permits.

(b) Prior to the consideration of a subdivision, the County may require that a Conceptual Scheme be prepared. The plan will consider the following:
(i) the phasing of development;

(ii) the size and number of parcels proposed;
(iii) the installation and construction of roads, services, and utilities;
(iv) the types of industries to be contained on the site;
(v) potential impacts on adjacent land uses, and proposed measures to reduce those impacts;
(vi) the environmental suitability of the site with particular consideration to the soils, slopes, drainage and availability of services, proximity to wildlife management areas and hazard land; and
(vii) any other matters which the County considers necessary.

(c) In no case shall approval be granted for developments or uses requiring a municipal fire protection system or which, in the opinion of the Development Authority, would require offsite fire protection requirements, unless the applicant/developer has agreed to install and provide all required fire protection systems or infrastructure.

(6) In no case shall approval be granted for storage or handling of flammable or explosive materials in any development, unless adequate on site water supply is supplied for firefighting purposes as required by the Alberta Building Code Regulation.

Buffers/Landscaping

(7) Of special concern is the interface between lands in this district and lands outside of this district. Buffers, landscaping or increased setbacks shall be provided in accordance with this bylaw to address issues of noise, dust, aesthetics, etc. between industrial/light industrial uses and non/industrial uses.

(8) In addition, landscaping and screening shall be provided in accordance with this bylaw to any public lands or roads.

Surveillance Suite

(9) Further to the provisions in Section 84, in this district a surveillance suite may be allowed at the discretion of the Development Authority, to a maximum of one (1) suite per lot and accessory to the principal use. Where approval for a suite is given, the following regulations shall apply:

(a) where a surveillance suite is attached to the principal building on a site, by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the principal building

(b) detached surveillance suites shall be located to the satisfaction of the Development Authority, and the suite shall comply with the minimum setbacks of this district;

(c) where the surveillance suite is a manufactured home unit, the unit shall have Canadian Standards Association certification or equivalent. Proof of these shall be submitted with the development permit application;

(d) the manufactured home unit shall be secured and properly skirted to the satisfaction of the Development Authority;

(e) the minimum floor area of any suite shall be 50.0 m² (538 ft.²) and a maximum of 102.0 m² (1,098 ft.²), or to the satisfaction of the Development Authority;

(f) the quality of exterior treatment and design for the surveillance suite shall be to the satisfaction of the Development Authority. The character and appearance of the suite shall be compatible with any other buildings existing on the property.

Development/Subdivision Application Referrals

(10) Applications within this land use district shall be referred to the Town of Hinton and to any adjacent property owner or person or agency that are considered to be affected prior to a decision being made, and in accordance with this bylaw and other legislation.

(11) Other Regulations: All land use regulations apply as contained in this Bylaw.

SECTION 130 DC 3 – SITE SPECIFIC DIRECT CONTROL DISTRICT 3 – ROBB FLOODPLAIN

(1) General Purpose of the District:

This land use district applies to the lots in Lower Robb and Mile 34 within the Hamlet of Robb affected by the 1:100 year floodplain of the Embarras River as described in the Hamlet of Robb Area Structure Plan.

As background, an important component of the Hamlet of Robb Area Structure Plan was to identify the 1:100 year floodplain of the Embarras River and which lots were affected by it in Lower Robb and Mile 34.

In addition to allowing for the continuation of existing Single Detached Dwelling on the lands within this land use district, the development, substantial redevelopment or significant structural modification of a Single Detached Dwelling may be permissible provided the effects of the computed water surface elevation for the 1:100 year established in Appendix 1 of the Hamlet of Robb Area Structure Plan are addressed (e.g. by raising the development elevation to provide 0.5m of "freeboard").

The Single Detached Dwellings in Lower Robb and Mile 34 existing at the coming into force of the Hamlet of Robb Area Structure Plan that are affected by the 1:100 year floodplain of the Embarras, can be maintained, repaired or upgraded provided the work undertaken does not increase the flood-vulnerable floor space of the dwelling. This may include, as examples, upgrading insulation, wiring or plumbing or the installation of a new roof. A basement may be installed so long as it is not to be finished (and, therefore, be classified as habitable space) or contain any infrastructure or servicing (furnace, circuit panel, etc.).

Where accessory buildings and structures with an estimated value of less than $10,000.00 are affected by the 1:100 year floodplain of the Embarras River, they can be maintained, repaired, upgraded or replaced. In the case of any new, substantial accessory building with an estimated value of $10,000.00 or greater (e.g. a large shop) the effects of the computed water surface elevation for the 1:100 year flood will need to be mitigated prior to development.

While minor boundary adjustments are permissible to improve developability and, in particular, for the purposes of improving sewage disposal, no new lots will be subdivided within the 1:100 year floodplain of the Embarras River. No new development shall occur within 10m of the top-of-bank of the Embarras River, or as specified in the Robb Floodplain Report attached as Appendix 1 to the Hamlet of Robb Area Structure Plan.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building	Bed and Breakfast
Accessory Structure	Boarding House
Home Occupation (Minor)	Family Care Facility
Public Utility	Home Day Care

Secondary Suite-Internal Single Detached Dwelling	Home Occupation (Major) Institutional Use Manufactured Home Secondary Suite-External

(3) Regulation Table:

(a)	Site Dimensions	At the discretion of the Development Authority, in view of any other minimum provisions in this land use district pertaining to servicing, floor area, yard setbacks and site coverage.
(b)	Site coverage	40% of the total site area, and all accessory buildings and structures, combined, shall not exceed the site coverage of the principal building.
(c)	Maximum number of dwelling units per parcel	1
(d)	Minimum front setback	7,6 m (25 ft.)
(e)	Minimum side setback (i) Dwellings less than 2 Storeys (ii) Dwellings of two Storeys or more	 2.5m (8.2 feet) 2.3 m (7.5 ft.)
(f)	Minimum rear setback	6.0 m (19.68 ft.)
(g)	Maximum height of principal building	10.6 m (35 ft.) above grade
(h)	Maximum Building Height (Accessory Building or Structures)	4.88 m (16 ft.)

(4) General

(a) In addition to allowing for the continuation of existing Single Detached Dwellings on the lands within this land use district, the development, substantial redevelopment or significant structural modification of a Single Detached Dwelling may be permissible provided the effects of the computed water surface elevation for the 1:100 year established in Appendix 1 of the Hamlet of Robb Area Structure Plan are addressed (e.g. by raising the development elevation to provide 0.5 m of “freeboard”).

(b) The Single Detached Dwellings in Lower Robb and Mile 34 existing at the coming into force of the Hamlet of Robb Area Structure Plan that are affected by the 1:100 year floodplain of the Embarrass, can be maintained, repaired or upgraded provided the work undertaken does not increase the flood-vulnerable floor space of the dwelling. This may include, as examples, upgrading insulation, wiring or plumbing or the installation of a new roof. A basement may be installed so long as it is not to be finished (and, therefore, be classified as habitable space) or contain any infrastructure or servicing (furnace, circuit panel, etc.).

(c) Where accessory buildings and structures with an estimated value of less than $10,000.00 are affected by the 1:100 year floodplain of the Embarras River, they can be maintained, repaired, upgraded or replaced. In the case of any new, substantial accessory building with an estimated value of $10,000.00 or greater (e.g. a large shop) the effects of the computed water surface elevation for the 1:100 year flood will need to be mitigated prior to development.

(d) While minor boundary adjustments are permissible to improve developability and, in particular, for the purposes of improving sewage disposal, no new lots will be subdivided within the 1:100 year floodplain of the Embarras River. No new development shall occur within 10m of the top-of-bank of the Embarras River, or as specified in the Robb Floodplain Report attached as Appendix 1 to the Hamlet of Robb Area Structure Plan.

(5) Decision

(a) Applications for development in this land use district shall be decided by the Development Authority (and not Council acting as the Development Authority), and are therefore subject to appeal to the Subdivision and Development Appeal Board.

(b) The Development Authority may approve, with or without conditions, or refuse the application, giving reasons for the refusal.

(6) Subdivision

(a) No subdivision to create new parcels is permitted in this district. Subdivision to amend or increase lot sizes or otherwise change property boundaries may be considered and may be decided by the Subdivision Authority and not Council (acting as the Subdivision Authority).

(7) Application Requirements: In addition to all other requirements outlined in this bylaw, the following may apply:

(a) If an application is received to develop in accordance with the provisions of the Hamlet of Robb Area Structure Plan, including and especially the Hamlet of Robb Floodplain Study, no further engineering information or supporting documentation is required of the applicant; and

(b) If an application to develop is received in contravention of the Hamlet of Robb Area Structure Plan provisions, including and especially the Hamlet of Robb Floodplain Study attached as Appendix A thereto, the Development Authority shall require an engineer's report in support of such an application indicating how the provisions of this land use district, of the Hamlet of Robb Area Structure Plan, including the Hamlet of Robb Floodplain Study, are to be satisfied and to which any approval can be directly tied. This requirement is in addition to any other requirements as laid out by the *Act* or this Bylaw.

(c) Any report and accompanying support information required to be submitted may be referred to Alberta Environment and Sustainable Resource Development for their review and analysis.

(d) The Development Authority shall ensure that the information they require is prepared or substantiated by qualified persons licensed to practice in the Province of Alberta.

(8) Conditions of Approval for all Permitted and Discretionary Uses: In addition to all other conditions noted elsewhere in this bylaw, the following may apply:

(a) As a condition of approval, require that the applicant enter into a development agreement with the County pursuant to the Municipal Government and the Land Use Bylaw. To ensure compliance with the conditions in the agreement, the County may be protected by caveat registered in favour of the County; and,

(b) As a condition of approval, require financial guarantees, in a form and an amount acceptable to the County, from the applicant to secure performance of any of the conditions of the approval.

(c) The Development Authority shall require, as a condition of approval, that a Surveyor's Certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to the building(s) that is (are) the subject of the development permit application, be submitted by the owner/developer upon completion of the building foundation, or siting in the case of mobile and/or portable units on permanent foundations, and prior to commencement of framing or further structural construction to ensure that the building(s) is(are) sited according to the provisions of the development permit, the Hamlet of Robb Area Structure Plan, including and especially the Hamlet of Robb Floodplain Study, particularly with respect to building elevation in relation to the computed water surface elevations for the 1:100 year flood, this land use district and this Bylaw.

(d) The Development Authority may issue a temporary development permit where the Development Authority is of the opinion that the proposed use is of a temporary nature. The Development Authority may stipulate the length of time its approval remains in effect.

(9) Design, Character and Appearance of Buildings and Structures:

The design, siting, external finish, architectural appearance of each single detached dwelling or manufactured home, accessory building or structure, shall be to the satisfaction of the Development Authority in order that there shall be general conformity in such matters with respect to adjacent dwellings or residential buildings and that there may be adequate protection afforded to the amenities of adjacent properties.

(10) Other Provisions: All land use regulations apply as contained in this Bylaw.

SECTION 131 DC 4 – SITE SPECIFIC DIRECT CONTROL DISTRICT 4 – MARLBORO

(1) General Purpose of District:

This land use district is intended to provide for land use(s), subdivision(s) and development(s) within the boundaries of Plan 932-0622, Block 1, Lot 1 in the North West of Section 06, Township 53, Range 19, West of the 5th Meridian.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Home Occupation (Minor) Manufactured Home Public Utility Secondary Suite - Internal Single Detached Dwelling	Day Care Facility Family Care Facility Home Day Care Home Occupation (Major)

(3) Regulations Table:

(a)	Minimum site area	0.4 ha. (1.0 ac.)
(b)	Minimum front setback (i) From Right-of-Way (ROW) of any Provincial highway (ii) From ROW of any municipal road allowance or secondary road (iii) From an internal subdivision road	 40.0 m (131 ft.) 30.0m (98 ft.) 10.7 m (35 ft.)
(c)	Minimum side setback (i) From any road ROW (ii) Other	 30.0 m (98 ft.) 6.0 m (19.68 ft.)
(d)	Maximum number of dwelling units per parcel	1
(e)	Maximum Building Height (Principal or Main Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater*
(f)	Maximum Building Height (Accessory Building or Structures)	4.88 m (16 ft.)

***** Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Decision

(a) Applications for development or subdivision in this land use district shall be decided by the Development Authority or Subdivision Authority (and not Council acting as the

Authority), and are therefore subject to appeal to the Subdivision and Development Appeal Board.

(b) The Development Authority or Subdivision Authority may approve, with or without conditions, or refuse the application, giving reasons for the refusal.

(5) Application Requirements

(a) Notwithstanding any development permit application or subdivision application requirements to the contrary in the Bylaw, the Development Authority or Subdivision Authority, may specify the following additional development permit or subdivision application requirements in this land use district.

(i) To determine if the lands in question are suitable for and can physically support/ sustain the interim use or development in question, the Development Authority or Subdivision Authority may require, before accepting an application as complete, any geotechnical assessment/ information considered necessary to properly evaluate the application. The Development Authority will ensure that the analysis/ assessment required is prepared and substantiated by qualified persons licensed to practice in the Province of Alberta.

(6) Other Regulations:

All land use regulations apply as contained in this Bylaw.

PART FOURTEEN H STONEWATER RANCH LAND USE DISTRICTS

SECTION 132 STONEWATER RANCH RESORT CENTRE DISTRICT (SR-RC)

(1) General Purpose of District:

To provide for a comprehensively planned recreational, commercial and residential development that offers a range of tourist accommodation, recreational, personal service and retail uses associated with a resort including the Stonewater Ranch golf course and uses accessory to a golf course.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structure Community Facility Daycare Facility Eating and Drinking Establishment Equestrian Facility Hostel Hotel Institutional Use Office Park Personal Service Shop Public Utility Recreation (Extensive) Recreation (Intensive) Resort Recreation Facility Retail Establishment Spectator Entertainment Establishment Staff Accommodation Storage, Commercial Vehicular Oriented Use Veterinary Clinic Visitor Accommodation	Bed and Breakfast Gas Bar Signs Service Station Tourist Home

(3) Regulations Table:

(a)	Maximum Floor Area	21 m. (69 ft)
(b)	Maximum Floor Area	Shall be determined by the adequacy of water supply for firefighting purposes as

		required by the Alberta Building Code and Council Policy
(c)	Maximum site coverage for multiple unit dwelling structures	60%
(d)	Maximum site coverage for hotel structures	75%
(e)	Minimum area per multiple unit dwelling	55 m^2 (592 ft^2)
(f)	Minimum setbacks from side and rear property lines for structures	5m (16.4ft) except for a front yard which is a minimum of 0.

PARKING AND LOADING

(4) Parking and loading spaces shall be provided in accordance with the requirements as set out in this bylaw except that some or all of the required parking spaces may be provided off-site at the discretion of the County.

(5) Parking areas shall be landscaped and separated from adjacent uses by screening. Surface parking areas and above ground parking structures shall be terraced to conform to the natural terrain.

(6) A portion of the parking areas shall be designed to accommodate the minimum turning movements for tour buses and shall include areas for bus drop-offs and bus parking to the satisfaction of the Development Authority.

LANDSCAPING

(7) In addition to Section 57, of the Land Use Bylaw, a development permit application shall include a landscaping plan acceptable to the Development Authority.

URBAN DESIGN REQUIREMENTS

(8) All proposed development located within the Resort Centre land use component as identified in Map 5 of the approved Stonewater Ranch ASP shall conform to Architectural & Urban Design Guidelines and include them as an addendum to the “Stonewater Ranch ASP Implementation Guidelines”.

(9) Applications for a Development permit shall consist of comprehensive plans for the proposed development and the area contained within the entire land use district. In addition all plans shall comply with and show in detail the following:

- site layout
- exterior elevations
- exterior finishes and colors
- landscaped areas and landscaped materials
- parking areas and facilities
- provisions for vehicular movement through the site
- the relation of the site to the surrounding area and the relationship of form, massing, structure, materials, and spatial relations of the development
- site, building design and construction materials should be consistent throughout the

site and utilize architectural features that incorporate a consistent theme in design
- alteration of existing natural contours shall require a comprehensive grading plan which shall take into account drainage, slope stability and soil erosion concerns
- all development plans will be required to address visual, sound and other adjacent impacts to the satisfaction of the County

SECTION 133 STONEWATER RANCH SINGLE DETACHED DISTRICT (SR-R1)

(1) General Purpose of District:

To provide for single-family residential accommodation within single family-detached dwelling units. Other uses or developments may be allowed in accordance with the listed "discretionary uses" when such uses are compatible with the single-family residential purpose of the District.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Buildings Accessory Structure Parks Public Utility Single Detached Dwelling	Bed and Breakfast Home Day Care Home Occupation (minor) Institutional Use Signs Tourist Homes

(3) Regulations Table:

(a)	Minimum lot area	460.0 m.^{2} (4951 ft^2)
(b)	Minimum lot width	13.0 m. except on keystone lots * it shall be 7.5m.(25ft)
(c)	Minimum front yard depth	6.0 m. (19.7ft) except on keystone lots * it shall be 4.5 m.
(d)	Minimum side yard depth	1.5 m (5ft), except on the street side of a corner site it shall be 3.0 m.(9.8ft)
(e)	Minimum rear yard depth	7.5 m. (25ft)
(f)	Maximum site coverage	for all buildings shall be 40 %.
(g)	Maximum building height	As indicated on a site grading plan approved as part of a subdivision plan. In the absence of an approved site grading plan, the maximum building height shall be the lesser of 2 storeys plus loft or 10 m.

*also known as pie-shaped lots

ADDITIONAL REQUIREMENTS

(4) Landscaping, building materials and colors shall be in accordance with Stonewater Ranch Architectural Guidelines as prepared and amended from time to time.

SECTION 134 STONEWATER RANCH MEDIUM DENSITY RESIDENTIAL DISTRICT (SR-R2)

(1) General Purpose of District:

To provide for multi-family residential accommodation at medium densities on larger sites for comprehensively designed developments. Other developments may be allowed in accordance with the listed "discretionary uses" when such uses are compatible with the residential purpose of the District.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Duplex Family Care Facility Parks Parking Areas and Structures Public Utility Stacked Townhouse Townhouse Visitor Accommodation	Bed and Breakfast Home Day Care Home occupation (minor) Institutional Use Signs Tourist Home

(5) Regulations Table:

(a)	Minimum front yard depth	6.0 m. (19.7ft)
(b)	Minimum side yard depth	1.5 m (5ft), except on the street side of a corner site it shall be 3.0 m.(9.8ft)
(c)	Minimum rear yard depth	7.5 m. (25ft)
(d)	Maximum building height	12.0 m (39.3ft) not exceeding 9.0 m
(e)	Minimum site area landscaping	30%

ADDITIONAL REQUIREMENTS

(6) Every dwelling unit shall provide parking for a minimum of 1 vehicle on site.

(7) Guest parking for planned unit development clusters shall provide off-road at a rate of 1 stall per every 12 dwelling units.

(8) Minimum roof pitch shall be 6:12 for all portions of the roof and dormers; roof lines shall be articulated and larger structures shall incorporate a cascade of roofs to break up massing and add visual interest.

(9) The facades of buildings shall incorporate substantial articulation in order to break up the massing of any buildings which have more than two dwelling units fronting onto a public roadway.

(10) Landscaping, building materials and colors shall be in accordance with Stonewater Ranch Architectural Guidelines as prepared and amended from time to time.

SECTION 135 STONEWATER RANCH APARTMENT DISTRICT (SR-R3)

(1) General Purpose of District:

To provide for multi-family residential accommodation within apartment buildings. non-residential uses or developments may be allowed in accordance with the listed "discretionary uses" when such uses are compatible with the residential purpose of this district.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building	Day Care Facility
Apartment Building	Home Occupation (minor)
Park	Signs
Parking Areas and Structures	Tourist Home
Public Utility	
Resort Recreation Facility	
Retail Establishment	
Stacked Townhouse	
Staff Accommodation	
Townhouse	
Visitor Accommodation	

(3) Regulations Table:

(a)	Minimum lot area	900.0 m² (9688ft^2)
(b)	Minimum lot width	25.0 m (269.1ft^2)
(c)	Minimum front yard depth	6.0 m (19.7ft)
(d)	Minimum side yard depth	2.0 m. (6.6ft) except on the street side of a corner site it shall be 3.0 m.(9.8ft)
(e)	Minimum rear yard depth	7.5 m
(f)	Maximum building height	21.0 m (69ft)
(g)	Minimum landscaped area	25% of the site area

ADDITIONAL REQUIREMENTS

(11) Parking shall be provided at a rate of 1 vehicle per dwelling unit.

(12) Guest parking for planned unit development clusters shall provide off-road at a rate of 1 stall per every 12 dwelling units.

(13) Commercial retail units shall have a maximum floor area of 200m^2.

DESIGN REQUIREMENTS

(14) Roof lines shall be articulated and larger structures shall incorporate roofs that break up massing and add visual interest.

(15) The facades of buildings shall incorporate substantial articulation in order to break up the massing of buildings with more than two dwelling units fronting onto a public roadway.

(16) Landscaping, building materials and colors shall be in accordance with Stonewater Ranch Architectural Guidelines as prepared and amended from time to time.

(17) Retail uses will only be allowed at ground floor level.

SECTION 136 STONEWATER RANCH RV PARK DISTRICT (SR-RV)

(1) General Purpose of District:

To provide for condominium recreation vehicle resort development in association with amenity features, and in compliance with the Stonewater Ranch ASP.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Use,* limited to one maximum 9.3m^2((100 ft²) shed for cold storage only, which may include power but not heating, drywalling or sleeping accommodation, and which, notwithstanding any other applicable regulations in this Bylaw may be located in the front, side or rear yard of a lot Manufactured Home – Park Model Parking Areas and Structures Parks Public Utility Resort Recreation Facility	Day Care Facility Signs

(3) Regulations Table:

(a)	Minimum lot area	278 m² (2992ft^2) for each condominium unit
(b)	Minimum lot width	12m (39.3ft)
(c)	Minimum front yard	3.5m (11.5ft) from the edge of road pavement
(d)	Minimum rear yard	1.5 m (5ft)
(e)	Minimum side yard	A minimum of 1.2 m. (3.9ft) side yard on one side for the principal use; and on the opposite side, any accessory use may not be closer than 1.2 m. (3.9ft) to the property line. Notwithstanding this, no Recreation Vehicle-Park Model shall be located within 3.0 m. (9.8ft) of one another.
(f)	Maximum site coverage of all uses	30%
(g)	Maximum accessory building size	9.3m^2 (100ft^2)
	Maximum building height	For Recreational Vehicle – Park Model without loft - 4m (13.1ft).

	For Recreational Vehicle – Park Model with lofts - 5.2m (17ft).
Maximum accessory building height	3m (9.8ft)
Maximum floor area for any Recreation Vehicle – Park Model, including all tip outs, push outs pull outs or lofts	$53m^2$ ($571\ ft^2$)

ADDITIONAL REQUIREMENTS

(4) Landscaping, building materials and colors shall be in accordance with Stonewater Ranch Architectural Guidelines.

(5) Recreational Vehicles as defined in the land use bylaw, do not require a development permit, but shall otherwise comply with the minimum yard requirements

PART FOURTEEN I - MERCOAL LAND USE DISTRICT

SECTION 137 MS-MERCOAL SEASONAL RECREATIONAL/ RESIDENTIAL DISTRICT

(1) General Purpose of District:

The general purpose of this district is to recognize the areas of cottage and seasonal residential development on Crown or County owned lands with little or no municipal services.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Accessory Building Accessory Structures Institutional Use Public Utility Signs	Natural Resource Extraction Natural Resource Processing Recreational Cabin Recreational (Extensive) Single Detached Dwelling

(a)	Minimum site area and density	At the discretion of the Development or Subdivision Authority
(b)	Maximum number of dwelling units per parcel	1
(c)	Minimum front setback (i) From ROW of any Provincial highway (ii) From ROW of any municipal road allowance or secondary road (iii) From the front yard property line adjacent to an internal subdivision road	 40.0 m (131 ft.) 30.0 m (98 ft.) 7.6 m (25 ft.)
(c)	Minimum side setback (i) Dwellings less than 2 Storeys (ii) Dwellings of two Storeys or more (iii) On corner sites flanking street	 2.5 m (4.92 ft.) 2.5 m (8.2 ft.) 4.5 m (14.76 ft.)
(d)	Minimum rear setback	6.0 m (19.68 ft.)
(e)	Maximum Building Height (Principal or Main Building)	10.0 m (32.8 ft.) or two and one half storeys above grade, whichever is greater*
(f)	Maximum Building Height (Accessory Buildings or Structures)	4.88 m (16 ft.)*

* - Or to the satisfaction of the Development Authority, taking into account the impact on adjacent or nearby uses and development, and the predominant height of dwellings and structures in the area.

(4) Other Regulations: All land use regulations apply as contained in this Bylaw.

PART FIFTEEN – LAND USE DISTRICT MAPS

SECTION 138 LAND USE DISTRICT MAPS

APPENDICES

APPENDIX A: Table 1: Summary of Land Uses by District – Residential Districts

TABLE 1

Land Use Bylaw Use Table – Residential Districts

	RESIDENTIAL DISTRICTS																						
USE	**RD**	**CR**	**CR (SL)**	**CR (L)**	**CR (MI)**	**CR (R)**	**CR (T)**	**CR (MPP)**	**MHP**	**HERR**	**HEUF**	**HR**	**HR (B)**	**HR (C)**	**HR (E)**	**HR (R)**	**HR (T)**	**HUR**	**SR-RC**	**SR-R1**	**SR-R2**	**SR-R3**	**SR-RV**	**MS**
LUB Section #	**96**	**97**	**98**	**99**	**100**	**101**	**102**	**103**	**104**	**105**	**106**	**107**	**108**	**109**	**110**	**111**	**112**	**113**	**132**	**133**	**134**	**135**	**136**	**137**
Abattoir	D																							
Accessory Building	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	D	P	P	P	P	P	P
Accessory Structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	D	P	P				P
Agriculture (extensive)	P										D							D						
Agriculture (intensive)	D	D	D	D	D																			
Agricultural Building	D																							
Agriculture Processing	D																							
Agriculture Service facility																								
Apartment Building												D					D					P		
Arcade																								
Auctioneering Establishment	D																							

	RESIDENTIAL DISTRICTS																							
USE	**RD**	**CR**	**CR (SL)**	**CR (L)**	**CR (MI)**	**CR (R)**	**CR (T)**	**CR (MPP)**	**MHP**	**HERR**	**HEUF**	**HR**	**HR (B)**	**HR (C)**	**HR (E)**	**HR (R)**	**HR (T)**	**HUR**	**SR-RC**	**SR-R1**	**SR-R2**	**SR-R3**	**SR-RV**	**MS**
LUB Section #	**96**	**97**	**98**	**99**	**100**	**101**	**102**	**103**	**104**	**105**	**106**	**107**	**108**	**109**	**110**	**111**	**112**	**113**	**132**	**133**	**134**	**135**	**136**	**137**
Auto Body and Paint Shop																								
Automotive and Minor Rec vehicle sales																								
Bed and Breakfast	P	P	D	P	D		P			D	D	D	D	D	D	D	P		D	D	D			
Boarding House	P	D	D	D									D	D		D								
Bulk Fuel Storage and Distribution																								
Campground	D																							
Cannabis Production, Processing, and Distribution [01.19]	D																							
Cemetery	D																							
Community facility	D								D										P					
Country Inn	D	D		D			D																	
Day Care Facility	D	D	D	D			D		D			D					D		P			D	D	
Duplex												D		D		D	D				P			

	RESIDENTIAL DISTRICTS																							
USE	**RD**	**CR**	**CR (SL)**	**CR (L)**	**CR (MI)**	**CR (R)**	**CR (T)**	**CR (MPP)**	**MHP**	**HERR**	**HEUF**	**HR**	**HR (B)**	**HR (C)**	**HR (E)**	**HR (R)**	**HR (T)**	**HUR**	**SR-RC**	**SR-R1**	**SR-R2**	**SR-R3**	**SR-RV**	**MS**
LUB Section #	**96**	**97**	**98**	**99**	**100**	**101**	**102**	**103**	**104**	**105**	**106**	**107**	**108**	**109**	**110**	**111**	**112**	**113**	**132**	**133**	**134**	**135**	**136**	**137**
Eating/ Drinking Establishment																			P					
Equestrian Facility	D																		P					
Family Care Facility	D	D	D	D			D			D	D	D	D	D	D	D	D		D		P			
Gas Bar																			D					
General Contractor Services																								
General Industrial	D																							
Group Care Facility	D	D		D																				
Home care Facility	D	D	D	D			D			D	D	D	D	D	D	D	D							
Home Day Care	D										D	D	D	D	D	D	D			D	D			
Home Business-Major	D				D																			
Home Business-Minor	D				D									D										
Home Occupation-Major	P	D	D	D	P					D	D	D		D	D	D	D							
Home Occupation-Minor	P	P	P	P	P	D	P	D	P	P	D	P	P	P	P	P	P			D	D	D		

	RESIDENTIAL DISTRICTS																						
USE	**RD**	**CR**	**CR (SL)**	**CR (L)**	**CR (MI)**	**CR (R)**	**CR (T)**	**CR (MPP)**	**MHP**	**HERR**	**HEUF**	**HR**	**HR (B)**	**HR (C)**	**HR (E)**	**HR (R)**	**HR (T)**	**HUR**	**SR-RC**	**SR-R1**	**SR-R2**	**SR-R3**	**SR-RV**	**MS**
LUB Section #	**96**	**97**	**98**	**99**	**100**	**101**	**102**	**103**	**104**	**105**	**106**	**107**	**108**	**109**	**110**	**111**	**112**	**113**	**132**	**133**	**134**	**135**	**136**	**137**
Hostel																			P					
Hotel																			P					
Institutional use	D	D	D	D	D	D				D		D		D	D	D	D		P	D	D			P
Kennel	D	D		D	D					D	D													
Liquor Store																								
Manufactured Home	P	P	P	P	P				P	D	D	P* D*	P* D*	P* D*	D	P* D*	D							
Manufactured Home-Additional	D	D		D	D																			
Manufactured Home Park									P															
Manufactured Home Park Model	D	D	D						D														P	
Motel																								
Natural Resource Extraction	D																							D
Natural Resource Processing	D																							D

	RESIDENTIAL DISTRICTS																						
USE	**RD**	**CR**	**CR (SL)**	**CR (L)**	**CR (MI)**	**CR (R)**	**CR (T)**	**CR (MPP)**	**MHP**	**HERR**	**HEUF**	**HR**	**HR (B)**	**HR (C)**	**HR (E)**	**HR (R)**	**HR (T)**	**HUR**	**SR-RC**	**SR-R1**	**SR-R2**	**SR-R3**	**SR-RV**	**MS**
LUB Section #	**96**	**97**	**98**	**99**	**100**	**101**	**102**	**103**	**104**	**105**	**106**	**107**	**108**	**109**	**110**	**111**	**112**	**113**	**132**	**133**	**134**	**135**	**136**	**137**
Office																			P					
Oilfield Service and Supply											D													
Park									P										P	P	P	P	P	
Parking Areas & Structures																					P	P	P	
Personal Service Shop																			P					
Public Utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreation (Extensive)	P	D					D		D		D							D	P					D
Recreation (Intensive)																			P					
Recreational Cabin	P	D	D	D	D	D	D																	D
Recreational Vehicle (accommodation)									D															
Resort Recreation Facility																			P			P	P	
Retail Cannabis Store [01.19]																								

	RESIDENTIAL DISTRICTS																						
USE	**RD**	**CR**	**CR (SL)**	**CR (L)**	**CR (MI)**	**CR (R)**	**CR (T)**	**CR (MPP)**	**MHP**	**HERR**	**HEUF**	**HR**	**HR (B)**	**HR (C)**	**HR (E)**	**HR (R)**	**HR (T)**	**HUR**	**SR-RC**	**SR-R1**	**SR-R2**	**SR-R3**	**SR-RV**	**MS**
LUB Section #	**96**	**97**	**98**	**99**	**100**	**101**	**102**	**103**	**104**	**105**	**106**	**107**	**108**	**109**	**110**	**111**	**112**	**113**	**132**	**133**	**134**	**135**	**136**	**137**
Retail Establishment									D										P			P		
Rural Industrial Park																								
Salvage Establishment																								
Secondary Suite-External	D	D	D	D	D	D	D					D	D	D	D	D		D						
Secondary Suite-Internal	P	P	P	P	P	P	P			P	D	P	P	P	P	P	P	D						
Service Station																			D					
Signs	D	D	D	D	D	D	D		D	D	D							D	D	D	D	D	D	P
Single Detached Dwelling	P	P	P	P	P	P	P	P		P	D	P	P	P	P	P	P			P				D
Single Detached Dwelling (Additional)	D	D		D	D		D																	
Spectator Entertainment Establishment																			P					
Stacked Townhouse												D				D	D				P	P		
Staff Accommodation																			P			P		

	RESIDENTIAL DISTRICTS																						
USE	**RD**	**CR**	**CR (SL)**	**CR (L)**	**CR (MI)**	**CR (R)**	**CR (T)**	**CR (MPP)**	**MHP**	**HERR**	**HEUF**	**HR**	**HR (B)**	**HR (C)**	**HR (E)**	**HR (R)**	**HR (T)**	**HUR**	**SR-RC**	**SR-R1**	**SR-R2**	**SR-R3**	**SR-RV**	**MS**
LUB Section #	**96**	**97**	**98**	**99**	**100**	**101**	**102**	**103**	**104**	**105**	**106**	**107**	**108**	**109**	**110**	**111**	**112**	**113**	**132**	**133**	**134**	**135**	**136**	**137**
Storage Commercial																			P					
Storage Container	D	D	D	D	D		D			D	D							D						
Storage Building Residential	D	D	D	D	D	D																		
Storage-Outdoor Industrial																								
Surveillance Suite									D															
Telecom Tower	D	D	D	D	D	D			D	D	D							D						
Townhouse												D		D		D	D				P	P		
Tourist Home	P	D	D	P			P	D									P		D	D	D	D		
Travel Information Centre																								
Vehicular Oriented Use																			P					
Veterinary Clinic																			P					
Visitor Accommodation																			P		P	P		
Warehouse																								

	RESIDENTIAL DISTRICTS																						
USE	**RD**	**CR**	**CR (SL)**	**CR (L)**	**CR (MI)**	**CR (R)**	**CR (T)**	**CR (MPP)**	**MHP**	**HERR**	**HEUF**	**HR**	**HR (B)**	**HR (C)**	**HR (E)**	**HR (R)**	**HR (T)**	**HUR**	**SR-RC**	**SR-R1**	**SR-R2**	**SR-R3**	**SR-RV**	**MS**
LUB Section #	**96**	**97**	**98**	**99**	**100**	**101**	**102**	**103**	**104**	**105**	**106**	**107**	**108**	**109**	**110**	**111**	**112**	**113**	**132**	**133**	**134**	**135**	**136**	**137**
Wind Energy System-Minor	D	D	D	D	D	D			D	D	D													
Wind Energy System-Major	D																							
Work Camp	D																							

P - Permitted Uses D - Discretionary Uses * - may be Permitted or Discretionary in District

APPENDIX B: Table 2: Summary of Land Uses by District – Non-Residential Districts

Land Use Bylaw Use Table – Industrial, Commercial, Resort, DC

P - Permitted **D – Discretionary** *** - may be Permitted or Discretionary in Districts**

NON RESIDENTIAL DISTRICTS																		
USE	**FD**	**RU**	**RR (MPP)**	**R (CR)**	**HWY-C**	**HC**	**HG**	**BCLI**	**RI**	**LI**	**HI**	**EP**	**HRD**	**PI**	**DC1**	**DC2**	**DC3**	**DC4**
Abattoir															D			
Accessory Building	P	P	D	P	P	P	P	P	P	P	P	D	D	P	P	P	P	P
Accessory Structure	P	P	D	P	P	P	P	P	P	P	P	D	D	P	P	P	P	P
Agriculture (extensive)	P	P																
Agriculture (intensive)	D																	
Agricultural Building	P																	
Agriculture Processing	D										D							
Agriculture Service facility								D	D	D	D					D		
Apartment Building						D	D											
Arcade					D	D	D											
Auctioneering Establishment						D		D	D	D	P							
Auto Body and Paint Shop						D		D	D		D							
Automotive and Minor rec vehicle sales					P	P	D	P			P							

NON RESIDENTIAL DISTRICTS																		
USE	**FD**	**RU**	**RR (MPP)**	**R (CR)**	**HWY-C**	**HC**	**HG**	**BCLI**	**RI**	**LI**	**HI**	**EP**	**HRD**	**PI**	**DC1**	**DC2**	**DC3**	**DC4**
Bed and Breakfast		P					P										D	
Boarding House																	D	
Bulk Fuel Storage and Distribution					D	D			D		D							
Business Commercial						P		P										
Campground	D	P		P	D			P										
Cannabis Production, Processing, and Distribution [01.19]								D	D	D	D							
Cemetery	D													D	D			
Community facility	D													P				
Country Inn	D	P																
Day Care Facility							P											D
Duplex							P											
Dwelling Unit-Upper						D	D											
Eating and Drinking Establishment		D	P	P	P	P	D	P										
Equestrian Facility		D																

NON RESIDENTIAL DISTRICTS																		
USE	**FD**	**RU**	**RR (MPP)**	**R (CR)**	**HWY-C**	**HC**	**HG**	**BCLI**	**RI**	**LI**	**HI**	**EP**	**HRD**	**PI**	**DC1**	**DC2**	**DC3**	**DC4**
Family care facility		P					P										D	D
Gas Bar					D	D	D	D										
General Contractor Services								D	D	D	P					D		
General Industrial	D								D	D	D							
Group Care Facility															D			
Home Day Care																	D	D
Home Industry-Major	D																	
Home Industry-Minor	D																	
Home Occupation-Major	D	P					P										D	D
Home Occupation-Minor	D	P					P										P	P
Hostel	D																	
Hotel			P		P	P	D											
Institutional use	P	D		P	P	P	P		D					P		D	D	
Kennel							D				D				D			
Liquor Store					D	D	D											
Light Industrial								D		D								

NON RESIDENTIAL DISTRICTS																		
USE	**FD**	**RU**	**RR (MPP)**	**R (CR)**	**HWY-C**	**HC**	**HG**	**BCLI**	**RI**	**LI**	**HI**	**EP**	**HRD**	**PI**	**DC1**	**DC2**	**DC3**	**DC4**
Manufactured Home	D	P					P* D*			D					P		D	P
Manufactured Home-Additional		D																
Manufactured Home Park																		
Motel		P	P		P	P	D											
Natural Resource Extraction	D								D							D		
Natural Resource Processing	D								D							D		
Oilfield Service and Supply	D				D			D	D	P	D					D		
Personal Service Shop					D	P	D											
Public Utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreation (Extensive)	D	P		P								D	D	D	D			
Recreation (Intensive)	D	D		P	D	D	D							D				
Recreational Cabin	D	P		D														
Recreational Vehicle (accommodation)																		
Recreational Vehicle Storage					D	D	D	D	D	D						D		

NON RESIDENTIAL DISTRICTS																		
USE	**FD**	**RU**	**RR (MPP)**	**R (CR)**	**HWY-C**	**HC**	**HG**	**BCLI**	**RI**	**LI**	**HI**	**EP**	**HRD**	**PI**	**DC1**	**DC2**	**DC3**	**DC4**
Recreation Vehicle-Park Model		D																
Resort Recreation Facility		P		P														
Retail Cannabis Store [01.19]						D	D											
Retail Establishment		D		P	D	P	D	D										
Rural Industrial Park								D	D							D		
Salvage Establishment									D		D					D		
Secondary Suite- External	D	D					D								D	D	D	
Secondary Suite-Internal	P	P					P								P	P	P	P
Service Station					D	D	D	P			D							
Storage Container	D	D		D	D			D	D	D	D			D		D		
Signs	P	D	D	P	P	P	D	P	P	P	D	D	D	D	D	P		
Single Detached Dwelling	D	P				D	P			D			D		P		P	P
Single Detached Dwelling (Additional)		D																
Spectator Entertainment Establishment		D				D	D											

NON RESIDENTIAL DISTRICTS																		
USE	**FD**	**RU**	**RR (MPP)**	**R (CR)**	**HWY-C**	**HC**	**HG**	**BCLI**	**RI**	**LI**	**HI**	**EP**	**HRD**	**PI**	**DC1**	**DC2**	**DC3**	**DC4**
Stacked Townhouse							D											
Staff Accommodation		P	D	D			D											
Storage Commercial					D	D		P	D	D						D		
Storage –Inside Industrial									D		D							
Storage-Outdoor Industrial									D							D		
Storage Building Residential	D														D			
Surveillance Suite	D	D		D	D	D	D	D	D	D	D					D		
Telecom Tower	D	D		D	D	D	D	D	D	D	D			D		D		
Townhouse							D											
Tourist Home																		
Travel Information Centre					P			P						P				
Vehicular Oriented Use		D			P	P												
Veterinary Clinic						p	p	p										
Visitor Accommodation																		
Wind Energy System-Minor	D	D		D	D				D	D	D			D				

NON RESIDENTIAL DISTRICTS																		
USE	**FD**	**RU**	**RR (MPP)**	**R (CR)**	**HWY-C**	**HC**	**HG**	**BCLI**	**RI**	**LI**	**HI**	**EP**	**HRD**	**PI**	**DC1**	**DC2**	**DC3**	**DC4**
Wind Energy System-Major	D								D					D				
Work Camp	D				D													