



Regular Council Meeting Agenda

March 26, 2019, 9:00 AM

Council Chambers

4912 - 50 Avenue

Kitscoty Alberta, Canada

Pages

1. CALL TO ORDER
2. OPENING INSPIRATION
3. ADDITIONS TO AGENDA
4. ADOPTION OF AGENDA

Recommendation:

THAT the County of Vermilion River approve the March 26, 2019 Regular Council Meeting Agenda as presented.

5. ADOPTION OF MINUTES

5.a REGULAR COUNCIL MEETING

Recommendation:

THAT the County of Vermilion River approve the March 12, 2019 Regular Council Meeting Minutes as presented.

5.b POLICY & PRIORITY COMMITTEE MEETING

Recommendation:

THAT the County of Vermilion River approve the March 11, 2019 Policy and Priorities Committee Meeting Minutes as presented.

6. APPOINTMENTS

11:00 AM Mike Krim on behalf of Tanmar Consulting re: 2019 Assessment

7. BUSINESS ARISING OUT OF PRIOR MEETINGS

8. COUNCIL NEW BUSINESS

8.a CHIEF ADMINISTRATIVE OFFICER REPORT

Recommendation:

THAT the County of Vermilion River receive the Chief Administrative Officer's Report for information.

8.b FINANCE

Request for Information

8.c PUBLIC WORKS AND UTILITIES

Request for Information

8.d NATURAL GAS UTILITY

Community Facilities Gas Revenue and Expense Report – For Information

8

Recommendation:

THAT the County of Vermilion River receive the Community Facilities Gas Revenue and Expense Report as information.

Request for Information

8.e AGRICULTURE AND ENVIRONMENT

Request for Information

8.f PROTECTIVE SERVICES

Request for Information

8.g PLANNING AND DEVELOPMENT

PROCLAMATION OF THE CENTENARY OF THE CANADIAN INSTITUTE OF PLANNERS – MOTION REQUIRED

12

Recommendation:

THAT the County of Vermilion River hereby recognize the Centenary of the Canadian Institute of Planners and extend our good wishes to its members on that occasion and support their continued contributions to municipal land use planning.

**REGIONAL AREOTROPLIS FEASIBILITY STUDY – MOTION
REQUIRED**

14

Recommendation:

THAT the County of Vermilion River approve a partnership with the City of Lloydminster on completing a Regional Areotropolis Feasibility Study by applying for a Community and Regional Economic Support Program grant and contributing \$37,500 from Planning and Development reserves and/or existing budget.

BLACKFOOT LAGOON – MOTION REQUIRED

18

Recommendation:

THAT the County of Vermilion River rescind Motion #2018-11-23-PP.

Recommendation:

THAT the County of Vermilion River direct administration to work with the City of Lloydminster to implement the waste water line from Blackfoot connecting into the City of Lloydminster waste water system.

REINHART BUSINESS PARK – MOTION REQUIRED

20

Recommendation:

THAT the County of Vermilion River rescind Motion #2019-02-29.

Recommendation:

THAT the County of Vermilion River direct administration to ensure any capital costs for connecting to municipal water or wastewater system be paid prior to the County of Vermilion River taking over any private water or waste water system.

**COUNTY OF VERMILION RIVER AND TOWN OF VERMILION
INTER-MUNICIPAL COLLABORATION FRAMEWORK AND
INTER-MUNICIPAL DEVELOPMENT PLAN – MOTION
REQUIRED.**

22

Recommendation:

THAT the County of Vermilion River direct administration to work with the Town of Vermilion for the purpose of updating the County of Vermilion River and Town of Vermilion Inter-municipal Collaboration Framework (ICF) and Inter-municipal Development Plan (IDP) in accordance with Provincial legislation.

Recommendation:

THAT the County of Vermilion River partner with the Town of Vermilion in a grant application for completing the Inter-municipal Development Plan (IDP) update and the development of the Inter-municipal Collaboration Framework (ICF) between the County of Vermilion River and the Town of Vermilion; with the Town of Vermilion as the managing partner.

Recommendation:

THAT the County of Vermilion River approve a 50% cost share for the completion of the Inter-municipal Development Plan (IDP) update and the Inter-municipal Collaboration Framework (ICF) between the County of Vermilion River and the Town of Vermilion for the portion of the project cost not covered under the grant.

Request for Information

8.h GENERAL ADMINISTRATION

Request for Information

9. POLICIES

**9.a ILLNESS SUPPLEMENTARY BENEFIT PLAN POLICY PE 010 –
MOTION REQUIRED**

25

Recommendation:

THAT the County of Vermilion River approve the Illness Supplementary Benefit Plan Policy PE 010 as presented.

**9.b AGRICULTURAL PESTS AND NUISANCE CONTROL POLICY AG 006
– MOTION REQUIRED**

30

Recommendation:

THAT the County of Vermilion River approve the Agricultural Pests and Nuisance Control Policy AG 006 as presented.

10. BYLAWS

10.a DOG CONTROL BYLAW No. 19-07 -MOTION REQUIRED

35

Recommendation:

THAT the County of Vermilion River give first reading to Bylaw No. 19-07, being a bylaw to establish Dog Control regulations in the County of Vermilion River.

Recommendation:

THAT the County of Vermilion River give second reading to Bylaw No. 19-07, being a bylaw to establish Dog Control regulations in the County of Vermilion River.

Recommendation:

THAT the County of Vermilion River introduce for third reading to Bylaw No. 19-07, being a bylaw to establish Dog Control regulations in the County of Vermilion River.

Recommendation:

THAT the County of Vermilion River give third and final reading to Bylaw No. 19-07, being a bylaw to establish Dog Control regulations in the County of Vermilion River.

Recommendation:

THAT the County of Vermilion River give first reading to Bylaw No. 19-05, being a Bylaw to repeal Bylaw No. 18-13 and to amend and replace Schedule “A” of Bylaw No. 10-06, being the County Fee Schedule.

Recommendation:

THAT the County of Vermilion River give second reading to Bylaw No. 19-05, being a Bylaw to repeal Bylaw No. 18-13 and to amend and replace Schedule “A” of Bylaw No. 10-06, being the County Fee Schedule.

Recommendation:

THAT the County of Vermilion River introduce for third reading Bylaw No. 19-05, being a Bylaw to repeal Bylaw No. 18-13 and to amend and replace Schedule “A” of Bylaw No. 10-06, being the County Fee Schedule.

Recommendation:

THAT the County of Vermilion River give third and final reading to Bylaw No. 19-05, being a Bylaw to repeal Bylaw No. 18-13 and to amend and replace Schedule “A” of Bylaw No. 10-06, being the County Fee Schedule.

10.c **BYLAW 19-06 FOR THE PURPOSE OF REDESIGNATING NE-26-50-6W4M AND A PORTION OF SE-35-50-6W4M FROM AGRICULTURE (A) DISTRICT TO RURAL INDUSTRIAL (RM) – MOTION REQUIRED****Recommendation:**

THAT the County of Vermilion River give First Reading to Bylaw No. 19-06 being a bylaw to re-designate NE-26-50-6W4M and a portion of SE-35-50-6W4M from Agriculture (A) District to Rural Industrial (RM).

Recommendation:

THAT the County of Vermilion River set a public hearing for Bylaw No. 19-06 to re-designate NE-26-50-6W4M and a portion of SE-35-50-6W4M from Agriculture (A) to Rural Industrial (RM) on April 30th, 2019 at 2:00 p.m.

10.d BYLAW NO. 19-03 – MUNICIPAL DEVELOPMENT PLAN – MOTION REQUIRED

85

Recommendation:

THAT the County of Vermilion River give First Reading to Bylaw No. 19-03, being the Municipal Development Plan to establish the regulations on how land can be developed in the County of Vermilion River.

Recommendation:

THAT the County of Vermilion River set a Public Hearing for Bylaw No. 19-03, being the Municipal Development Plan to establish regulations on how land can be developed in the County of Vermilion River, on April 30th, 2019 at 2:30 p.m.

10.e LAND USE BYLAW NO. 19-02 – MOTION REQUIRED

171

Recommendation:

THAT the County of Vermilion River give First Reading to Bylaw No. 19-02, being the Land Use Bylaw to establish the regulations on how land can be developed in the County of Vermilion River.

Recommendation:

THAT the County of Vermilion River set a Public Hearing for Bylaw No. 19-02, being the Land Use Bylaw to establish regulations on how land can be developed in the County of Vermilion River, on April 30th, 2019 at 3:00 p.m.

11. DELEGATIONS / PUBLIC HEARINGS

11:00 AM Mike Krim on behalf of Tanmar Consulting re: 2019 Assessment

12. DISPOSITION OF DELEGATION BUSINESS

13. NOTICES OF MOTION

14. COUNCIL REPORTS

15. CLOSED SESSION - CONFIDENTIAL

FOIP Section 24 (1) - Advice from Officials - Gravel Agreement

15.a 2019 Gravel Agreement – MOTION REQUIRED

16. ADJOURNMENT

COUNCIL MEETING DATE: MARCH 26, 2019

BRIEFING NOTE - TO COUNCIL

SUBJECT

Community Facilities Gas Revenue and Expense Report – For Information

RECOMMENDATION

THAT the County of Vermilion River receive the Community Facilities Gas Revenue and Expense Report as information.

DETAILS

Background: The Gas Utility is presently charging our cost to provide service to community facilities within our Franchise Area. Additionally, the Gas Utility invests approximately \$4,000 community facilities, organizations and events. While the Gas Utility is not opposed to increasing our level of support within the community, we feel that this support would be enhanced through contributions rather than gas rate subsidization.

The attached calculations provide information on current costs to serve, current revenue and proposed revenue based on a \$100/year service charge. (As requested at the February 26, 2019 Council Meeting) The attached calculations are based on churches and community halls. We have included a separate calculations including and excluding arenas and the Paradise Valley museum. Golf course, rodeo, campground facilities have not been included in either calculation.

ATTACHMENTS

1. Community Facility Calculation
2. Community Facility Calculation excl. Arenas
3. Community Facility Map

PREPARED BY: Sarah Armstrong, Gas Utility Assistant

APPROVED BY: Louis Genest, Director of Gas Utility

DATE: March 20, 2019

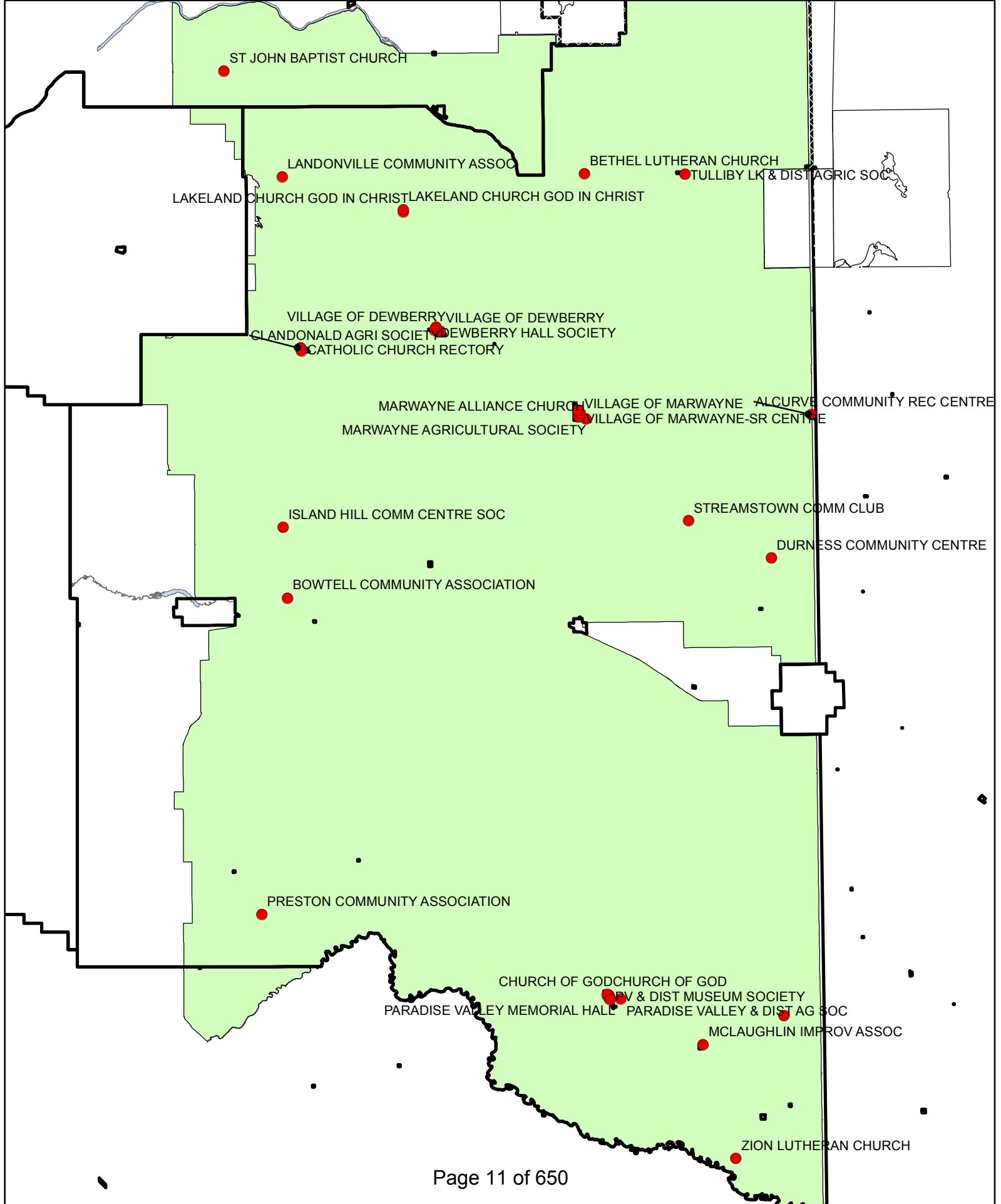
Community Facility Gas Revenue/Expense Projections

Community Facilities		Expense	Revenue - Current			Revenue - Proposed		
		Average	Monthly	Gas Usage	Total	Annual	Gas Usage	Total
		Cost of	Service	Charge	Revenue	Service	Charge	Revenue
		Service	Charge	Charge		Charge	Charge	
		\$670	\$30	\$1.27		\$100	\$1.27	
Within County	17	\$11,390	\$6,120	\$4,347	\$10,467	\$1,700	\$4,347	\$6,047
Marwayne	7	\$4,690	\$2,520	\$4,915	\$7,435	\$700	\$4,915	\$5,615
Paradise Valley	6	\$4,020	\$2,160	\$3,490	\$5,650	\$600	\$3,490	\$4,090
Dewberry	4	\$2,680	\$1,440	\$4,173	\$5,613	\$400	\$4,173	\$4,573
St. Paul County	1	\$670	\$360	\$17	\$377	\$100	\$17	\$117
Total Accounts	35	\$23,450	\$12,600	\$16,942	\$29,542	\$3,500	\$16,942	\$20,442

Community Facility Gas Revenue/Expense Projections
Excluding Arenas/Museums

Community Facilities		Expense Average Cost of Service \$670		Revenue - Current				Revenue - Proposed		
				Monthly Service Charge \$30	Gas Usage Charge \$1.27	Total Revenue		Annual Service Charge \$100	Gas Usage Charge \$1.27	Total Revenue
Within County	16	\$10,720		\$5,760	\$4,252	\$10,012		\$1,600	\$4,252	\$5,852
Marwayne	6	\$4,020		\$2,160	\$2,595	\$4,755		\$600	\$2,595	\$3,195
Paradise Valley	4	\$2,680		\$1,440	\$1,607	\$3,047		\$400	\$1,607	\$2,007
Dewberry	3	\$2,010		\$1,080	\$968	\$2,048		\$300	\$968	\$1,268
St. Paul County	1	\$670		\$360	\$17	\$377		\$100	\$17	\$117
Total Accounts	30	\$20,100		\$10,800	\$9,437	\$20,237		\$3,000	\$9,437	\$12,437

Gas Utility
Community Facility Map



MEETING DATE: MARCH 26, 2019

REQUEST FOR DECISION - TO COUNCIL

SUBJECT

**PROCLAMATION OF THE CENTENARY OF THE CANADIAN INSTITUTE OF PLANNERS
– MOTION REQUIRED**

RECOMMENDATION

THAT the County of Vermilion River hereby recognize the Centenary of the Canadian Institute of Planners and extend our good wishes to its members on that occasion and support their continued contributions to municipal land use planning.

DETAILS

Background: The year 2019 marks the 100th anniversary of the founding of the Canadian Institute of Planners, a national organization whose members contribute to the planning, development and protection of land across the country. These professional planners assist municipalities by helping to ensure that our land and communities are healthy, vibrant and accessible to everyone.

Desired Outcome (s): To recognize the Centenary of the Canadian Institute of Planners for 2019.

Response Options: THAT the County of Vermilion River hereby recognize the Centenary of the Canadian Institute of Planners and extend our good wishes to its members on that occasion and support their continued contributions to municipal land use planning in the future.

IMPLICATIONS OF RECOMMENDATION

Communication Required: Website, social media platforms

Implementation: Upon resolution

ATTACHMENTS

1. Proclamation

PREPARED BY: Director of Planning & Development

DATE: March 15, 2019

PROCLAMATION:

Centenary of the Canadian Institute of Planners - 2019

The year 2019 marks the 100th anniversary of the founding of the Canadian Institute of Planners, a national organization whose members contribute to the planning, development and protection of land across the country.

These professional planners assist municipalities by helping to ensure that our land and communities are healthy, vibrant and accessible to everyone.

Therefore, BE IT RESOLVED that we, **the Council of the County of Vermilion River** do hereby recognize the Centenary of the Canadian Institute of Planners and extend our good wishes to its members on that occasion and support their continued contributions to municipal land use planning in the future.

Reeve's Signature

Date



MEETING DATE: MARCH 26, 2019

REQUEST FOR DECISION - TO COUNCIL

SUBJECT

REGIONAL AREOTROPLIS FEASIBILITY STUDY – MOTION REQUIRED

RECOMMENDATION

THAT the County of Vermilion River approve a partnership with the City of Lloydminster on completing a Regional Areotroplis Feasibility Study by applying for a Community and Regional Economic Support Program grant and contributing \$37,500 from Planning and Development reserves and/or existing budget.

DETAILS

Background:

In August 2014, the City of Lloydminster and the County of Vermilion River signed a Memorandum of Understanding in regards to developing a Regional Airport Plan. The purpose of the agreement is to ensure land is protected for airport use; to set out certain principles relating to the airport and develop a plan for the cooperative ownership, management and development of a regional airport; and to establish an initial working relationship relating to the Regional Airport Plan.

Since 2014, general discussions regarding airport development have taken place at the Inter-municipal liaison committee. In order to move forward and fully realize the potential of the regional airport concept, the Economic Development teams from both municipalities are recommending the completion of a Regional Areotroplis Feasibility Study. This study would identify:

- a. Economic Cluster Analysis;
- b. Economic Impact;
- c. Airport Facility Review and Masterplan;
- d. Land Use Allocations;
- e. Development Targets and Typologies; and
- f. Zoning and Land Use recommendations and amendments.

The City of Lloydminster is willing to take the lead on the project, apply for the Community and Regional Economic Support (CARES) program and manage the project resources. The partnership would be 50% funded from CARES, and then 50% from equal contributions from the City and CVR. The portion for CVR would be \$37,500 and would be allocated from a combination of Planning & Development reserves and/or existing budget. The project would not proceed if the CARES grant application is not successful. This application deadline is May 1, 2019.

Discussion:

The Strategic Plan identifies Partnerships and Economy as two of the six Strategic Priorities. This project falls under both these priorities and was also identified in the draft Economic Development Road Map. This project will guide efforts in developing a long-term plan for the Airport as a regional asset for economic development and growth. It will allow our region to capitalize on commercial air service, expand commercial and industrial activity, and encourage business investments and opportunities for land development. Significant progress since 2014 includes the attraction of WestJet as a flight service provider for the region.

Desired Outcome (s):

That the request to partner with the City of Lloydminster and contribute financially to the Regional Areotropolis Feasibility Study is approved.

Response Options:

THAT the County of Vermilion River approve to partner with the City of Lloydminster to complete a CARES grant application and the subsequent Regional Areotropolis Feasibility Study, and contribute \$37,500 to be funded from Planning and Development Reserves and/or existing budget.

IMPLICATIONS OF RECOMMENDATION

Organizational: Planning and Development will be the lead on this project

Financial: Confirm funds assigned appropriately

Implementation: Work collaboratively with the City of Lloydminster Economic Development team

ATTACHMENTS

1. Request Letter Funding Support Regional Areotropolis Feasibility Study

PREPARED BY: Corinne McGirr, Community Development Coordinator

APPROVED BY: Roger Garnett, Director of Planning & Development

DATE: March 20, 2019



March 13, 2019

County of Vermilion River
4912-50 Avenue
Kitscoty, AB T9B 2P0
Attn: Reeve Dale Swyripa

Re: Regional Areotropolis Feasibility Study

Dear Reeve Swyripa,

The City of Lloydminster is proposing a Regional Areotropolis Feasibility Study of the Lloydminster Airport which would include the following recommendations:

- Economic Cluster Analysis
- Economic Impact
- Airport Facility Review and Masterplan
- Land Use Allocations
- Development Targets and Typologies
- Zoning and Land Use recommendations and amendments

An application will be submitted in May 2019 to the Government of Alberta requesting funding through the Community and Regional Economic Support (CARES) Program. In applying for the grant, our goal is to develop a long-term plan for the Airport as a regional asset. Ensuring that we capitalize on commercial air service, provide quality experience for travelers, expand commercial and industrial activity surround the airport, encourage business investments and opportunities for land development in the proximity of the airport.

The CARES Program will fund up to 50% of the project and City of Lloydminster will fund 25% of the project. Please accept this letter as a formal request that the County of Vermilion River to fund 25% of the program or \$37,500.00.

Sincerely,

Gerald S. Aalbers
Mayor, City of Lloydminster
gaalbers@lloydminster.ca

MEETING DATE: MARCH 26, 2019

REQUEST FOR DECISION - TO COUNCIL

SUBJECT

BLACKFOOT LAGOON – MOTION REQUIRED

RECOMMENDATION

THAT the County of Vermilion River rescind Motion #2018-11-23-PP.

THAT the County of Vermilion River direct administration to work with the City of Lloydminster to implement the waste water line from Blackfoot connecting into the City of Lloydminster waste water system.

DETAILS

Background: At the November 6, 2018 Policy and Priorities Committee meeting the following motion was made:

THAT the County of Vermilion River Policy and Priorities Committee direct administration to proceed with a Request for Proposal for the Blackfoot Lagoon and the pipeline to the Blackfoot Creek Drainage System.

Discussion: On March 11, 2019, the County was made aware of receiving the Alberta Municipal Water/Wastewater Partnership grant for \$3.0 million to upgrade the Hamlet of Blackfoot Wastewater treatment system. The grant is specific to the construction of a regional wastewater line from the Hamlet of Blackfoot to the City of Lloydminster. The above motion will need to be amended to reflect that the Request for Proposal will need to be for the construction of the regional wastewater line from the Hamlet of Blackfoot to the City of Lloydminster and not to the Blackfoot Creek Drainage System.

Relevant Policy/Legislation Practices:

Alberta Municipal Water/Wastewater Partnership program reporting criteria

Desired Outcome (s):



THAT the County of Vermilion River rescind Motion #2018-11-23-PP.

AND

THAT the County of Vermilion River direct administration to work with the City of Lloydminster to implement the waste water line from Blackfoot connecting into the City of Lloydminster waste water system.

Response Options:

THAT the County of Vermilion River rescind Motion #2018-11-23-PP.

AND

THAT the County of Vermilion River direct administration to work with the City of Lloydminster to implement the waste water line from Blackfoot connecting into the City of Lloydminster waste water system.

IMPLICATIONS OF RECOMMENDATION

Organizational: Planning & Development work with Public Works and the City of Lloydminster to implement the upgraded wastewater system for Blackfoot.

Financial: Total project estimate of \$3.34 million at time of grant application will be reviewed during detailed design to accurately determine costing for the Blackfoot wastewater project.

Communication Required: Initial communication with the City of Lloydminster will be implement through the Joint Intermunicipal Liaison Committee.

Implementation: County administration to work with the City of Lloydminster and release a Request for proposal for engineering of the upgraded waste water system.

ATTACHMENTS

PREPARED BY: Director of Planning and Development

DATE: March 19, 2019

MEETING DATE: MARCH 26, 2019

REQUEST FOR DECISION - TO COUNCIL

SUBJECT

REINHART BUSINESS PARK – MOTION REQUIRED

RECOMMENDATION

THAT the County of Vermilion River rescind Motion #2019-02-29.

THAT the County of Vermilion River direct administration to ensure any capital costs for connecting to municipal water or wastewater system be paid prior to the County of Vermilion River taking over any private water or waste water system.

DETAILS

Background: At the February 12, 2019 Regular Council Meeting, motion #2019-02-29 was made:

THAT the County of Vermilion River direct administration to amend the current Development Agreement for the North American Land Corporation for Phase 1 and Phase 2 of the Reinhart Business Park (SE-5-50-1W4M) for water and sewer, and cost share additional asphalt for the internal road.

Discussion: On March 11, 2019, the County was made aware of receiving Alberta Water and Wastewater Partnership grant for \$3.0 million to upgrade the Hamlet of Blackfoot Wastewater treatment system. The above motion will need to be rescinded and a new motion made to reflect the requirement of the Reinhart Business Park to potentially connect onto the regional wastewater line going from the Hamlet of Blackfoot to the City of Lloydminster. The Reinhart Business Park will need to contribute funds to this capital project and so the motion should reflect as such.

Relevant Policy/Legislation Practices:

Municipal Government Act

Desired Outcome (s): THAT the County of Vermilion River rescind Motion #2019-02-29.

AND



THAT the County of Vermilion River direct administration to ensure any capital costs for connecting to a municipal water or wastewater system be paid prior to the County of Vermilion River taking over any private water or waste water system.

Response Options: THAT the County of Vermilion River rescind Motion #2019-02-29.

AND

THAT the County of Vermilion River direct administration to ensure any capital costs for connecting to a municipal water or wastewater system be paid prior to the County of Vermilion River taking over any private water or waste water system.

IMPLICATIONS OF RECOMMENDATION

Organizational: That Administration work with Reinhart Business Park on the logistics of getting the Business Park hooked onto the regional wastewater line.

Financial: all service connection costs shall be the responsibility of the Developer or customers on the private water and/or wastewater system.

Communication Required: notification to the developer and private landowners connected to the private water and/or wastewater system.

Implementation: Administration to work with the City of Lloydminster to implement the wastewater line.

ATTACHMENTS

PREPARED BY: Director of Planning & Development

DATE: March 19, 2019

MEETING DATE: MARCH 12, 2019

REQUEST FOR DECISION - TO COUNCIL

SUBJECT

COUNTY OF VERMILION RIVER AND TOWN OF VERMILION INTER-MUNICIPAL COLLABORATION FRAMEWORK AND INTER-MUNICIPAL DEVELOPMENT PLAN – MOTION REQUIRED.

RECOMMENDATION

THAT the County of Vermilion River direct administration to work with the Town of Vermilion for the purpose of updating the County of Vermilion River and Town of Vermilion Inter-municipal Collaboration Framework (ICF) and Inter-municipal Development Plan (IDP) in accordance with Provincial legislation.

THAT the County of Vermilion River partner with the Town of Vermilion in a grant application for completing the Inter-municipal Development Plan (IDP) update and the development of the Inter-municipal Collaboration Framework (ICF) between the County of Vermilion River and the Town of Vermilion with the Town of Vermilion as the managing partner.

THAT the County of Vermilion River approve a 50% cost share for the completion of the Inter-municipal Development Plan (IDP) update and the Inter-municipal Collaboration Framework (ICF) between the County of Vermilion River and the Town of Vermilion for the portion of the project cost not covered under the grant.

DETAILS

Background: The Province of Alberta has updated the Municipal Government Act (MGA) making the adoption of Intermunicipal Development Plans and Intermunicipal Collaboration Frameworks mandatory for all municipalities within the Province in two years from the coming into force of the new MGA. The deadline for the preparation of these Plans and Frameworks is 1 April, 2020.

Discussion: That Council motion to partner with the Town of Vermilion as the managing partner in a grant application for the IDP/ICF project; And that Council direct administration to work with the Town of Vermilion in the update of the IDP and development of the ICF together with

the selected consultants; And that Council motion to approve the County's share of 50% of projects costs not covered under the grant.

Relevant Policy/Legislation Practices: *Municipal Government Act*

Desired Outcome (s):

THAT the County of Vermilion River direct administration to work with the Town of Vermilion for the purpose of updating the County of Vermilion River and Town of Vermilion Inter-municipal Collaboration Framework (ICF) and Inter-municipal Development Plan (IDP) in accordance with Provincial legislation.

THAT the County of Vermilion River partner with the Town of Vermilion in a grant application; for completing the Inter-municipal Development Plan (IDP) update and the development of the Inter-municipal Collaboration Framework (ICF) between the County of Vermilion River and the Town of Vermilion; with the Town of Vermilion as the managing partner.

THAT the County of Vermilion River approve a 50% cost share for the completion of the Inter-municipal Development Plan (IDP) update and the Inter-municipal Collaboration Framework (ICF) between the County of Vermilion River and the Town of Vermilion for the portion of the project cost not covered under the grant.

Response Options:

THAT the County of Vermilion River direct administration to work with the Town of Vermilion for the purpose of updating the County of Vermilion River and Town of Vermilion Inter-municipal Collaboration Framework (ICF) and Inter-municipal Development Plan (IDP) in accordance with Provincial legislation.

THAT the County of Vermilion River partner with the Town of Vermilion in a grant application; for completing the Inter-municipal Development Plan (IDP) update and the development of the Inter-municipal Collaboration Framework (ICF) between the County of Vermilion River and the Town of Vermilion; with the Town of Vermilion as the managing partner.

THAT the County of Vermilion River approve a 50% cost share for the completion of the Inter-municipal Development Plan (IDP) update and the Inter-municipal Collaboration Framework (ICF) between the County of Vermilion River and the Town of Vermilion for the portion of the project cost not covered under the grant.

IMPLICATIONS OF RECOMMENDATION



Organizational: Engagement of the Intermunicipal Liaison Committee (Technical & Steering).

Financial: 50% of projects costs not covered under the grant.

Communication Required: Notification to the Town of Vermilion on motions from Council.

Implementation: Upon motion from Council, the Intermunicipal Liaison Committee will proceed with the project.

ATTACHMENTS

County of Vermilion River – Town of Vermilion Intermunicipal Collaboration Framework and Intermunicipal Development Plan Update Informal Request for Proposal.

PREPARED BY: Director of Planning & Development

DATE: March 6, 2019

MEETING DATE: MARCH 26, 2019

REQUEST FOR DECISION - TO COUNCIL

SUBJECT

ILLNESS SUPPLEMENTARY BENEFIT PLAN POLICY PE 010 – MOTION REQUIRED

RECOMMENDATION

THAT the County of Vermilion River approve the Illness Supplementary Benefit Plan Policy PE 010 as presented.

DETAILS

Background: Back in January 2019, administration presented a newly formatted maternity leave benefit plan policy to Council. At this meeting, Council raised many questions specifically related to the entitlement portion of the policy which enables employee's to receive a top up on their weekly earnings for the health related portion of their maternity leave. In order to ensure the correct information is presented to Council, administration contacted the government on the maternity/illness sub plan and the following highlights the conversation:

- The County is not required to top up an employee's earnings while they are on maternity leave
 - o However, if the County does so choose to top up an employee's weekly earnings, they may select at what percentage they would like to do so. Employees on maternity leave receive 55% of their regular wage leaving room for a 45% or less top up. The County may therefore select any amount between 0% and 45% to top up an employee's weekly earnings. Please note, the total weekly earnings top up cannot exceed 100% of the employee's regular wage.
 - o The top up amount for employees under this plan is limited to the individual employees accumulated sick time
 - If an employee does not have any accumulated sick time at the time they are deemed to be unfit for work by their doctor in relation to their maternity leave, they would not be eligible for a top up under this policy
- When it comes to having a top up plan designated to assist during the health related portion of an employee's maternity leave, the County must register said plan with the government. The policy must further state that it is an illness supplementary benefit

plan intended to cover the health related portion of a maternity leave and not simply a maternity supplementary benefit plan. When an application to register a plan is submitted, it must be approved by the government in order to take effect. The County has not had a registered plan in years and therefore to move forward with the attached policy, Council would first have to approve it then administration would need to submit the application to the province for approval. Once approved, the policy would be in effect.

- This top up plan, in its current state, is only applicable if an employee is unfit to work due to medical reasons as it relates to their pregnancy/maternity leave.

Discussion: Council has the option of providing a sub plan for the health related portion of a maternity leave or a sub plan simply for the benefit of the employee to receive a top up on their weekly earnings during that portion of time when they are making less than their regular wage. Should Council endeavor to provide a top up plan not related to the illness portion of an employee's maternity leave, the plan would not have to be registered with the province.

Relevant Policy/Legislation Practices: Labour Standards Code

IMPLICATIONS OF RECOMMENDATION

Financial: Administration would be responsible for determining the top up amount based on an employee's accumulated sick time.

Communication Required: Administration would be required to register the SUB plan with the government should Council approve to supplement an employee's earning during the health related portion of their maternity leave.

Implementation: Should Council approve the SUB plan as presented, the plan would come into effect once reviewed and approved through the appropriate higher level of government channels.

ATTACHMENTS

1. Policy PE 010 – Illness SUB Plan

PREPARED BY: Shannon Harrower, Executive Secretary

APPROVED BY: Pat Vincent, Interim CAO

DATE: March 12, 2019

POLICY # PE 010
ILLNESS SUPPLEMENTRY BENEFIT PLAN

APPROVAL DATE:	May 1995	CROSS-REFERENCE:	
RESPONSIBILITY:	Administration		
APPROVER:	Council	APPENDICES:	
REVISION DATE (s):	05-04-04; 10-08-01 (August 2001); January 15, 2019; March 26, 2019	REVIEW DATE:	March 2019

POLICY STATEMENT

To provide a Supplementary Benefit Plan to pregnant employees of the County of Vermilion River who cease work due to the health related portion of their Maternity Leave.

BACKGROUND

The County recognizes that employees taking maternity leave face increased financial expenses including a reduced income. As such, for the benefit of pregnant employees who are required to cease work due to a Maternity Leave, Council established a SUB plan to EI for maternity benefits. Payments from the maternity SUB plan that meet the conditions specified in the Labour Code are not deducted from EI benefits.

OBJECTIVE

To establish the criteria by which the County provides a SUB plan to increase an employee's weekly earnings during the health related portion of their Maternity Leave.

SCOPE

INTERNAL STAKEHOLDERS	EXTERNAL STAKEHOLDERS
Council	
Administration	
County Staff	

DEFINITIONS

AUMA is the Alberta Urban Municipalities Association.

County is the County of Vermilion River.

Doctor Certificate is a written note or statement from a physician or other medically qualified health care provider which attests to the result of a medical examination of a patient.

EI is employment insurance.

Health Related Portion is the portion of a Maternity Leave that an employee is medically incapable of returning to work.

Maternity Leave is leave granted under the Employment Standard Code where a pregnant employee is entitled to a period of unpaid leave of not more than sixteen (16) weeks starting at any time during the 12 weeks immediately before the estimated date of delivery.

SUB is the Supplemental Unemployment Benefit.

GUIDING PRINCIPLES

The SUB plan is financed by the County's general revenues and is kept separate in the payroll records. Employees do not have a right to SUB payments except for the supplementation of EI Maternity Leave benefits for the unemployment period as specified in this policy. Payments in respect of guaranteed annual remuneration or in respect of deferred remuneration, banked sick leave, vacation leave or severance pay benefits are not reduced or increased by payments received under the SUB plan.

Entitlement

- Maternity Leave is granted to pregnant employees in accordance with the Employment Standards Code.
- Entitlement to the SUB plan is restricted and is only applicable to the Health Related Portion of an employee's Maternity Leave.

- To receive payment under the SUB plan, employees must:
 - Qualify for Maternity Leave under the Labour Standards Code.
 - Have served as a full-time employee of the County for a minimum of ninety (90) consecutive days immediately preceding the Maternity Leave.
 - Submit a doctor's certificate indicating the date that the Health Related Portion of the Maternity Leave commenced
 - Submit a doctor's certificate indicating the date that the Health Related Portion of the Maternity Leave finished
 - Submit their EI benefit paperwork as proof that they have applied for and are in receipt of EI maternity benefits, including the dollar amount of which they are entitled to receive
- SUB is payable for the period during which the employee is not in receipt of EI benefits, if the only reason for non-receipt is:
 - The employee is serving the one (1) week EI waiting period
- In any one (1) week, the total amount of the SUB payment plus the weekly rate of the EI maternity benefit payment must not exceed ninety five percent (95%) of the employee's regular weekly earnings.
- The SUB payment is limited to the amount of sick leave entitlement accumulated by the employee. Employees are only eligible to receive a SUB payment for accumulated sick time of seventy five (75) days or less.
- Employees who participate in the SUB plan are not entitled to salary or benefits over and above that which would normally be received.
- Employees who take Maternity Leave have the option to continue their AUMA benefits.
- Employees are responsible for one hundred percent (100%) of the AUMA benefit premium while on Maternity Leave.

ROLES & RESPONSIBILITIES

ROLE/TASK	TITLE (s) OF PERSON RESPONSIBLE
HANDLING INQUIRIES	Chief Administrative Officer
MONITORING REVIEWS AND REVISIONS	Executive Secretary
IMPLEMENTING POLICY	Council
COMMUNICATING POLICY	Chief Administrative Officer

MEETING DATE: MARCH 26, 2019

REQUEST FOR DECISION - TO COUNCIL

SUBJECT

**AGRICULTURAL PESTS AND NUISANCE CONTROL POLICY AG 006 – MOTION
REQUIRED**

RECOMMENDATION

THAT the County of Vermilion River approve the Agricultural Pests and Nuisance Control Policy AG 006 as presented.

DETAILS

Background: The Agriculture and Environment department has made some minor changes to the pest and nuisance control policy as well as transitioned it into the County's new policy template.

IMPLICATIONS OF RECOMMENDATION

Communication Required: Policy index to be updated and staff to be notified.

ATTACHMENTS

1. Agricultural Pests and Nuisance Control Policy

PREPARED BY: Shannon Harrower, Executive Assistant

APPROVED BY: Pat Vincent, Interim CAO

DATE: March 20, 2019

POLICY # AG 006	AGRICULTURAL PEST AND NUISANCE CONTROL
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APPROVAL DATE:	February 1994	CROSS-REFERENCE:	AG 001 Beaver Control Policy; AG 003 Grasshopper Control Policy; AG 005 Coyote Control Toxicants and Devices Policy; AG 013 Fusarium Graminearum Management Plan Policy; AG 015 Control of Clubroot Disease Policy
RESPONSIBILITY:	Administration		
APPROVER:	Council	APPENDICES:	
REVISION DATE (s):	March 25, 2019	REVIEW DATE:	March 2024

POLICY STATEMENT

To establish an integrated pest management strategy which demonstrates the commitment of the County of Vermilion River to fulfilling its duties under the Agricultural Pests Act and Nuisance Control Regulation.

BACKGROUND

As a result of being located along the Saskatchewan border, the County of Vermilion River is part of Alberta's Provincial Rat Control Area. Pest Inspector(s) are therefore employed by the County to provide rat control and inspection services as required by an Agreement with the Province of Alberta.

Furthermore, Alberta's Agricultural Pests Act RSA 2000 c A-8 requires municipalities to appoint inspectors to carry out the Act and Regulations within the municipality. These inspectors ensure that land, livestock and property within the County are protected from agricultural pests and nuisances.

OBJECTIVE

To respond to infestations of Designated Pests, provide pest monitoring services, conduct rat inspections and control services as required by agreement with the Province, and assist ratepayers with access to the effective tools and solutions to control Problem Wildlife and Designated Nuisances thereby improving the sustainability of agricultural operations.

SCOPE

INTERNAL STAKEHOLDERS	EXTERNAL STAKEHOLDERS
Council	Ratepayers
Administration	

DEFINITIONS

County is the County of Vermilion River.

Designated Pest means the animals, birds, insects, plants and diseases set out in Part 1 of Schedule 1 of the Agricultural Pests Act Pest and Nuisance Control Regulation AR 184/2001, and wild boar where it is at large in Alberta.

Designated Nuisance means the animals, birds, insects, plants and diseases set out in Part 2 of Schedule 1 of the Agricultural Pests Act Pest and Nuisance Control Regulation AR 184/2001.

Pest Inspector(s) means a person appointed as an inspector under the Agricultural Pests Act.

Problem Wildlife means those wildlife species listed by Alberta Environment and Parks as problem wildlife under the Alberta Guide to Trapping Regulations.

Landowner is a person who is registered under the Land Titles Act as the owner of the land.

Occupant is a person occupying or exercising control or having the right to occupy or exercise control over land or property.

GUIDING PRINCIPLES

- The County of Vermilion River employs and trains Pest Inspectors. Pest Inspectors are trained in pest identification, pest management techniques and pest control measures.
- Appointed Pest Inspectors must hold a valid Form 7 – Permit for coyote and skunk control on another person's Land.
- The control of Designated Nuisances, Designated Pests and Problem Wildlife is a shared responsibility between landowners, the Province of Alberta and the County of Vermilion River.

- A Pest Inspector is permitted to issue and enforce notices as required by the Agricultural Pest Act when the Pest Inspector suspects that the property contains a Problem or Designated Pest and the landowner or occupant is unwilling to take measures to control or eradicate the infestation.
- AG 001 Beaver Control Policy, AG003 Grasshopper Control Policy, AG 005 Coyote Control Toxicants & Devices Policy, AG 013 Fusarium Graminearum Management Plan Policy and AG 015 Control of Clubroot Disease Policy or other pest specific County policies supersede this Agricultural Pest and Nuisance Control Policy AG 006.

Vertebrate Pests

Richardson Ground Squirrel (*Spermophilus richardsonii*) Control:

- When it is registered for use by the Pest Management Regulatory Agency, the County may sell 2% liquid strychnine to qualified agricultural producers for the control of Richardson Ground Squirrel.

Coyote (*Canis latrans*) Control:

- The County Pest Inspector shall investigate complaints of coyote predation upon livestock within the County. Proof of predation must be obtained before authorizing issuance of control material and devices.
- See Policy AG 005 Coyote Control Toxicants & Devices.

Skunk (*Mephitis mephitis*) Control:

- The Landowner or Occupant may undertake control of skunks on their property. The County may assist by providing skunk traps for short term use.

Wild Boar (*Sus scrofa*) Control:

- The County participates in Alberta's Wild Boar Program to assist producers in managing wild boar populations within the County.

Rat (*Rattus* species) and Rabies (*Rhabdoviruses*) Control:

- All complaints of suspected rat or rabies occurrence shall be investigated.
- The County must fulfil its responsibilities under the Alberta Municipal Rat and Rabies Control Agreement.

Raccoon (*Procyon lotor*) Control:

- Currently, raccoons are not a Designated Pest or Designated Nuisance under the Agricultural Pests Act. The Landowner or Occupant may undertake control of raccoons on their property. The County may assist by providing traps for short term use.

Beaver (*Castor canadensis*) Control:

- See Policy AG 001 Beaver Control Policy

Insect Pests

Grasshopper (*Locustidae*), Bertha armyworm (*Mamestra configurata*) and Other Insect Control:

- The County shall conduct field surveys to monitor populations of insect Pests and Nuisance species in conjunction with Alberta Agriculture.
- See Policy AG 003 Grasshopper Control.

Crop Disease Management

Fusarium Head Blight (*Fusarium graminearum*):

- See Policy AG 013 Fusarium Graminearum Management Plan.

Clubroot (*Plasmodiophora brassicae*):

- See Policy AG 015 Control of Clubroot Disease.

ROLES & RESPONSIBILITIES

ROLE/TASK	TITLE (s) OF PERSON RESPONSIBLE
HANDLING INQUIRIES	Director of Agriculture & Environment
MONITORING REVIEWS AND REVISIONS	Executive Secretary
IMPLEMENTING POLICY	Council
COMMUNICATING POLICY	Chief Administrative Officer

EXCEPTIONS

Pest monitoring is for Declared Agricultural Pests.

MEETING DATE: MARCH 26, 2019

REQUEST FOR DECISION - TO COUNCIL

SUBJECT

DOG CONTROL BYLAW No. 19-07 -MOTION REQUIRED

RECOMMENDATION

THAT the County of Vermilion River give first reading to Bylaw No. 19-07, being a bylaw to establish Dog Control regulations in the County of Vermilion River.

THAT the County of Vermilion River give second reading to Bylaw No. 19-07, being a bylaw to establish Dog Control regulations in the County of Vermilion River.

THAT the County of Vermilion River introduce for third reading to Bylaw No. 19-07, being a bylaw to establish Dog Control regulations in the County of Vermilion River.

THAT the County of Vermilion River give third and final reading to Bylaw No. 19-07, being a bylaw to establish Dog Control regulations in the County of Vermilion River.

DETAILS

Background: The Dog control Bylaw has been modified based on the advice of legal officials and the direction of Council during the Dog Control Bylaw review in February 2019.

Relevant Policy/Legislation Practices: Bylaw 17-20 will need to be repealed and replaced by Bylaw 19-07.

IMPLICATIONS OF RECOMMENDATION

Communication Required: Administration to communicate change to residents. Communication can be in the form of Newsletter updates, website and social media.

ATTACHMENTS

1. Dog Control Bylaw 19-07



Approved by: Orest Popil, Director of Protective Services

DATE: March 20, 2019

BYLAW NO. 19-07

DOG CONTROL BYLAW

A BYLAW OF THE COUNTY OF VERMILION RIVER, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING AND CONTROLLING DOGS

WHEREAS the *Municipal Government Act*, RSA 2000, Chapter M-26, and amendments thereto, grants Council the authority to pass bylaws to regulate and control dogs and activities in relation to them;

AND WHEREAS the Council of the County of Vermilion River deems it necessary and proper to regulate the keeping of dogs within the limits of the County;

NOW THEREFORE the Council of the County of Vermilion River, in the Province of Alberta, duly assembled, hereby enacts as follows:

PART 1 – DEFINITIONS AND INTERPRETATION

Bylaw Title

1 This Bylaw shall be known as the “Dog Control Bylaw”.

Definitions

2 In this Bylaw unless the context otherwise requires:

- (a) **“Animal”** means any live creature, both domestic and wild, and includes fowl, fish and reptiles, but does not include a human;
- (b) **“Animal Protection Act”** means the *Animal Protection Act*, RSA 2000 Chapter A-41, and regulations thereunder;
- (c) **“Animal Shelter”** means a facility contracted by the County for the purposes of housing and providing care for impounded Dogs or other Animals, collecting fees, and otherwise assisting with the administration of this Bylaw, and may include a veterinary clinic;
- (d) **“At Large”** means any Dog that is present at any place other than the Owner’s Property and which is not being carried by a person or which is not otherwise restrained or under physical control of a person by means of some form of Restraining Device securely holding that Dog;
- (e) **“Bylaw Enforcement Officer”** means a member of the Royal Canadian Mounted Police, a Community Peace Officer whose appointment includes enforcement of the County’s Bylaws, or a Bylaw Enforcement Officer appointed by the County;
- (f) **“Chief Administrative Officer”** means the person appointed as Chief Administrative Officer of the County of Vermilion River, or his or her delegate;
- (g) **“Council”** means the municipal council of the County of Vermilion River;

- (h) **“County”** means the County of Vermilion River and its jurisdictional boundaries;
- (i) **“Court”** means a court of competent jurisdiction in the Province of Alberta;
- (j) **“Dangerous Dog”** means:
 - (i) any Dog designated as such in accordance with Part 5 of this Bylaw; and
 - (ii) any Dog designated as such pursuant to the *Dangerous Dogs Act*.
- (k) **“Dangerous Dogs Act”** means the *Dangerous Dogs Act*, RSA 2000, Chapter D-3, and regulations thereunder;
- (l) **“Designated Officer”** means a person appointed to that office pursuant to Section 210 of the *Municipal Government Act*, or an authorized delegate thereof;
- (m) **“Distress”** has the same meaning as in the *Animal Protection Act*;
- (n) **“Dog”** means a member of the species “*Canis Lupus Familiaris*” (commonly referred to as the domestic dog), whether male or female, including any hybrid offspring of that species;
- (o) **“Harness”** means straps and fittings that are of a suitable size and strength that may be humanly attached to the chest and back of a Dog;
- (p) **“Land Use Bylaw”** means the County’s Land Use Bylaw No. 13-14, as amended or as repealed and replaced from time to time;
- (q) **“Licence Tag”** means an identification tag of metal or other material issued by the County showing the licence number of a specific Dog and is intended to be attached to a Dog by way of a collar or Harness;
- (r) **“Motor Vehicle”** has the same meaning as in *Traffic Safety Act*, RSA 2000, Chapter T-6 and the regulators thereunder;
- (s) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, Chapter M-26 and the regulations thereunder;
- (t) **“Municipal Tag”** means a tag or similar document issued by the County under the *Municipal Government Act* that alleges a bylaw offence and provides a Person with the opportunity to pay an amount to the County in lieu of prosecution for the offence;
- (u) **“Muzzle”** means a humane fastening or covering device of adequate strength placed over the mouth of a Dog to prevent it from biting;
- (v) **“Owner”** means a Person:
 - (i) who has the care, charge, custody, possession or control of a Dog;

- (ii) who owns or claims a proprietary interest in a Dog;
- (iii) who harbours, suffers, or permits a Dog to be present on any property owned or under his or her control;
- (iv) who claims and receives a Dog from the custody of the Animal Shelter or a Bylaw Enforcement Officer; or
- (v) to whom a Licence Tag was issued for a Dog in accordance with this Bylaw; and

where one of two or more Persons, with the knowledge and consent of the other or others, has physical or effective control of a Dog, the Dog shall be deemed to be in the control of each and all of them.

- (w) **"Owner's Property"** means private property owned by or under the control or possession of an Owner of a Dog;
- (x) **"Person"** means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;
- (y) **"Public Health Act"** means the *Public Health Act*, RSA 2000, Chapter P-37 and the regulations thereunder;
- (z) **"Provincial Offences Procedure Act"** means the *Provincial Offences Procedure Act*, RSA 2000, Chapter P-34 and the regulations thereunder;
- (aa) **"Registered Veterinarian"** has the same meaning as in the *Veterinary Professions Act*, RSA 2000, Chapter V-2;
- (bb) **"Restraining Device"** means any leash, Harness, or other restraining system capable of allowing the Owner to maintain adequate control of the attached Dog, or if located on the Owner's Property, capable of retaining a Dog within the boundaries of the Owner's Property;
- (cc) **"Secure Enclosure"** means a building, cage, fenced area or other enclosure for retaining a Dog and which prohibits a Dog from jumping, climbing, digging or using any other means to exit the enclosure, and which is capable of prohibiting the entry of young children into the enclosure;
- (dd) **"Serious Wound"** means an injury resulting from a Dog attack which causes a breaking of the skin or the flesh to be torn;
- (ee) **"Service Dog"** has the same meaning as in the *Service Dogs Act*, SA 2007, Chapter S-7.5 and regulations thereunder;
- (ff) **"Violation Ticket"** has the same meaning as in the *Provincial Offences Procedure Act*;

Rules of Interpretation

- 3(1)** Nothing in this Bylaw relieves a Person from complying with any provision of any Provincial or Federal legislation or regulation, other bylaw or any requirement of any lawful permit, order or licence.
- (2)** Any heading or sub-headings in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- (3)** This Bylaw is gender-neutral and, accordingly, any reference to one gender includes another.
- (4)** Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- (5)** Any reference to the provisions of a statute of Alberta or another bylaw is a reference to that statute or bylaw as amended, or repealed and replaced from time to time.

PART 2 – DOG LICENSING

Requirement to License

- 4(1)** Every Person who resides within the County and who is the Owner of a Dog that is over the age of three (3) months shall apply for a licence as set out in this Part, by:
 - (a) paying the required licence fee as set out in Schedule “B” of this Bylaw; and
 - (b) providing the following information:
 - (i) the name, telephone number and Street and rural address of the Owner;
 - (ii) the name of the Dog to be licensed;
 - (iii) a description of the Dog to be licensed;
 - (iv) the breed or breeds of the Dog to be licensed; and
 - (v) such further information as may be required by the County.
- (2)** Every Person who resides in the County who becomes an Owner of a Dog that is over the age of three (3) months, or who takes up residence within the County and who is the Owner of a Dog that is over the age of three (3) months, shall apply for a licence as set out in this Part, within thirty (30) days of becoming the Owner of such Dog or of taking up residence in the County.
- (3)** Upon payment of the required licence fee as set out in Schedule “B” to this Bylaw and providing the information required pursuant to section 4(1)(b), the Owner will be supplied with a Licence Tag having a number which will remain registered to that Dog.

- (4) The Owner of a Dog that has been duly licensed under this Bylaw may obtain a replacement Licence Tag for one that has been lost or damaged upon payment of the replacement Licence Tag fee as set out in Schedule “B” of this Bylaw.
- (5) The onus of proving a Person has a valid and subsisting licence is on the Person alleging its existence.
- (6) No Person is entitled to a refund or a rebate for any licence fee.
- (7) An Owner of an unlicensed Dog is guilty of an offence.

Transferability, Possession of Licence Tag

- 5(1) A licence issued under this Bylaw is not be transferable from one Dog to another, nor from one Owner to another.
- (2) Every Owner shall ensure that the Licence Tag is securely fastened to a collar or Harness worn by the Dog at all times while the Dog is off of the Owner’s Property.
- (3) An Owner of a licensed Dog is guilty of an offence if the Dog is not wearing a Licence Tag while off of the Owner’s Property.

Exemptions from Licensing Requirement

- 6 The provisions of this Part shall not apply to the following:
 - (a) Owners of Dogs temporarily visiting the County for a period not exceeding four (4) consecutive weeks;
 - (b) Not-for-profit associations, not-for-profit corporations and government organizations engaged in the provision of specialized Dog services, including but not limited to, Service Dogs, police Dogs, or search and rescue Dogs;
 - (c) Persons holding an identification card proving ownership of a Service Dog for their use; and
 - (d) Dogs under three (3) months in age.

PART 3 – NUMBER OF DOGS

- 7(1) Subject to subsection (2),
 - (a) no more than two (2) Dogs shall be harboured, suffered or permitted to remain upon or in any land, house, shelter, room or place, building structure, or property within the specified areas of the County set out in Schedule “B” of this Bylaw;

- (b) no more than four (4) Dogs shall be harboured, suffered or permitted to remain upon or in any land, house, shelter, room or place, building structure, or property within any portion of the County other than the specified areas of the County set out in Schedule “B” of this Bylaw; and
 - (c) notwithstanding subsections (a) and (b), no more than one (1) Dangerous Dog shall be harboured, suffered or permitted to remain upon or in any land, house, shelter, room or place, building structure, or property within the County.
- (2)** The restrictions in subsection (1) shall not apply where:
- (a) the property is lawfully used for the care and treatment of Animals, operated by or under the charge of a Registered Veterinarian;
 - (b) the Owner is the holder of a valid and subsisting development permit which authorizes the keeping of Dogs in excess of the applicable limit established in subsection (1);
 - (c) the Dogs in excess of the limit are under three (3) months of age and are the offspring of a licensed Dog residing at the same location;
 - (d) the Owner is a not-for-profit association, not-for-profit corporation or government organization engaged in the provision of specialized Dog services, including but not limited to guide or assistance Dogs, police Dogs, and search and rescue Dogs; or
 - (e) the Owner whose Dog is in excess of the limit is temporarily visiting a resident of the County for a period not exceeding four (4) consecutive weeks.
- (3)** Any Person who keeps, suffers or harbours more than the permitted number of Dogs in a manner contrary to this Part is guilty of an offence.

PART 4 – GENERAL OFFENCES

Control and Noise

- 8(1)** An Owner whose Dog is At Large is guilty of an offence.
- (2)** The Owner of a Dog that barks, howls, or otherwise makes such noise so as to, in the opinion of a Bylaw Enforcement Officer, likely disturb the peace of any Person, is guilty of an offence.
- (3)** An Owner whose Dog enters into a public bathing, swimming or wading pool is guilty of an offence.
- (4)** The Owner of a Dog that threatens, attacks, bites, injures or otherwise harasses any Person is guilty of an offence.
- (5)** The Owner of a Dog that threatens, attacks, bites, chases, injures or otherwise harasses any other Animal is guilty of an offence.

- (6) The Owner of a Dog that chases a Motor Vehicle, Person on a bicycle, Person on horseback or Person that is walking or running is guilty of an offence.
- (7) The Owner of a Dog that causes damage to property is guilty of an offence.
- (8) Any Person, who without the knowledge or consent of the Owner, unties, loosens or otherwise frees a Dog that was tied or otherwise restrained, or opens a gate, door or opening in a fence or Secure Enclosure in which a Dog has been confined, thereby allowing the Dog to be At Large, is guilty of an offence.
- (9) Any Owner issued a licence under this Bylaw is guilty of an offence if they fail to abide by the conditions of the licence.

Hygiene and Nuisances

- 9(1) Where a Dog has defecated on any property other than the Owner's Property, the Owner shall remove such defecation immediately and failure to do so shall constitute an offence.
- (2) An Owner's Property shall be maintained in a clean and sanitary condition and an Owner shall take such steps as are necessary to prevent the presence of nuisances, including but not limited to:
 - (a) the accumulation of fecal matter in an amount which, in the opinion of a Bylaw Enforcement Officer, is excessive; and
 - (b) offensive or noxious odours arising as a consequence of the keeping of a Dog on the Owner's Property.
- (3) An Owner who fails to maintain property in accordance with subsection (2) is guilty of an offence.
- (4) An Owner of a female Dog in estrus (also known as being "in heat") who does not contain or restrain that Dog, both on and off the Owner's property, in a manner sufficient to avoid attracting other Animals, is guilty of an offence.

Care

- 10(1) Any Person who teases, torments, provokes, abuses, or injures an Animal is guilty of an offence.
- (2) Any Person who leaves a Dog unattended in or on a Motor Vehicle, without proper protection from the elements or in a manner that places the Dog at risk of harm, is guilty of an offence.
- (3) Any Person who fails to properly secure a Dog, inside or on a Motor Vehicle while it is in motion or while it is parked to ensure that the Dog is unable to fall out of or leave the Motor Vehicle, is guilty of an offence.
- (4) The Owner of a Dog that has been left unattended outdoors for a period in excess of 24 consecutive hours is guilty of an offence.

PART 5 – DANGEROUS DOGS

Declaration of Dangerous Dog

- 11(1)** The Chief Administrative Officer may declare a Dog to be a Dangerous Dog if the Chief Administrative Officer has reasonable grounds to believe, either through personal observation or on the basis of facts determined after an investigation of a complaint, that the Dog:
- (a) has a known propensity, tendency, or disposition to threaten, attack, chase or bite, without provocation, other Animals or humans;
 - (b) has, inflicted a Serious Wound upon another Animal or human;
 - (c) has been the subject of an order or direction of a Justice or Judge, pursuant to the *Dangerous Dogs Act*; or
 - (d) is a continuing threat of serious harm to any human or other Animal.
- (2)** Where the Chief Administrative Officer determines that a Dog is a Dangerous Dog, he shall:
- (a) serve the Owner with a written notice that the Dog has been declared to be a Dangerous Dog;
 - (b) direct the Owner to keep the Dangerous Dog in accordance with the provisions of section 14 of this Bylaw, and provide the Owner with a time limit for compliance; and
 - (c) inform the Owner that, if the Dangerous Dog is not kept in accordance with section 14 of this Bylaw, the Owner may be fined, or subject to enforcement action pursuant to this Bylaw.
- (3)** A written notice under subsection (2) above shall include a summary of the applicable provisions regulating Dangerous Dogs under this Bylaw.

Review of Declaration

- 12(1)** The Owner of a Dog declared a Dangerous Dog pursuant to section 12(1) may, within fourteen (14) days of receiving written notice of the declaration, request in writing and upon payment of the fee as set out in Schedule "A" to this Bylaw that the declaration be reviewed by Council. Council is not obligated to conduct an oral hearing of the review and may instead conduct the review based on written material provided by the Chief Administrative Officer and the Owner.
- (2)** Upon a request to review pursuant to subsection (1), Council may:
- (a) Uphold the declaration of the Dog as a Dangerous Dog;
 - (b) Reverse the decision of the Chief Administrative Officer and deem that the Dog is not a Dangerous Dog; or
 - (c) May uphold the declaration of the Dog as a Dangerous Dog and vary the conditions of harbouring the Dog within the County.

The decision of Council shall be provided to the Owner in writing within fourteen (14) Days of Council conducting the review and may be served personally or by registered mail on the Owner, at the address appearing on the County's assessment roll for the Owner's Property.

Requirements of an Owner of a Dangerous Dog

13(1) The Owner of a Dangerous Dog shall:

- (a) license the Dog as a Dangerous Dog and follow the procedures set out in Part 2, which includes paying the applicable fee for a Dangerous Dog as set out in Schedule "A" of this Bylaw;
- (b) maintain in force a policy of liability insurance in a form satisfactory to the County providing third party liability coverage in a minimum amount of five hundred thousand (\$500,000.00) dollars for injuries caused by the Owner's Dangerous Dog and no licence shall be issued for a Dangerous Dog unless proof of such insurance coverage is provided to the County along with the application;
- (c) while the Dangerous Dog is off the Owner's Property, Muzzle and secure the Dangerous Dog by means of a Restraining Device under the physical control of the Owner or a Person over the age of eighteen (18) years with the Owner's consent;
- (d) while the Dangerous Dog is on the Owner's Property, confine the Dangerous Dog within a Secure Enclosure or within the residence of the Owner;
- (e) immediately notify a Bylaw Enforcement Officer if the Dangerous Dog is At Large; and
- (f) remain liable for the actions of their Dangerous Dog until formal notification of sale, gift, or transfer is given to a Bylaw Enforcement Officer.

(2) The Owner of a Dangerous Dog shall immediately notify the County should the policy of liability insurance expire, be cancelled, or terminated and upon the occurrence of such an event, the Dangerous Dog licence shall be null and void unless the County receives written proof that a new insurance policy has been secured, meeting the requirements of section 14(1)(b), within fifteen (15) days of the expiry, cancellation, or termination of the original policy of liability insurance.

(3) The Chief Administrative Officer may require the Owner of a Dangerous Dog to post a sign at all entrances to the Owner's Property, and where so otherwise directed, stating "Dangerous Dog".

(4) An Owner who fails to comply with any provision in this Part is guilty of an offence.

(5) Where the Owner of a Dangerous Dog is guilty of an offence under Part 4, the fine shall be double the amount indicated in Schedule "B" of this Bylaw.

(6) In addition to the remedies set forth elsewhere in this Bylaw, if a Designated Officer determines that a Dangerous Dog is not being kept in accordance this Bylaw, the Designated Officer may:

- (a) Issue an order pursuant to Section 545 of the *Municipal Government Act* directing that the Dangerous Dog be kept in accordance with this Bylaw or removed from the County; or

- (b) In addition or in the alternative to the issuance of an order under subsection (a) above, bring an application pursuant to the *Dangerous Dogs Act* for an order directing the Dangerous Dog be kept in accordance with this Bylaw, destroyed, or such other order as the Court directs.

PART 6 – DISEASE CONTROL

- 14(1)** The Owner of a Dog that has caused a Serious Wound, or that the Owner has reason to suspect may have been exposed to rabies or other communicable disease, shall, in addition to any other duty imposed under the *Public Health Act*, immediately inform a Bylaw Enforcement Officer:
 - (a) of the infliction of the Serious Wound or the suspicion of exposure to rabies or other communicable disease;
 - (b) in the case of a Serious Wound, of the name and contact information for the person that has been wounded or the Owner of the Animal that has been wounded, as applicable; and
 - (c) whether the matter has been reported to the local community health centre, Public Health Inspector, or the Medical Officer of Health.
- (2)** A Bylaw Enforcement Officer that has reasonable grounds to believe that a Dog found At Large may have, or has been exposed to, rabies or another communicable disease may confine that Dog at an Animal Shelter, veterinary facility, or any other location as directed by the Medical Officer of Health or a Public Health Inspector.
- (3)** A Bylaw Enforcement Officer that has reasonable grounds to believe that a Dog within the County has, or has been exposed to, rabies or another communicable disease shall report the matter to the Medical Officer of Health or a Public Health Inspector as soon as reasonably possible.
- (4)** An Owner of a Dog which is suffering from a communicable disease shall:
 - (a) not permit the Dog to be in any public place; and
 - (b) not keep the Dog in contact with or in proximity to any other Animal.
- (5)** An Owner who fails to comply with any provision in this Part is guilty of an offence.

PART 7 – ENFORCEMENT AND IMPOUNDMENT

Authority

- 15** A Bylaw Enforcement Officer is, in addition to any other powers or authority granted under this Bylaw or any enactment, is authorized to:
 - (a) capture and impound in an Animal Shelter any Dog that is At Large;

- (b) take any reasonable measures necessary to subdue any Dog that is At Large, including the use of traps and tranquilizer equipment and materials;
- (c) enter onto lands surrounding any building in pursuit of a Dog while it is At Large; and
- (d) if a Dog is in Distress, whether or not as a result of enforcement action taken pursuant to this Bylaw, to take the Dog to a Registered Veterinarian for treatment and, once treated, to transfer the Dog to an Animal Shelter.

Costs

- 16** Any expenses or costs of any enforcement action or measure taken by the County under this Bylaw, including but not limited to payment of veterinary treatment, are amounts owing to the County by the Owner or any other Person responsible for the contravention of this Bylaw, or any or all of them, and may be collected as a civil debt, pursuant to the *Municipal Government Act*.

Continuing Offences

- 17** In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

Notification of Dogs at Large

- 18(1)** A Person who takes control of any Dog found At Large shall immediately notify a Bylaw Enforcement Officer.
- (2)** A Person who takes control of any Dog found At Large shall surrender same to the possession of the Bylaw Enforcement Officer.
- (3)** A Person who fails to comply subsection (1) or (2) is guilty of an offence.

Impoundment

- 19(1)** Dogs impounded in the Animal Shelter shall be kept for a minimum period of Seventy Two (72) hours. In the calculation of the Seventy Two (72) hour period, Saturdays, Sundays, Statutory Holidays and days that the Animal Shelter is not open shall not be included.
- (2)** Notwithstanding subsection (1), where a Dog that has been impounded bears obvious identification tattoos, brands, marks, tags or licences, the Dog shall be kept by the Animal Shelter a minimum of 30 days from the date the Dog was impounded, in accordance with Section 610 of the *Municipal Government Act*.

Reclaiming an Impounded Dog

- 20(1)** During the period established in sections 20(1) and 20(2) above, the Dog may be reclaimed by its Owner, except as otherwise provided in this Bylaw, upon payment to the County or its authorized agent of:
- (a) the impoundment fee as established by the Animal Shelter from time to time;
 - (b) the cost of any veterinary treatment provided in respect of the Dog pursuant to this Bylaw; and
 - (c) in the case of an unlicensed Dog, the appropriate licence fee.
- (2)** At the expiration of the time period established in sections 20(1) or 20(2) above, the Chief Administrative Officer is authorized to:
- (a) offer the Dog for sale or as a gift;
 - (b) euthanize the Dog in a humane manner;
 - (c) allow the Dog to be redeemed by its Owner in accordance with the provisions of subsection (1) above; or
 - (d) continue to impound the Dog for an indefinite period of time or for such further period of time as the Chief Administrative Officer, in his or her sole and unfettered discretion, may decide.

Euthanasia

- 21(1)** Where a Dog has been impounded, if, in the opinion of a Registered Veterinarian, the Dog should be humanely euthanized for medical reasons a Registered Veterinarian may immediately proceed to humanly euthanize the Dog.
- (2)** No action shall be taken against any Person, including a Bylaw Enforcement Officer or Registered Veterinarian, acting under the authority of this Bylaw for damages for destruction or other disposal of any Dog, in accordance with the provisions of this Bylaw.

PART 8 – FINES AND PENALTIES

- 22(1)** A Person who is guilty of an offence is liable upon summary conviction to a fine in an amount:
- (a) not less than the specified penalty established in Schedule “B”; and
 - (b) not exceeding \$10,000.00.
- (2)** Without restricting the generality of subsection (1) above the fine amounts set out in Schedule “B” are established as specified penalties for use on Municipal Tags and Violation Tickets, if a voluntary payment option is offered.

- (3) Notwithstanding subsection (1) of this Bylaw, any Person who commits a second or subsequent offence under this Bylaw, within one (1) year of conviction of a first offence under this Bylaw, is liable on summary conviction to a fine not less than the increased amount set out in Schedule "B" to this Bylaw.
- (4) Under no circumstances shall any Person contravening any provision of this Bylaw be subject to a penalty of imprisonment.

PART 9 – MUNICIPAL TAG

- 23(1) A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Municipal Tag to any Person whom the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- (2) A Municipal Tag shall be issued and served to a Person:
 - (a) either personally; or
 - (b) by mailing a copy, via registered mail, to such Person at their last known postal address.
- (3) A Municipal Tag shall be in a form approved by the Chief Administrative Officer and shall state:
 - (a) the name of the Person to whom the Municipal Tag is issued;
 - (b) particulars of the contravention under this Bylaw;
 - (c) the specified penalty for the offence as set out in Schedule "B" herein;
 - (d) that the specified penalty shall be paid within thirty (30) days of the issuance of the Municipal Tag in order to avoid prosecution; and
 - (e) any other information as may be required by the Chief Administrative Officer.
- (4) Where a Municipal Tag has been issued under this Bylaw, the Person to whom the Municipal Tag has been issued may, in lieu of being prosecuted for the offence, pay to the County the penalty specified on the Municipal Tag.
- (5) If a Municipal Tag has been issued and the specified penalty on the Municipal Tag has not been paid within the prescribed time, a Bylaw Enforcement Officer may issue a Violation Ticket to the Person to whom the Municipal Tag was issued.
- (6) Notwithstanding the above, a Bylaw Enforcement Officer may immediately issue a Violation Ticket to any Person whom the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

PART 10 – VIOLATION TICKET

- 24(1)** A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act* to any Person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- (2)** If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- (a) state the specified penalty for the offence as set out in Schedule "B" herein; or
 - (b) require a Person to appear in Provincial Court without the alternative of making a voluntary payment.
- (3)** A Person who commits an offence may:
- (a) if a Violation Ticket is issued in respect of the offence; and
 - (b) if the Violation Ticket states the specified penalty established by this Bylaw for the offence, as set out in Schedule "B" herein;
- make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.
- (4)** When a Clerk of the Provincial Court records the receipt of a voluntary payment pursuant to subsection (3) above and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

PART 11 – GENERAL

Remedies not Restricted to Bylaw

- 25** A Bylaw Enforcement Officer may pursue any and all remedies set out in this Bylaw, the *Municipal Government Act* and any other law in the Province of Alberta. Nothing in this Bylaw shall restrict, limit or preclude the County from taking multiple steps to regulate Dogs in the County.

Obstruction

- 26** No Person shall obstruct, hinder or impede any Bylaw Enforcement Officer, Designated Officer, or County employee, contractor or agent in the exercise of any of their powers or duties under this Bylaw.

Powers of Chief Administrative Officer

- 27** Without restricting any other power, duty or function granted by this Bylaw, the Chief Administrative Officer may:

- (a) establish investigation and enforcement procedures the purposes of this Bylaw;
- (b) establish forms for the purposes of this Bylaw;
- (c) delegate any powers, duties or functions under this Bylaw to an employee of the County.

Vicarious Liability

- 28** For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent's exercising the powers or performing the duties on behalf of the Person under their agency relationship.

Corporations and Partnerships

- 29(1)** When a corporation commits an offence under this Bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- (2)** If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

Strict Liability Offence

- 30** An offence under this Bylaw is a strict liability offence.

PART 12 – TRANSITIONAL

Repeal

- 31** Bylaw No. 17-20 is hereby repealed.

Effective Date

- 32** This Bylaw takes effect upon being passed.

READ a first time this ____ day of _____, 2019.

READ a second time this ____ day of _____, 2019.

READ a third time this ____ day of _____, 2019.

SIGNED AND PASSED this ____ day of _____, 2019.

Reeve

Chief Administrative Officer

SCHEDULE "A"
FEES

License Fee	\$50.00
Replacement License Tag Fee	\$5.00
Impound Fee/Animal Shelter Fee	Cost set by Animal Shelter
Veterinary Fees	Actual costs incurred by the County
Euthanization Fees	Actual costs incurred by the County
Animal Shelter Fees	Actual costs incurred by the County

SCHEDULE "B"
SPECIFIED AREAS

For the purpose of section 7(1), the specified areas are:

- Country Residential (CR1) Districts, as identified in the Land Use Bylaw
- Country Residential (CR2) Districts, as identified in the Land Use Bylaw
- All areas falling within the boundaries of the following hamlets:
 - Hamlet of Blackfoot
 - Hamlet of Clandonald
 - Hamlet of Islay
 - Hamlet of McLaughlin
 - Hamlet of Rivercourse
 - Hamlet of Streamstown
 - Hamlet of Tulliby Lake

SCHEDULE "C"
SPECIFIED PENALTIES

Section Reference	Description	Penalty					
		Municipal Tag			Violation Ticket		
		First Offence	Second Offence	Third or Subsequent Offence	First Offence	Second Offence	Third or Subsequent Offence
PART 2 – DOG LICENSING							
4(1), 4(2), 4(7)	Owner fails to license Dog in accordance with Bylaw.	\$100	\$200	\$400	\$150	\$300	\$450
5(3)	Dog not wearing License Tag.	\$100	\$200	\$400	\$150	\$300	\$450
PART 3 – NUMBER OF DOGS							
7	Keeping of Dogs in excess of limit.	\$100	\$200	\$400	\$150	\$300	\$450
PART 4 – GENERAL OFFENCES							
8(1)	Dog At Large.	\$100	\$200	\$400	\$150	\$300	\$450
8(2)	Dog disturbing the peace.	\$100	\$200	\$400	\$150	\$300	\$450
8(3)	Dog entering public bathing, swimming or wading pool.	\$100	\$200	\$400	\$150	\$300	\$450
8(4)	Dog threatens, attacks, bites, injures or otherwise harasses any Person.	\$200	\$400	\$800	\$300	\$600	\$900
8(5)	Dog threatens, attacks, bites, chases, injures or otherwise harasses any other Animal.	\$200	\$400	\$800	\$300	\$600	\$900
8(6)	Dog chases Motor Vehicle, Person on bicycle, Person on horseback or Person that is running or walking.	\$100	\$200	\$400	\$150	\$300	\$450
8(7)	Dog causes damage to property.	\$100	\$200	\$400	\$150	\$300	\$450

8(8)	Person causes Dog to become At Large.	\$100	\$200	\$400	\$150	\$300	\$450
8(9)	Owner fails to comply with conditions of license.	\$100	\$200	\$400	\$150	\$300	\$450
9(1)	Owner fails to immediately remove Dog's defecation from property other than the Owner's Property.	\$100	\$200	\$400	\$150	\$300	\$450
9(2)	Owner fails to keep Owner's Property in a clean and sanitary condition or fails to prevent nuisance.	\$100	\$200	\$400	\$150	\$300	\$450
9(4)	Female Dog in estrus creating a nuisance.	\$100	\$200	\$400	\$150	\$300	\$450
10(1)	Person teasing, tormenting, provoking, abusing or injuring an Animal.	\$100	\$200	\$400	\$150	\$300	\$450
10(2), 10(3)	Person fails to properly secure a Dog, inside or on a Motor Vehicle while it is in motion or while it is parked to ensure that the Dog is unable to fall out of or leave the Motor Vehicle.	\$100	\$200	\$400	\$150	\$300	\$450
10(4)	Dog left unattended outdoors in excess of 24 hours.	\$100	\$200	\$400	\$150	\$300	\$450
14(5)	Owner of a Dangerous Dog is guilty of an offence under Part 4	Double the specified penalty set out in this Schedule "A"					

PART 5 – DANGEROUS DOGS							
14	Owner fails to comply with any of the Owner's requirements for a Dangerous Dog	\$100	\$200	\$400	\$150	\$300	\$450
PART 6 – DISEASE CONTROL							
15(1)	Person fails to make required notification of Dog with, or suspected of having been exposed to, rabies or other communicable disease	\$100	\$200	\$400	\$150	\$300	\$450
15(4)	Person fails to isolate Dog suffering from rabies or other communicable disease.	\$100	\$200	\$400	\$150	\$300	\$450
PART 7 – ENFORCEMENT AND IMPOUNDMENT							
19(1)	Person fails to notify of Dog found At Large.	\$100	\$200	\$400	\$150	\$300	\$450
19(2)	Person fails to surrender Dog found At Large.	\$100	\$200	\$400	\$150	\$300	\$450
PART 11 – GENERAL							
27	Obstructing or causing interference to an authorized official in exercise of their powers or duties under this Bylaw.	\$100	\$200	\$400	\$150	\$300	\$450

MEETING DATE: MARCH 26, 2019

REQUEST FOR DECISION - TO COUNCIL

SUBJECT

FEE BYLAW 19-05 – MOTION REQUIRED

RECOMMENDATION

THAT the County of Vermilion River give first reading to Bylaw No. 19-05, being a Bylaw to repeal Bylaw No. 18-13 and to amend and replace Schedule “A” of Bylaw No. 10-06, being the County Fee Schedule.

THAT the County of Vermilion River give second reading to Bylaw No. 19-05, being a Bylaw to repeal Bylaw No. 18-13 and to amend and replace Schedule “A” of Bylaw No. 10-06, being the County Fee Schedule.

THAT the County of Vermilion River introduce for third reading Bylaw No. 19-05, being a Bylaw to repeal Bylaw No. 18-13 and to amend and replace Schedule “A” of Bylaw No. 10-06, being the County Fee Schedule.

THAT the County of Vermilion River give third and final reading to Bylaw No. 19-05, being a Bylaw to repeal Bylaw No. 18-13 and to amend and replace Schedule “A” of Bylaw No. 10-06, being the County Fee Schedule.

DETAILS

Background: The public works department presented a request for decision to Council at the February 26, 2019 Regular Council Meeting in regards to amending the Fee Bylaw to include a seismic inspection fee of \$250.00. This fee is intended to assist in recouping the costs incurred by administration in conducting the final road inspection following seismic activity by our industry partners.

Furthermore, administration also reviewed the planning and development department service charges and has made amendments accordingly. Many of the changes that were made were to the titles and not necessarily monetary. All changes to the fee bylaw have been highlighted in yellow for ease of review.

Relevant Policy/Legislation Practices: *Municipal Government Act, s. 7, s. 8*



Desired Outcome (s): Approve all readings of Bylaw 19-05

Response Options: Approve all readings of Bylaw, Amend the Bylaw after second reading, or receive the Bylaw for information

IMPLICATIONS OF RECOMMENDATION

Organizational: Should the bylaw be given third and final reading, Administration will update the bylaw and bylaw index.

Financial: Assist in recovering administration costs for Seismic Inspections and Planning and Development fees.

Communication Required: Staff will be notified through email.

Implementation: Bylaw to be signed by the County Reeve and Chief Administrative Officer if passed.

ATTACHMENTS

1. Fee Bylaw 19-05

PREPARED BY: Shannon Harrower, Executive Secretary

APPROVED BY: Pat Vincent, Interim CAO

DATE: March 19, 2019

**COUNTY OF VERMILION RIVER
PROVINCE OF ALBERTA
BYLAW NO. 19-05**

A Bylaw of the County of Vermilion River in the Province of Alberta
to repeal Bylaw No. 18-13 and to amend and replace Schedule "A" of Bylaw No. 10-06,
being the County Fee Schedule.

WHEREAS the Municipal Government Act (MGA); Statutes of Alberta, 2000 Chapter M-26, section 7(f) permits a municipality to regulate services provided by or on behalf of the municipality, and

WHEREAS the County deems it expedient and in the public interest to promulgate by Bylaw provisions respecting the collection and charging of fees, in connection with the operation of County goods and services provided to individuals or organizations.

NOW THEREFORE, the Council of the County of Vermilion River, duly assembled, enacts as follows:

- 1) That Bylaw No.10-06, being a bylaw setting the Fees and Services of the County of Vermilion River, is hereby amended as follows:
 - a) Schedule "A", County Fee Schedule, is hereby amended by replacing the existing "County Fee Schedule – Schedule "A" with Schedule "A" attached hereto and forming a part of this Bylaw.
- 2) Should any provision of this Bylaw be determined to be invalid, then such provisions shall be severed and the remaining bylaw shall be maintained.
- 3) Bylaw 18-13 being a previous amendment to schedule "A" to this bylaw is hereby repealed.
- 4) This Bylaw shall come into force and effect upon receiving third and final reading and having been signed by the Reeve and Chief Administrative Officer.

Read a first time this _____ day of _____, 2019

Read a second time this _____ day of _____, 2019

Read a third time and passed, this _____ day of _____, 2019

SIGNED by the Reeve and Chief Administrative Officer this ____ day of _____, 2019.

REEVE

CHIEF ADMINISTRATIVE OFFICER



**COUNTY OF VERMILION RIVER
PLANNING & DEVELOPMENT DEPARTMENT**

SAFETY CODES PERMIT FEES

AS PER BYLAW 19-05

BUILDING PERMIT FEE SCHEDULE

Residential Installations	
Description of Work	Permit fee (*SC Levy not included)
New Single Family Dwelling	\$5.78 per \$1000 construction value (**see Minimum Construction Value Factors)
Relocation of a Building (on crawlspace or basement)	\$0.32/sq.ft. Minimum fee \$126.00
Relocation of a Building (on piles or blocking only)	\$126.00
Garage, Addition, Renovation, Basement Development (not at time of new home construction)	\$0.32/sq. ft. Minimum fee \$126.00
Deck, Solid Fuel Burning Appliance, Demolition	\$126.00
Minimum Residential Building Permit Fee	\$126.00

Non-Residential Installations	
Description of Work	Permit fee (*SC Levy not included)
New, Addition, Renovation, Alteration	\$5.78 per \$1000 construction value
Minimum Building Permit Fee	\$262.50

Project Value is based on the actual cost of material and labour.

Verification of cost may be requested prior to permit issuance.

*** SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560**

**Minumum Construction Value Factors	Per Square Foot
Residential Housing	
Single Family	\$157.50
Single Family (2nd Storey)	\$89.25
Multi-Family (3 storeys or less)	\$178.50
Multi-Family (more than 3 storeys)	\$162.75
Townhouses or Rows	\$178.50
Garage (attached or detached)	\$36.75
Carport	\$36.75
Renovations	\$78.75
Apartments	
Concrete Construction	\$141.75
Masonry and Wood Construction	\$141.75
Basement Parkade	\$94.50
Above-ground Parkade	\$94.50
Commercial (Offices, Restaurants, Service Stations, Warehouses)	
Concrete Construction	\$141.75
Masonry Construction	\$141.75
Masonry and Wood or Steel Construction	\$141.75
Steel Construction	\$141.75
Wood Construction	\$126.00
Renovations	\$84.00
Churches, Hotels, Schools	
Concrete Construction	\$141.75
Masonry or Wood	\$141.75
Wood Construction	\$126.00
Hospitals	
Concrete Construction	\$283.50
Masonry and Wood or Steel Construction	\$257.25
Wood Construction	\$225.75
Industrial	
For further information please contact a County approved Safety Codes Agency	

ELECTRICAL PERMIT FEE SCHEDULE

Residential			
New Single Family Dwellings and Additions			
Square Footage	Permit Fee	SC Levy	Total Fee
Up to 1200	\$126.00	\$5.04	\$131.04
1201 – 1500	\$136.50	\$5.46	\$141.96
1501 – 2000	\$173.25	\$6.93	\$180.18
2001 – 2500	\$189.00	\$7.56	\$196.56
Over 2500	\$180.00 plus \$0.11 per square foot over 2500 square feet		

Garages / Renovations / Basement Development			
Installation Cost	Permit Fee	SC Levy	Total Fee
\$0 - \$500	\$78.75	\$4.50	\$83.25
\$501 - \$1000	\$94.50	\$4.50	\$99.00
\$1001 - \$2000	\$110.25	\$4.50	\$114.75
\$2001 - \$3000	\$126.00	\$5.04	\$131.04
\$3001 - \$4000	\$141.75	\$5.67	\$147.42
\$4001 - \$5000	\$157.50	\$6.30	\$163.80
Installation costs greater than \$5000 refer to the square footage fee schedule			

Service Connections			
Description	Permit Fee	SC Levy	Total Fee
Permanent Service Connection Only	\$89.25	\$4.50	\$93.75
Temporary Power / Underground Service	\$89.25	\$4.50	\$93.75

* SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560

ELECTRICAL PERMIT FEE SCHEDULE

NON-RESIDENTIAL			
Installation Cost	Permit Fee	SC Levy	Total Fee
0 to \$1,000	\$89.25	\$4.50	\$93.75
\$1,001 to \$1,500	\$94.50	\$4.50	\$99.00
\$1,501 to \$2,000	\$99.75	\$4.50	\$104.25
\$2,001 to \$2,500	\$110.25	\$4.50	\$114.75
\$2,501 to \$3,000	\$120.75	\$4.83	\$125.58
\$3,001 to \$3,500	\$131.25	\$5.25	\$136.50
\$3,501 to \$4,000	\$136.50	\$5.46	\$141.96
\$4,001 to \$4,500	\$141.75	\$5.67	\$147.42
\$4,501 to \$5,000	\$147.00	\$5.88	\$152.88
\$5,001 to \$5,500	\$152.25	\$6.09	\$158.34
\$5,501 to \$6,000	\$157.50	\$6.30	\$163.80
\$6,001 to \$6,500	\$162.75	\$6.51	\$169.26
\$6,501 to \$7,000	\$168.00	\$6.72	\$174.72
\$7,001 to \$7,500	\$173.25	\$6.93	\$180.18
\$7,501 to \$8,000	\$178.50	\$7.14	\$185.64
\$8,001 to \$8,500	\$183.75	\$7.35	\$191.10
\$8,501 to \$9,000	\$189.00	\$7.56	\$196.56
\$9,001 to \$9,500	\$194.25	\$7.77	\$202.02
\$9,501 to \$10,000	\$199.50	\$7.98	\$207.48
\$10,001 to \$11,000	\$204.75	\$8.19	\$212.94
\$11,001 to \$12,000	\$210.00	\$8.40	\$218.40
\$12,001 to \$13,000	\$215.25	\$8.61	\$223.86
\$13,001 to \$14,000	\$220.50	\$8.82	\$229.32
\$14,001 to \$15,000	\$225.75	\$9.03	\$234.78
\$15,001 to \$16,000	\$231.00	\$9.24	\$240.24
\$16,001 to \$17,000	\$236.25	\$9.45	\$245.70
\$17,001 to \$18,000	\$241.50	\$9.66	\$251.16
\$18,001 to \$19,000	\$246.75	\$9.87	\$256.62
\$19,001 to \$20,000	\$252.00	\$10.08	\$262.08
Over \$20,000	\$252.00 plus \$5.25 per \$1,000 (or portion of) over \$20,000		

* SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560

PLUMBING PERMIT FEE SCHEDULE

All Installations			
Number of Fixtures	Permit Fee	SC Levy	Total Fee
1	\$89.25	\$4.50	\$93.75
2	\$94.50	\$4.50	\$99.00
3	\$99.75	\$4.50	\$104.25
4	\$105.00	\$4.50	\$109.50
5	\$110.25	\$4.50	\$114.75
6	\$115.50	\$4.62	\$120.12
7	\$120.75	\$4.83	\$125.58
8	\$126.00	\$5.04	\$131.04
9	\$131.25	\$5.25	\$136.50
10	\$136.50	\$5.46	\$141.96
11	\$141.75	\$5.67	\$147.42
12	\$147.00	\$5.88	\$152.88
13	\$152.25	\$6.09	\$158.34
14	\$157.50	\$6.30	\$163.80
15	\$162.75	\$6.51	\$169.26
16	\$168.00	\$6.72	\$174.72
17	\$173.25	\$6.93	\$180.18
18	\$178.50	\$7.14	\$185.64
19	\$183.75	\$7.35	\$191.10
20	\$189.00	\$7.56	\$196.56
Over 20	\$189.00 plus \$4.73 per fixture over 20		

* SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560

GAS PERMIT FEE SCHEDULE

Residential Installations			
Number of Outlets	Permit Fee	SC Levy	Total Fee
1	\$89.25	\$4.50	\$93.75
2	\$94.50	\$4.50	\$99.00
3	\$99.75	\$4.50	\$104.25
4	\$120.75	\$4.83	\$125.58
5	\$141.75	\$5.67	\$147.42
6	\$162.75	\$6.51	\$169.26
7	\$183.75	\$7.35	\$191.10
8	\$204.75	\$8.19	\$212.94
9	\$225.75	\$9.03	\$234.78
10	\$246.75	\$9.87	\$256.62
Over 10	\$246.75 plus \$10.50 per outlet over 10		

Other Gas Installations (Residential & Non-Residential)			
Description	Permit Fee	SC Levy	Total Fee
Propane Tank Set	\$105.00	\$4.50	\$109.50
Additional Tanks	\$50.00	\$4.50	\$54.50
Temporary Heat	\$105.00	\$6.30	\$109.50
Grain Dryers	\$250.00	\$10.00	\$260.00
Propane Cylinder Refill Centre	\$157.50	\$6.30	\$163.80

* SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560

GAS PERMIT FEE SCHEDULE

NON-RESIDENTIAL			
BTU Input	Permit Fee	SC Levy	Total Fee
0 to 150,000	\$105.00	\$4.50	\$109.50
150,001 to 250,000	\$131.25	\$5.25	\$136.50
250,001 to 350,000	\$157.50	\$6.30	\$163.80
350,001 to 500,000	\$183.75	\$7.35	\$191.10
500,001 to 750,000	\$210.00	\$8.40	\$218.40
750,001 to 1,000,000	\$236.25	\$9.45	\$245.70
Over 1,000,000	\$236.25 plus \$5.25 per 100,000 (or portion of) over 1,000,000 BTU		

Temporary Heat			
BTU Input	Permit Fee	SC Levy	Total Fee
0 to 250,000	\$105.00	\$4.50	\$109.50
250,001 to 500,000	\$157.50	\$6.30	\$163.80
Over 500,000	\$157.50 plus \$10.50 per 100,000 BTU (or portion of) over 500,000 BTU		

* SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560

PRIVATE SEWAGE PERMIT FEE SCHEDULE

Residential Installations			
Description	Permit Fee	SC Levy	Total Fee
Holding Tank, Open Discharge	\$210.00	\$8.40	\$218.40
Field, Mound, Sand Filter, Treatment Tank	\$262.50	\$10.50	\$273.00

NOTE: Non- Residential permit Fees will be quoted after a detailed review of application

* SCC Levy is 4% of the permit fee with a minimum of \$4.50 and a maximum of \$560

ADDITIONAL CHARGES FEE SCHEDULE

(charge may be directed to or invoiced from applicable Agency)

Description		Total Fee
Compliance		\$125.00/hour
Emergency Services		\$125.00/hour
Investigation Services		\$125.00/hour
Appeal		\$125.00/hour
Enforcement		\$125.00/hour

Schedule" A"

Item	Fee
ADMINISTRATION FEES:	
Information Request	
FOIP Request	As per the Freedom of Information and Protection of Privacy Regulations A.R. 186/2008, as amended.
	(No GST)
Outside of a FOIP Request:	
Locating and retrieving a record/s, Supervising the examination of a record/s, and for preparing and handling a record/s for disclosure	\$27.00/hour (first 1/2 hour free)
For producing a record from an electronic record:	
a) Computer processing and related charges	Actual cost to public body
b) Computer programming	\$40.00/hour
For shipping any item requested	Actual amount incurred
Document Provision:	(GST & Time included)
a) photocopies, hard copy laser print and computer printouts	\$0.25 per page
b) CDs / DVDs	\$10.00 per disk
c) plotting (colour or black and white – includes GST):	
(i) Villages – less than 80% coverage	\$5.00/linear foot
(ii) Villages – more than 80% coverage	\$7.00/linear foot
(iii) Private Sector – less than 80% coverage	\$10.00/linear foot
(iv) Private Sector – more than 80% coverage	\$15.00/linear foot
Council Agendas & Minutes:	
Available on webpage www.vermilion-river.com	
a) Minutes	Document Charges above
(i) picked up at the office	Faxed local calls-No charge
b) Agenda	Document Charges above
(i) Summary Pages	No Charge
(ii) Detailed Agenda Package – current & past	Document Charges above
Any other media not listed above	Actual cost to public body
Flags:	
Schools located within the County - one of each flag, each year	No Charge
Public:	
Alberta / Canadian / County Flags	Actual Cost to Public Body

Schedule" A"

Item	Fee
County Pins:	\$1.00 ea
Maps:	
(Landownership may be mailed & invoiced to Maptown and other Municipalities)	(GST Included)
<u>Current</u>	
– Picked up at the office	
Folded Maps	\$10.00 each
Rolled Maps	\$20.00 each
- Maps Mailed Out	
Folded Maps	\$15.00 each
Rolled Maps	\$40.00 each
Area Structure Plan (10 map Package I setup)	\$150.00/Package
Aerials (3-5 copy & or digital version package)	\$10.00/Package
Tax Information:	
a) Tax Certificate	\$20.00 each (no GST)
b) Assessment Sheets	\$5.00 each (GST included)
c) Field Sheets	\$5.00 each (GST included)
Fax Machine Services: (Overseas Calls Not Allowed)	(GST Included)
a) Staff:	
(i) in-coming	\$0.25 ea page
(ii) out-going – local	\$0.25 ea page
(iii) out-going – long distance	\$1.00 ea page
b) Public:	
(i) out-going Canada	\$2.00 - first page
	\$1.00 each - next pages
(ii) out-going US	\$3.00 - first page
	\$1.00 each - next pages
(iii) out-going 1-800 #	\$1.00 – first page
	\$0.50 each - next pages
(iv) in-coming	\$0.50/page
Finance Charges for NSF cheques or a Stop Order	\$30.00 per item

Schedule" A"

Item	Fee
PLANNING & DEVELOPMENT FEES:	
Documents	(unless noted - GST exempt)
a) Land Use By-Law and map	\$50.00
b) Municipal Development Plan	\$15.00 each
c) Inter-municipal Development Plan	\$15.00 each
d) Area Structure Plans and Studies	\$50.00 each
e) Historical Information Request – Environmental Phase 1 Search Requests	\$75.00
Development Permit Fees:	
a) Permitted Use	\$150.00 each
b) Discretionary Use	\$350.00 each (up to 10% variance)
c) Decks & Demolition	\$50.00 each
d) Agricultural Buildings & Structures	\$50.00 each
e) RV Campground (Requires an approved Site Development Plan)	Permitted \$300.00 / Discretionary \$450.00 up to 10% variance
f) Revision to Active Development Permit (minor)	Before Development Completion: \$250.00 - Residential \$450.00 - Non-Residential
g) Revision to Active Development Permit (major)	Must reapply
h) Development Permit Time Extension	\$100.00 each (2 max.)
i) Post Development Application (development without permit)	\$450 penalty (each), plus application fee
j) Compliance Letter	\$75.00 each/\$125.00 (rush request)
k) Occupancy Permit	Residential \$50.00 Non-Residential \$75.00
l) Late Application Fee	Residential \$50.00 Non-Residential \$75.00
Variance:	
a) Variance over 10%	Residential - \$550.00 + permit application fee Non-Residential - \$600.00 + permit application fee
Bylaws, Agreements, and Other:	
a) Land Use Bylaw Amendment	\$1,200.00 each
b) Land Use Redesignation	\$1,200.00 each
c) Adopting/Amending ASP	\$2,000.00 each, plus \$200.00/gross ha (contractor engineering fees may apply)
d) MDP Amendment	\$1,200.00 each
e) IDP Amendment	\$5,000.00 each

Schedule" A"

Item	Fee
f) Development Agreement	\$3,200.00, plus minimum 2.5% of security, plus legal fees (subject to engineering systems appraisal. Contractor engineering fees invoiced separately)
g) Encroachment Agreement	\$3,200.00 (contractor engineering fees may apply)
h) Contravention of Land Use Bylaw	\$450.00 processing fee, plus penalty as per bylaw and legal fees, if applicable.
i) Stop Order	\$450.00 processing fee, plus legal fees, if applicable.
j) Request for review of contravention order	\$350.00 each
k) Withdrawal of Application After Bylaw is written	No fee refund
l) Bylaw Amendment Application Withdrawal Before Application Circulation	Before 15 days - full refund
m) Bylaw Amendment Application Withdrawal After Application Circulation, but before bylaw is written	25% fee refund
n) Residential/Ag Approach Fee (excluding oil leases)	\$300.00 plus GST
o) Approach Construction Deposit	Contractor Estimate + 25%
p) Offsite Levy	as per Offsite Levy Bylaw
q) Natural Resource/Extraction/Ground Disturbance Operations	\$350.00 each
r) Wireless Communication Towers	\$350.00 each
s) Municipal Reserve	as per Policy PD 012
t) Area Structure Plan/Site Development Plan - (Proposals creating over 4 parcels on a quarter section)	\$10,000.00 plus GST (contract engineering fees invoiced separately)
u) Digital Copy of Plans	\$10.00
v) Caveat Discharge	\$100.00 plus GST
w) Bylaw Review	\$300.00 each
x) Road Upgrade Contribution	As per Contractor Estimate
Subdivisions:	
a) Subdivision - Administration Fee – 1 parcel	\$200.00 (plus GST)
b) Subdivision – Administration Fee – 2 or more parcels	\$400.00 (plus GST) per parcel
Acquisition of Land:	
a) Above and beyond 100 foot road right-of-way	\$3000.00/acre
b) Below 100 foot road right-of-way (during subdivision stage)	\$1.00 in kind
c) Land Titles Fee	\$10.00 (plus GST)

Schedule" A"

Item	Fee
d) Purchase and Installation of Rural Address Signs	\$150.00/sign
Appeals:	
a) Subdivision and Development Appeal Board Application	\$400.00
(100% refundable if appeal is upheld)	
PUBLIC WORKS FEES:	
Residential Dust Control	
a) 300 meters	\$1500.00 (plus GST)
b) 200 meters	\$1000.00 (plus GST)
Snowplow Flags (waiver required):	
(as per Policy PW 015 Snow Plow Flags)	(GST Included)
Seniors / Disabled	\$50.00 - Annual
Ratepayer	\$200.00 - Annual
Buffalo Trail Public School	
a) Parental Choice	\$200.00 - Annual
b) End of Route	No Fee
c) Essential	No Fee
Invoiced/Faxed/Mailed	\$10.00 Fee- additional
Length in Excess of 500 Metres	Hourly per Current ARHCA Rates
Heavy Truck Permits	No Fee
Damages	
Burrow (per acre)	\$500.00
Crop (per acre)	\$500.00
Hay (per acre)	\$300/year for 2 years
Industry Agreement Administration Fees:	
Seismic Inspection	\$250.00 per Request
Construct New Approach	\$250.00 per Visit
Utilize/Alter Existing Approach	\$250.00
Pipeline Crossing and Right of Way	\$250.00
NATURAL GAS UTILITY FEES:	
Utility Right of Way & URW Extensions (as per NG 013)	\$2,000.00 /acre

Schedule" A"

Item	Fee
Temporary Workspace (as per NG 013)	\$1,000.00/acre
Renter Security Deposit:	
a) Rural and Urban Residences	\$250.00 each
b) Commercial Buildings	\$450.00 each
AGRICULTURE AND ENVIRONMENT FEES:	
Beaver Control	
a) beaver control - affecting County resources	no fee
b) beaver control - not affecting County resources	\$500 per dam/per visit
PROTECTIVE SERVICES CHARGES FEES:	
Rental for tower space including electrical cost:	
a) Towers over 100 feet	\$3000.00 +GST/Calendar year or \$750.00 quarterly
b) Towers less than 100 feet	\$1800.00 +GST/Calendar year or \$450.00 quarterly
c) Towers that provide a general public benefit (i.e. internet services) to a large part of the County	\$900.00 +GST/Calendar year or \$225.00 quarterly
Parking Fee Schedule:	as per agreement

COUNCIL MEETING DATE: MARCH 26, 2019

REQUEST FOR DECISION - TO COUNCIL

SUBJECT

BYLAW 19-06 FOR THE PURPOSE OF REDESIGNATING NE-26-50-6W4M AND A PORTION OF SE-35-50-6W4M FROM AGRICULTURE (A) DISTRICT TO RURAL INDUSTRIAL (RM) – MOTION REQUIRED

RECOMMENDATION

THAT the County of Vermilion River give First Reading to Bylaw No. 19-06 being a bylaw to re-designate NE-26-50-6W4M and a portion of SE-35-50-6W4M from Agriculture (A) District to Rural Industrial (RM).

THAT the County of Vermilion River set a public hearing for Bylaw No. 19-06 to re-designate NE-26-50-6W4M and a portion of SE-35-50-6W4M from Agriculture (A) to Rural Industrial (RM) on April 30, 2019 at 2:00 p.m. at the County of Vermilion River administration office.

DETAILS

Background: A developer would like to proceed with a significant development on these parcels and so re-designation is required to move forward.

Report summary:

The Applicant G3 Canada Limited is proposing a grain terminal that would support the agricultural producers with getting their product to various markets. The lands that are being proposed for the development and re-designation are NE-26-50-6W4M and a portion of SE-35-50-6W4M and current use of the lands is Agriculture. A service road from the development to range road 63 would better support the development as it would not put other motor vehicles in to an unsafe environment. The recommendation from the Planning and Development is to allow the redesignation for the lands to accommodate the use under the Rural Industrial zoning as a permitted use.

Discussion: NE-26-50-6W4M and a portion of SE-35-50-6W4M proposed for redesignation from Agriculture (A) to Rural Industrial (RM).

Relevant Policy/Legislation Practices:

Municipal Government Act

County of Vermilion River Municipal Development Plan Bylaw 13-13

County of Vermilion River Land Use Bylaw 13-14

Desired Outcome (s): The selected lands to be redesignated from Agriculture (A) to Rural Industrial (RM) to accommodate future development.

Response Options:

THAT the County of Vermilion River give First Reading to Bylaw No. 19-06 being a bylaw to redesignate NE-26-50-6W4M and a portion of SE-35-50-6W4M from Agriculture (A) District to Rural Industrial (RM).

AND

THAT the County of Vermilion River set a public hearing for Bylaw No. 19-06 to re-designate NE-26-50-6W4M and a portion of SE-35-50-6W4M from Agriculture (A) to Rural Industrial (RM) on April 30, 2019 at 2:00 p.m.

IMPLICATIONS OF RECOMMENDATION

Organizational: Notification of adjacent landowners and general public with advertising and mail out.

Financial:

Communication Required: Council; public; Public Works Department; Alberta Transportation; Developer

Implementation: Upon approval of Bylaw

ATTACHMENTS

- Planning Evaluation
- Bylaw 19-06
- Land Use District Map
- Aerial of redesignation area



PREPARED BY: Director of Planning and Development

DATE: March 19, 2019

REDESIGNATION OF NE-26-50-6W4M & PSE-35-50-6W4M

SITE & CONTEXT

G3 Canada Limited is currently proposing a new grain handling facility approximately 4km east of Vermilion on NE-26-50-6W4M and PSE-35-50-6W4M. Currently the project site is undeveloped, as cultivated farmland. The area is approximately 175 acres of farmland and 23 acres of wetland.

POLICY & BYLAW SUPPORT

PD 007—Sustainable Planning & Development Requirements: Requirement of developers to ensure that the County receives a complete package of information which contains all relevant and up-to-date documentation with concise and usable information.

Bylaw 13-14 (Land Use Bylaw), Section 8.19—Rural Industrial (RM) District: To allow the development of rural industry and associated Uses within the rural portions of the County.

*Bylaw 13-13 (Municipal Development Plan), Section 4.3.1—*To encourage appropriate industrial development in appropriate locations.

APPLICATION DESCRIPTION

The proposed development includes a grain terminal, as well as a rail loop. The site impervious area will be concentrated on the grain elevator site, which consists of storage silos for grain, equipment for loading the rail cars and a turn-around area for semi-trailers. The rail loop right-of way (ROW is considered semi-pervious.)

DENSITY & FORM OF DEVELOPMENT

This Project would be classified as an Agricultural Support Service.

Agricultural (A) District

Current land use permits extensive agriculture, building and uses accessory to permitted uses and single detached dwellings. Regulations allow a maximum height of 10.5m (34.5 ft.) except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport height Regulations (Section 11, schedule A), or as per Section 2.12.

Rural Industrial (RM) District

Permitted uses include agricultural support services, extensive agriculture, and rural industries, buildings and uses accessory to permitted uses. Regulations allow uses that may produce noise, odour, fumes, dust, smoke, unsightly appearance or other effects.

TRANSPORATION

The Application will be completing an amendment to their Traffic Impact Assessment (TIA) as part of the Development process and a requirement by Alberta Transportation.

UTILITIES & SERVICING

Water and wastewater services are to be provide on-site and will not need off-site improvements at this time.

ENVIRONMENTAL ISSUES

An Environmental Assessment will need to be completed at the time of Development Permit Application and as part of the service road construction. Any impacted wetlands will need to be mitigated as per policy and regulation of the Province of Alberta.

PUBLIC ENGAGEMENT

The Application has held a public engagement session as part of the Development Process and will submit their responses to the Development Authority prior to a decision being made on their development application.

Concerns for this development ranged from access and egress to Highway 16 at Range Road 61, which a service road has been proposed to impact to the flight path of the local airport.

CONCLUSION

In order to accommodate this development, the lands will need to be redesignated from (A) Agriculture District to (RM) Rural Industrial. This development would be a \$40 million dollar investment in our County and would provide beneficial short-term construction employment and 12-16 full time staff to operate. To accommodate the increased traffic, a two mile service road from Range Road 61 to the site is proposed.

THE COUNTY OF VERMILION RIVER IN THE PROVINCE OF ALBERTA

BYLAW 19-06

A bylaw of the County of Vermilion River in the Province of Alberta to redesignate NE-26-50-6W4M and a portion of SE-35-50-6W4M from Agriculture (A) District to Rural Industrial (RM) District

WHEREAS the Municipal Government Act, R.S.A. 2000, as amended ("the Act") allows a Municipal Council to establish and amend its Land Use Bylaw;

NOW THEREFORE the Council of the County of Vermilion River, duly assembled, hereby enacts as follows:

That Bylaw No. 13-14, being the Land Use Bylaw of the County of Vermilion River, is hereby amended as follows:

a) Section 10.1, Land Use Bylaw Map, is hereby amended by changing the Districting of certain lands as follows:

Redesignating NE-26-50-6W4M and a portion of SE-35-50-6W4M being approximately 198.31 acres, from Agriculture (A) District to Rural Industrial (RM) District, as shown on Schedule "A" attached hereto.

SHOULD any provision of this Bylaw be determined to be invalid, then such provisions shall be severed and the remaining bylaw shall be maintained.

THIS Bylaw shall come into force and effect upon receiving third and final reading and having been signed by the Reeve and Chief Administrative Officer.

Read a first time this 25th day of March, 2019

Advertised the ____ day of _____, 201 AND the ____ day of _____, 201 in the _____.

PUBLIC HEARING held the ____ day of _____, 201_ at _____.

READ A SECOND TIME THIS _____ DAY OF _____, 201_.

READ A THIRD TIME AND FINALLY PASSED THIS _____ DAY OF _____, 201_.

SIGNED by the Reeve and Chief Administrative Officer this ____ day of _____, 201_.

REEVE

CHIEF ADMINISTRATIVE OFFICER

10.1 County Map

Amended by
Bylaw 13-19

Amended by
Bylaw 14-05

Amended by
Bylaw 14-08

Amended by
Bylaw 14-11

Amended by
Bylaw 14-22

Amended by
Bylaw 15-05

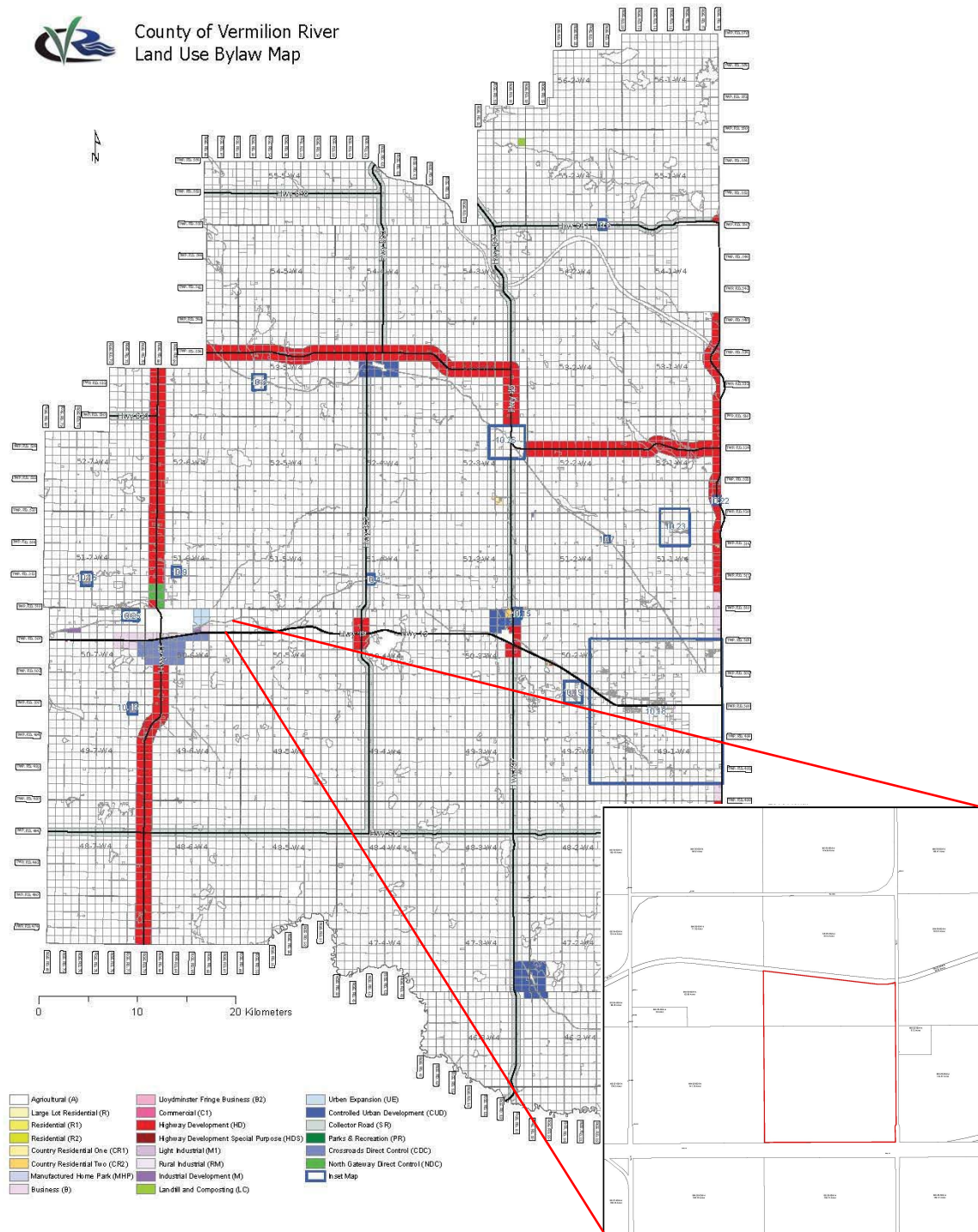
Amended by
Bylaw 15-30

Amended by
Bylaw 15-21

Amended by
Bylaw 16-05

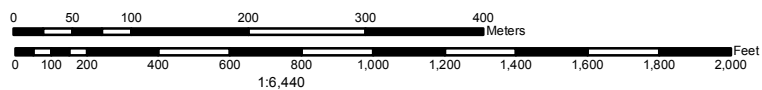
Amended by
Bylaw 16-14

Amended by
Bylaw 18-01



NE-26-50-6W4M & PSE-35-51-6W4M

2015 Aerial



COUNCIL MEETING DATE: MARCH 26, 2019

REQUEST FOR DECISION - TO COMMITTEE

SUBJECT

BYLAW NO. 19-03 – MUNICIPAL DEVELOPMENT PLAN – MOTION REQUIRED

RECOMMENDATION

THAT the County of Vermilion River give First Reading to Bylaw No. 19-03, being the Municipal Development Plan to establish the regulations on how land can be developed in the County of Vermilion River.

THAT the County of Vermilion River set a Public Hearing for Bylaw No. 19-03, being the Municipal Development Plan to establish the regulations on how land can be developed in the County of Vermilion River, on April 30th, 2019 at 2:30 p.m. at the County of Vermilion River administration office.

DETAILS

Background: The Planning and Development Department has completed a review of the Municipal Development Plan and is proposing a complete revision to align with the new *Municipal Government Act (MGA)*.

Discussion: With the new Provincial updates to the *MGA*, Planning and Development has put together a complete revision of the current Municipal Development Plan. Planning and Development wants to ensure that the bylaws of the County are consistent with the newly put in place regulations, and those developing in the County are provided consistent information and requirements.

Relevant Policy/Legislation Practices:

Modernized Municipal Government Act

An Act to Strengthen Municipal Government

Municipal Government Act

Desired Outcome (s):

THAT the County of Vermilion River give First Reading to Bylaw No. 19-03, being the Municipal Development Plan to establish regulations on how land can be developed in the County of Vermilion River.

THAT the County of Vermilion River set a Public Hearing for Bylaw No. 19-03, being the Municipal Development Plan to establish regulations on how land can be developed in the County of Vermilion River, on April 30th, 2019 at 2:30 p.m.

Response Options:

THAT the County of Vermilion River give First Reading to Bylaw No. 19-03, being the Municipal Development Plan to establish regulations on how land can be developed in the County of Vermilion River.

THAT the County of Vermilion River set a Public Hearing for Bylaw No. 19-03, being the Municipal Development Plan to establish regulations on how land can be developed in the County of Vermilion River, on April 30th, 2019 at 2:30 p.m.

IMPLICATIONS OF RECOMMENDATION

Organizational: Notification of public with advertising.

Financial: Cost of advertising and notification to any lands that may be impacted by a zoning change.

Communication Required: Administration will follow the MGA for notification to the public and hold a public hearing as described under the MGA.

Implementation: Upon approval of third and final reading.

ATTACHMENTS

1. Bylaw No. 19-03
2. "Schedule A" – County of Vermilion River Municipal Development Plan

PREPARED BY: Director of Planning and Development

DATE: March 18, 2019

BYLAW NO. 19-03

A BYLAW OF THE COUNTY OF VERMILION RIVER IN THE PROVINCE OF ALBERTA TO ADOPT A MUNICIPAL DEVELOPMENT PLAN

WHEREAS, pursuant to the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, a municipality in the Province of Alberta with a population over 3,500 must adopt a Municipal Development Plan; and

AND WHEREAS the Council of the County of Vermilion River deems it desirable, expedient and in the best interest of the County of Vermilion River to adopt a new Municipal Development Plan;

NOW THEREFORE, the Council of the County of Vermilion River, duly assembled, enacts as follows:

1. This new Bylaw may be cited as "The County of Vermilion River Municipal Development Plan".
2. The County of Vermilion River Municipal Development Plan attached hereto as Schedule "A" to this Bylaw is hereby adopted.
3. Bylaw No. 13-13, as amended, being the previous Land Use Bylaw of the County of Vermilion River, is hereby repealed.
4. This Bylaw may be amended by Bylaw in accordance with the Municipal Government Act, R.S.A. 2000, as amended.

SHOULD any provision of this Bylaw be determined to be invalid, then such provisions shall be severed and the remaining bylaw shall be maintained.

THIS Bylaw shall come into force and effect upon receiving third and final reading and having been signed by the Reeve and Chief Administrative Officer.

Read a first time this ____ day of _____, 2019

Advertised the ____ day of _____, 2019 AND the ____ day of _____, 2019 in the _____ AND the ____ day of _____, 2019 in the _____.

PUBLIC HEARING held the ____ day of _____, 2019 at _____ p.m.

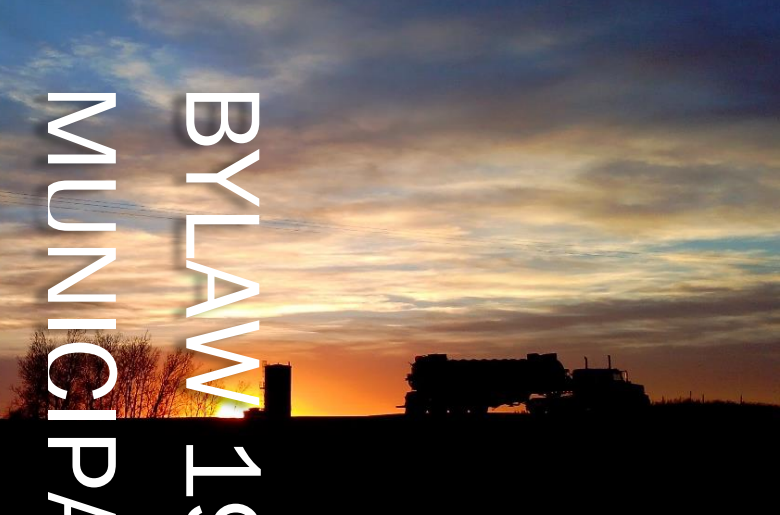
READ A SECOND TIME THIS ____ DAY OF _____, 2019.

READ A THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2019.

SIGNED by the Reeve and Chief Administrative Officer this ____ day of _____, 2019.

REEVE

CHIEF ADMINISTRATIVE OFFICER



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County of Vermilion River

A Vision for the Future

A Sustainable, Vibrant, and Diversified Community with Opportunities for All

Sustainable. Balance short- and long-term needs and benefits in order to meet the needs of the present without compromising the ability of future generations to meet their own needs as well.

Vibrant. Engaging, creative collaboration between all stakeholders: municipality, community, and businesses.

Diverse. Open to explore new and emerging opportunities and facilitating economic growth and social integration.

Opportunities for all. A place to call home that supports a four-pillar-bottom-line approach to community sustainability:

1. **Socially**, through design guidelines for public spaces and streets that encourage neighbour interactions and serve as catalyst to support a complete community that allows residents the choice to live, work, shop, and recreate in proximity;
2. **Environmentally**, by incorporating planning and development strategies, and forms that contribute to reduce impacts and preserve agricultural lands; apply Low-Impact Development tools that respect natural drainage patterns and wetlands; and enhancement and integration of natural spaces and systems that preserve habitats, corridors, and productive landscapes;
3. **Economically**, through the responsible use of land and leverage of services infrastructure; the concentration of services and roadways for efficient and cost-effective service delivery and management, by providing a robust and dynamic land-use base that can adapt over time to accommodate diverse industry production and employment generating opportunities; and
4. **Culturally**, by strengthening our identity and sense of place, incorporating cultural dynamics (values and aspirations) into the built environment through context sensitive design principles, and participatory processes that promote our communities' well-being by enhancing quality of life and quality of place.

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PART 1.0

INTRODUCTION

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1.1 Guiding Principles

1.0 INTRODUCTION

This Municipal Development Plan represents the collective effort of the County of Vermilion River community to define a long-term vision for the County of Vermilion River, our communities, our residents, and our region; and identify the actions to be taken to realize that vision. It is both a process and a product. We recognize the need to invest in the improvement of the quality of life of the people who make up the community — newcomers, alongside those who have deep roots. In order to attract families and local businesses who want to stay here and work here, we aim to send a clear message as a County that this is a good place to live and work.

The strategic focus of our Municipal Development Plan provides a clear long-term vision and the priorities for our community as a whole that is supported by the guiding principles that serve as pillars for the sustainable development of the County's land base.

The Municipal Development Plan integrates a land use development framework with strategic municipal objectives that serve as an overarching policy guide that aims to provide context for future decision-making by County government and other implementation partners. The adoption of this document is not the end of the planning process, but the beginning of an on-going implementation effort by the County and community stakeholders.

1.1 Guiding Principles

1.1.1 Community Resiliency

- (a) All actions should support resourcefulness in meeting our challenges and needs in a way that is sustainable through collaboration and mutual aid instead of competition.
- (b) All actions should recognize the diverse needs and aspirations of County residents and stakeholders.

1.1.2 Growth Management

- (a) All actions should respect the integrity of the County's land base and water resources.
- (b) All actions should be proactive in directing non-agricultural development to existing hamlets, planned development areas, and existing multi-lot development areas that have the capacity to support additional development.
- (c) All actions should apply Smart Growth principles to promote sustainable development respectful of the County's rural character.

1.1.3 Sustainable Development

- (a) All actions should establish land use patterns which make efficient use of land, infrastructure, public services and public facilities and which contribute to the development of healthy, safe, and viable

1.2 Goals

communities by encouraging appropriate mixes of all land use types and a wide range of economic opportunities.

- (b) All actions should support proactive, comprehensive planning that is carried out in a fair, open, consistent, and equitable manner.

1.1.4 Responsible Governance

- (a) All actions should ensure that the County operates in a fiscally sound manner now and into the future.
- (b) All actions should promote governmental excellence through consistent and accountable leadership and collaborative and transparent processes.
- (c) All actions should support implementing strategic decision making.

1.2 Goals

The main goal of this Municipal Development Plan is to provide a policy framework indicating the type and density of development for each of the planned land uses, improvements and servicing requirements to ensure orderly planning in the lands in the County.

The goals within this Municipal Development Plan are consistent with the requirements in the Municipal Government Act, the Provincial Land Use Policies, Land Use Framework, and other plans and regulations under the Land Stewardship Act. The following goal statements represent the County of Vermilion River's approach to implementing provincial directives relating to climate adaptation, land use, and land and environmental management as well as the goals identified by the community through the consultation process. These goals are further supported by plan objectives and policy statements that both express and regulate public policies on land use, development, and subdivision of land within the County.

1.2.1 Vibrant Communities

- (a) Facilitate sustainable growth and development in the County by balancing economic growth, environmental protection, and the preservation of the County's rural way of life.
- (b) Encourage the development of a variety of transportation choices including safe infrastructure for walking and cycling and driving in hamlet areas and multi-lot residential areas.
- (c) Facilitate the provision of diverse housing opportunities in order to ensure that people in different family types, life stages and income levels will be able to afford a home in the County.

1.2.2 Innovation

- (a) Encourage economic development and renewal by supporting new and existing economic assets within the community including traditional and emerging regional economic drivers.

1.3 Interpretation

- (b) Encourage the use of green buildings and other innovative infrastructure and building systems to reduce the cumulative effects of new development.
- (c) Enhance existing regional and community partnerships and seek new collaborative opportunities.

1.2.3 Operational Excellence

- (a) Maintain a high quality and cost effective infrastructure within the County.
- (b) Encourage land development that is cost effective, orderly and developed in close proximity to similar developments and in locations in order to efficiently utilize existing infrastructure.
- (c) Establish sustainable and equitable land use planning standards that will minimize adverse impacts on working landscapes and significant natural features for future generations without burdening individual land owners.

1.3 Interpretation

1.3.1 Compliance with the policies in this Plan shall be interpreted and applied as follows:

- (a) “SHALL”, “MUST”, and “IS” are operative words that mean that the action or actions outlined are imperative or mandatory and therefore must be complied with, without discretion, except in cases where a variance has been granted pursuant to the Municipal Government Act; RSA 2000 c. M26, as amended or repealed and replaced from time to time;
- (b) “SHOULD” is a directive term, which means that, in order to achieve the established goals, and objectives, it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances. When the regulation is directed to the Developer, the onus to justify is on the applicant; and
- (c) “MAY” is a discretionary term, meaning a choice is available, with no particular direction or guidance intended, and is usually dependent on the particular circumstances of the specific Parcel of land or Lot and application that are under consideration at any given moment.
- (d) “SUCH AS” indicates an idiomatic preposition meaning “for example” or “of a kind that; like” in reference to the condition or conditions following the statement, but does not implies an exhaustive list.
- (e) “SUCH THAT” indicates an idiomatic preposition meaning “to the extent that”, “as being what is indicated; in that capacity” in reference to the condition or conditions following the statement as a requirement for its fulfilment, but does not implies an exhaustive list.

1.3 Interpretation

- (f) “PROVIDED THAT” indicates a conjunction meaning “if; only if”, in reference to the condition or conditions following the statement as a requirement for its fulfilment, but does not implies an exhaustive list.
- (g) “CONSIDERED” indicates an adjective meaning “to regard as” or “deem to be”, in reference to the condition or conditions following the statement.
- (h) “OR” indicates that the connected items may apply singly or in combination; and
- (i) “EITHER/OR” indicates the items shall apply singly, but not in combination.
- (j) Words used in the present tense include the other tenses and derivative forms.
- (k) Words used in the singular include the plural and vice-versa.
- (l) When a word is used in the masculine, it will refer to either gender.

1.3.2 Illustrations

- (a) Drawings and graphic depictions are provided to assist in interpreting and understanding the provisions of this Plan. Where any conflict or inconsistency arises between a drawing and the text of the Plan, the text shall prevail.

1.3.3 Definitions

- (a) Where a subdivision or development proposal generally conforms to the wording of two (2) or more definitions, the relevant Authority shall determine the use that fits closest to the development’s character and purpose.
 - (i) In instances where a specific proposal:
 - 1. Does not conform to the wording of any definition; or
 - 2. Generally conforms to the wording of two or more definitions;

1.3.4 Policy Statements

- (a) The relevant Authority shall use his/her discretion to consider subdivision or development proposals within the County in accordance to the policies that are most appropriate in character and purpose and align with the intent and purpose of this Plan.



PART 2.0

PLANNING FRAMEWORK

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2.1 Policy Framework

2.0 PLANNING AND POLICY AREAS

The planning area includes all the lands in within the jurisdictional boundary of the County of Vermilion River. These lands shall serve to accommodate the County's short-term and long-term planning and development activity. The planning area is depicted on Map 1.

The following sections constitute the planning framework and contain specific objectives, policies to help the County achieve each objective, and proposed strategies or programs to implement the policies. This framework is set up to support the Plan goals:

- Operational Excellence: Ensure efficient resource management and effective strategies to provide quality services to meet the needs of our community
- Vibrant Communities: Promote communities that are connected, engaged, active, and inclusive that will thrive and prosper.
- Innovation: Manage expectations from a regional perspective by encouraging creative, regional collaboration and diversification based on planned growth, relationship building and engagement.

2.1 Policy Framework

The policies in the following sections guide the implementation of the goals following the Plan's guiding principles that structure the Municipal Development Plan Framework:

- Community Resiliency
- Growth Management
- Sustainable Development
- Responsible Governance

Each section contains value statements and policies that outline the steps needed to move the County towards its Vision:

A Sustainable, Vibrant, and Diversified Community with Opportunities for All

2.2 Statutory Plan Areas

Development and subdivision of land within statutory plan areas (see Map2), such as Intermunicipal Development Plans, Area Structure Plans, or area Redevelopment Plans, are required to conform to all applicable policies within the relevant statutory plan as well as the objectives and policies in the County's Municipal Development Plan.

2.2 Statutory Plan Areas

2.2.1 Ensure that subdivision and development within statutory plan areas is consistent with the intent of the appropriate plan.

- (a) Proposals for subdivision and development within statutory plan areas shall be consistent with the policies within the appropriate plan.
- (b) The relevant Authority may require that any proposal for subdivision or development within a statutory plan area be accompanied by additional supportive information, prepared by a registered or licensed professional, in order to assess the conformity of a proposed subdivision or development with the appropriate plan before consideration of the subdivision or development shall commence. Further, if a subdivision or development is approved after such supportive information is provided, the relevant Authority shall require that any recommendations of the supportive information be implemented by the landowner/developer and registered against the title of the subject lands, in order to warn future landowners of the engineering requirements for development. Such information may include:
 - (i) either, or both, a flood susceptibility analysis or a bank stability analysis prepared by a registered engineer that assess the suitability of the subject site and the proposed development from the points of view of flood susceptibility and/or bank stability.
 - (ii) a Real Property Report, or other documentation indicating the exact location of all structures on the property (prepared within the last five (5) years, in a form that is acceptable to the Development Authority;
 - (iii) a storm water management plan approved by Alberta Environment and Sustainable Resource Development (or other appropriate provincial authority);
 - (iv) a certified geotechnical report prepared, stamped and signed by a qualified professional registered in the Province of Alberta in potentially hazardous or unstable areas;
 - (v) a certified biophysical assessment prepared, stamped and signed by a professional registered in the Province of Alberta, on the impacts of the proposed development on wildlife habitat or natural environments;
 - (vi) a reclamation plan for aggregate extraction or site grading and excavation;
 - (vii) an environmental assessment to determine potential contamination and mitigation;
 - (viii) in the case of the placement of an already constructed or partially constructed building on a Lot or Parcel of land, information relating to the age and condition of the building and its compatibility with the Land Use District in which it is to be located;

2.2 Statutory Plan Areas

- (ix) for subdivisions adjacent to water bodies and watercourses, an engineering and/or geotechnical study to determine an adequate setbacks based on soil conditions and slope stability prepared, stamped and signed by a registered professional engineer or hydro-geologist, registered in the Province of Alberta.
- (x) an environmental impact assessment describing a development's potential environmental effects;
- (xi) a cumulative effects assessment prepared, stamped and signed by a professional, registered to practice in the Province of Alberta, describing a development's potential cumulative effects;
- (xii) the identification of all rights-of-way and easements within or abutting the subject property; and/or
- (xiii) any additional information as the relevant Authority deems necessary.

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PART 3.0 COMMUNITY RESILIENCY

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3.1 Inlusiveness and Diversity

3.0 COMMUNITY RESILIENCY

As a County, we are mindful of our rural culture, respectful of our natural environment and grateful for our people. The heart of our communities are the people who live and work in them — newcomers, alongside those who have deep roots. Working together has built a community that is safe and a lifestyle that is valued. The environment is treasured and resources are shared.

Communities that are connected, engaged, active and inclusive will thrive and prosper.

The following objectives and policies outline the manner and type of subdivision and development for residential and non-residential uses within the County.

3.1 Inlusiveness and Diversity

- 3.1.1 The County will encourage cluster and conservation development and other configurations that respect natural topography.
 - (a) Multi-lot subdivisions shall comply with the provisions for cluster and conservation subdivision and development under the County's Land Use Bylaw.
 - (b) Residential development will be cognizant of the need to preserve resource extraction, recreation, historical, and archaeological features. It is the County's policy that the effect a residential development may have on the environment will be an important consideration in dealing with residential subdivision and development proposals and Land Use Bylaw amendments.
- 3.1.2 Subdivision and development proposals should plan for mixed land-use patterns characterized by compatible residential and non-residential land uses located in close proximity to one another.
 - (a) Mixed land-use patterns should incorporate safe, convenient, accessible, and attractive design features to promote active living and social interaction.
- 3.1.3 Subdivision and development proposals should provide for complete streets serving multiple functions that safely and conveniently accommodate all users and desired functions, though this does not mean that all modes or functions will be equally prioritized on any given street segment.
 - (a) Complete streets should accommodate travel, social interaction, and commerce to provide for more vibrant neighborhoods and more livable communities.

3.2 Rural Livability

- 3.2.1 Subdivision and development proposals should apply design standards appropriate to the community context.

3.3 Multi-Lot Residential Development

- (a) Spatial buffers or setbacks may be required between land uses which may, in the opinion of the relevant Authority, be incompatible, in accordance with the provisions of the County's Land Use Bylaw.
- 3.2.2 Subdivision and development proposals shall accommodate additional population by supporting development that is economically responsible to the County and the community.
 - (a) New growth shall be focused in and around existing developed areas to discourage rural sprawl.
 - (b) Residential subdivisions shall be located in proximity to gas, electrical, and telephone lines that have existing spare capacity to sustain the additional usage.
 - (c) Subdivisions shall have direct access to existing maintained roads.
 - (d) Where a subdivision for residential purposes is proposed, the developer shall be required to enter into a development agreement with the County wherein the developer agrees to be responsible for all the costs associated with the subdivision and development.
- 3.2.3 Subdivision and development proposals shall support compact development density that respects local landscapes and the environment.
 - (a) Development density shall be directly related to the development capability of the land resources, such as potable water supply, topography, vegetation, soil, and drainage.
 - (b) Proponents for multi-lot development shall be required to provide the County with an assessment of environmental constraints on the site and the means whereby negative impacts on the natural environment may be mitigated.

3.3 Multi-Lot Residential Development

- 3.3.1 Multi-lot residential developments shall be consistent with the provisions in the County's Land Use Bylaw for conservation or cluster subdivision and development to reduce potential land use conflicts and minimize servicing costs.
 - (a) The County will require the proponent of a multi-lot residential development to identify all municipal servicing costs associated with the development. The assignment of these costs between the County and the developer will be the basis of a development agreement to be entered into prior to a subdivision approval or upon the issuance of a development permit. However, all development servicing costs associated with the development, including the provision of internal roadway systems to meet the County's Municipal Servicing Standards and the upgrading of other County roads leading to the site in order to provide good access to the residential site will be the responsibility of the developer.

3.4 Industrial Development

- 3.3.2 Multi-lot country residential developments will adhere to the following conservation design-based principles in order to mitigate potential negative impacts:
- (a) The ecology of the subject site must be considered. Environmentally sensitive lands and working landscapes should be left undisturbed wherever possible, but incorporated into the overall development. Wildlife corridors or connections between habitat areas should be maintained wherever possible.
 - (b) Development will be directed to lands within the subject site that are deemed by the County to be of lesser environmental and/or agricultural significance.
 - (c) The natural landscape and topography should be considered and incorporated into the overall design of the development.
- 3.3.3 Multi-lot residential subdivisions and developments shall meet the applicable policies under **Section 5.0** of this Plan.
- 3.3.4 Multi-lot residential developments will be discouraged, but not prohibited, from locating on good quality agricultural land, and shall be encouraged, but not required, to locate on poorer quality agricultural land.

3.4 Industrial Development

The County recognizes that industrial developments can be of benefit to the County by providing employment, tax dollars and services to County residents. The Plan encourages the clustering together of compatible industrial uses in rural industrial parks.

This Plan encourages the diversification of the County's economic base by identifying land and policies to support the development of a diverse range of industrial developments within the County.

- 3.4.1 Subdivision and development proposals shall encourage industrial development in appropriate locations.
- (a) Industries shall be encouraged to locate in designated industrial areas that are designed and serviced to accommodate industrial development.
 - (b) Industries shall be allowed to locate in intermunicipal areas in the manner provided for in an approved Intermunicipal Development Plan or Area Structure Plan and consistent with the County's Land Use Bylaw.
 - (c) Before approving any development proposal for an industrial use, the County may require the provision of a Cumulative Effects Assessment including environmental impact information and a risk assessment (such as that provided for by the Major Industrial Accidents Council of Canada (MIACC)) to assist the County in assessing the impact of the proposed development in relation to the natural and human

3.4 Industrial Development

environments, and indicate both if and how any negative matters can be mitigated. The County may require the implementation of any mitigating actions indicated in the information and assessment as a condition of any development approval.

- (d) Multi-lot industrial developments shall be consistent with the provisions in the County's Land Use Bylaw for conservation or cluster subdivision and development to reduce potential land use conflicts and minimize servicing costs.

3.4.2 All proposals for industrial subdivision and development (including multi-lot industrial developments) shall:

- (a) In the opinion of the relevant Authority, NOT conflict or jeopardize with surrounding land uses;
- (b) Be considered only in accordance with a Site Development Plan, unless the County requires an Area Structure Plan, which has been prepared by a Registered Professional Planner pursuant to County Policy and approved in accordance with the Municipal Government Act.
 - (i) in preparing a Site Development Plan or Area Structure Plan, the proponent shall consider:
 1. the impact on adjacent land uses;
 2. transportation and access;
 3. provision of water and sewer services;
 4. storm drainage;
 5. the provision for municipal reserve;
 6. the impact on community services, such as safety & fire protection;
 7. the municipal servicing costs associated with the development;
 8. landscaping and buffering;;
 9. risk assessment; and
 - 10.any other matters identified by County Policy.
 - (ii) a Site Development Plan or, when required, an Area Structure Plan shall:
 1. be accompanied by an identification of all municipal costs associated with the proposal;
 2. meet all provincial requirements and obtain a development permit from the County prior to construction; and
 3. be encouraged to locate near or adjacent to provincial highways.

3.4 Industrial Development

- (c) Industrial development shall not result in any additional costs to the County, unless the County agrees to share costs.
 - (d) All industrial developments shall obtain the approvals and permits required by provincial legislation and a development permit from the County.
 - (e) Industrial development shall be encouraged to locate on land that is physically suited for industrial use, considering factors such as soil, drainage, slopes and the availability of necessary services.
 - (f) Industrial development shall not be located in areas where the use is likely to subject residences, hospitals, schools, or other sensitive land uses, as defined in the County's Land Use Bylaw, to high levels of noise.
- 3.4.3 The County will require the proponent of an industrial development to identify all municipal servicing costs associated with the development. The assignment of these costs between the County and the developer will be the basis of a development agreement to be entered into prior to a subdivision approval or upon the issuance of a development permit. However, all development servicing costs associated with the development, including the provision of internal roadway systems to meet the County's Municipal Servicing Standards and the upgrading of other County roads leading to the site in order to provide good access to the industrial site will be the responsibility of the developer.
- (a) Multi-lot industrial developments shall be consistent with the provisions in the County's Land Use Bylaw for conservation or cluster subdivision and development to reduce potential land use conflicts and minimize servicing costs.
- 3.4.4 Industrial subdivisions and developments shall meet the applicable policies under **Section 5.0** of this Plan.
- 3.4.5 Industrial development requiring municipal services will be encouraged to locate in areas with access to municipal servicing.
- (a) The County shall encourage industrial development that requires access to municipal services to locate where services are available.
 - (b) Council shall only consider proposals for the development of lands for industrial uses in a hamlet, if the proposal is for a Light Industrial Use, as defined and subject to the provisions in the County's Land Use Bylaw.
 - (c) Industries that require urban services shall be considered where such services are available from the County or a joint development/servicing agreement between the County and an adjacent urban municipality has been finalized.
 - (d) Industrial subdivision and development which, in the opinion of the relevant Authority, could have a significant impact on the community and environment, shall be controlled through the process of Land Use Bylaw amendment to an appropriate Industrial District in the Land Use

3.5 Commercial Development

Bylaw and, in areas where there is an Intermunicipal Development Plan or an Area Structure Plan, by amendment to the appropriate Plan.

- (e) The proponent of any new industrial development or expansion of such development shall identify any costs associated with providing new services and upgrading existing services made necessary by the proposed development. The apportionment of costs shall be negotiated by the County and be settled within a development agreement which shall be a condition of subdivision or development approval.
- (f) In order to encourage the establishment of industry in the County, the County may establish an area within which only heavy industry, that is, industry which may negatively impact neighbouring lands, may be located. If the County does this, the area affected shall be designated through an Area Structure Plan, and appropriate Land Use Bylaw regulations shall be applied to substantially regulate both the industry and any residential development in the area affected.

3.5 Commercial Development

The intent of this Plan is to accommodate commercial facilities in appropriate locations throughout the County, as provided for in the County's Land Use Bylaw. Commercial developments provide a service to the agricultural community, local residents, traveling public, and tourists to the region.

The County will not support commercial developments that adversely affect the standard of safety or convenience, or the functional integrity of any highway or road. The Plan also recognizes that specific commercial uses may require unique site locations in order to serve our communities.

3.5.1 Subdivision and development proposals shall minimize the impacts of commercial activities on working landscapes and cultural landscapes.

(a) The County shall consider proposals for commercial development:

- (i) that will not unnecessarily fragment the working landscape; and
- (ii) that do not conflict with adjacent land uses.

3.5.2 Commercial development shall be allowed to locate in intermunicipal areas in the manner provided for in an approved Intermunicipal Development Plan or Area Structure Plan and consistent with the provisions in the County's Land Use Bylaw.

3.5.3 Commercial development with servicing requirements that do not exceed the servicing capabilities of the hamlet or negatively impact the character of the hamlet shall be encouraged.

3.5.4 Commercial subdivisions and developments shall meet the applicable policies under **Section 5.0** of this Plan.

3.5.5 Multi-lot commercial developments shall be consistent with the provisions in the County's Land Use Bylaw for conservation or cluster subdivision and

3.5 Commercial Development

development to reduce potential land use conflicts and minimize servicing costs.

- 3.5.6 All proposals for commercial development (including multi-lot commercial or business developments) shall:
- (a) in the opinion of the Development Authority, NOT conflict or jeopardize with surrounding land uses;
 - (b) be considered only in accordance with a Site Development Plan, unless the County requires an Area Structure Plan, which has been prepared by a Registered Professional Planner pursuant to County Policy and approved in accordance with the Municipal Government Act.
 - (c) In preparing a Site Development Plan or Area Structure Plan, the proponent shall consider:
 - (i) the impact on adjacent land uses;
 - (ii) transportation and access;
 - (iii) provision of water and sewer services;
 - (iv) storm drainage;
 - (v) the provision for municipal reserve;
 - (vi) the impact on community services, such as safety & fire protection;
 - (vii) the municipal servicing costs associated with the development;
 - (viii) landscaping and buffering;;
 - (ix) risk assessment; and
 - (x) any other matters identified by County Policy.
 - (d) a Site Development Plan or, when required, an Area Structure Plan shall:
 - 1. be accompanied by an identification of all municipal costs associated with the proposal;
 - 2. meet all provincial requirements and obtain a development permit from the County prior to construction; and
 - 3. be encouraged to locate near or adjacent to provincial highways.
- 3.5.7 Commercial development shall not result in any additional costs to the County, unless the County agrees to share costs.
- 3.5.8 All commercial developments shall obtain the approvals and permits required by provincial legislation and a development permit from the County.
- 3.5.9 The County will require the proponent of a commercial development to identify all municipal servicing costs associated with the development. The assignment of these costs between the County and the developer will be the basis of a development agreement to be entered into prior to a

3.6 Emergency Preparedness

subdivision approval or upon the issuance of a development permit. However, all development servicing costs associated with the development, including the provision of internal roadway systems to meet the County's Municipal Servicing Standards and the upgrading of other County roads leading to the site in order to provide good access to the development site will be the responsibility of the developer.

3.5.10 In consideration of a proposal for a commercial development, an assessment of the proposed development may be required, which:

- (a) precisely defines the boundaries of the proposal;
- (b) designates suitable building sites;
- (c) ensures the functional integrity of the adjacent roads is maintained through the use of service roads and limited access points;
- (d) defines standards of development consistent with the County's Land Use Bylaw, including architectural, landscaping, and sign controls;
- (e) identifies methods and facilities for servicing;
- (f) includes groundwater and soil permeability tests; and
- (g) any other matters identified by County Policy.

3.5.11 Commercial subdivision and development that, in the opinion of the relevant Authority, could have a significant impact on the community and environment, shall be controlled through the process of Land Use Bylaw amendment to an appropriate Industrial District in the Land Use Bylaw and, in areas where there is an Intermunicipal Development Plan or an Area Structure Plan, by amendment to the appropriate Plan.

3.6 Emergency Preparedness

The County requires that emergency preparedness be a consideration in the approval of new developments throughout the County. Requiring emergency preparedness measures to be a consideration in the design and approval of new developments will best ensure the safety of all County residents.

3.6.1 New developments shall be designed to ensure high levels of emergency preparedness within a rural context.

- (a) The County shall encourage the use of effective wildfire prevention techniques and the development of on-site firefighting measures to reduce the risk of wildfires resulting from development.
- (b) The County may refer applications for subdivision and development to the province's Land and Forest Service or the local fire department for comment in evaluating the suitability of a site in forested land for development.
- (c) The County shall consider the following as conditions for approval for development which is too remote to be adequately serviced by existing firefighting services:

3.6 Emergency Preparedness

- (i) the provision of a suitable on-site water supply for firefighting purposes;
 - (ii) the use of fire resistant building methods;
 - (iii) the installation of spark arrestors on chimneys; and/ or
 - (iv) the removal of trees, shrubs, and fuels in proximity to certain developments.
 - (d) The County shall discourage the development of forested lands in significant wildfire hazard areas.
 - (e) The County may ask developers to provide for appropriate fire protection measures in an application for development, subdivision, a Site Development Plan, or an Area Structure Plan.
 - (f) The County may require the provision of an emergency access to multi-parcel developments in forested areas.
 - (g) Residential development will be prohibited in those areas which are too close to sour gas facilities, in accordance with Provincial legislation and regulations.
- 3.6.2 Multi-lot subdivision and development proposals shall ensure compatibility with surrounding land uses.
- (a) Buffering measures, to the satisfaction of the Subdivision Authority may be required at time of subdivision between residential uses and other, adjacent land uses.

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PART 4.0 GROWTH MANAGEMENT

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4.1 Responsible Regionalism

4.0 GROWTH MANAGEMENT

“The only constant is change, continuing change, inevitable change; that is the dominant factor in society today. No sensible decision can be made any longer without taking into account, not only the world as it is, but the world as it will be.” — Isaac Asimov.

Growth can be an exciting but tumultuous experience for predominantly rural municipalities such as the County of Vermilion River. On one hand, the County benefits from an expanding economy, an increasing tax base, and more vibrant communities. On the other hand, the County must contend with a series of challenges including meeting future demands for services and environmental protection.

In 2013 the County completed a Regional Growth Management Strategy that outlined how the County can support a projected population of up to 14,500 residents by 2052, in keeping with the County’s goals of fiscal, environmental, and social sustainability.

The following objectives and policies support and expand the goals and objectives of the Regional Growth Management Strategy.

4.1 Responsible Regionalism

4.1.1 The County of Vermilion River will guide future development in a manner that reflects the aspirations of residents, landowners, and other stakeholders.

(a) The County will develop and adopt a Regional Growth Management Plan that will identify growth areas and provide a means of monitoring change over time. The Plan should take into consideration the recommendations of the Regional Growth Management Strategy.

4.1.2 The County of Vermilion River will encourage creative, regional collaboration and diversification based on planned growth, relationship building and engagement.

(a) The County will promote regional cooperation and sharing of resources.

(b) The County will include regional development visions and plans in local planning scenarios.

(c) The County will ensure local plans are consistent with regional plans and priorities.

(d) The County will identify and delineate designated growth areas for residential and non-residential uses.

(e) The County will promote intermunicipal dialogue at both the political and administrative levels to facilitate an approved and united vision for the region.

(f) The County will collaborate with industry and municipal partners to develop, update and align risk management initiatives regarding heavy industrial development located within and along County borders.

4.2 Complete Communities

- (g) The County will encourage the coordination of joint municipal processes and Planning Documents that provide agreement for land-use activity along shared municipal boundaries.
- (h) The County will establish infrastructure servicing and joint-use partnership agreements with municipal neighbours and other government agencies that are mutually beneficial and provide for the coordinated distribution of municipal services.
- (i) The County will strive to understand stakeholder perspectives and concerns by promoting consultation and participation in projects of County-wide significance.

4.1.3 The County of Vermilion River will encourage orderly growth and development within the County's unincorporated urban areas.

- (a) The County shall discourage development within 1.6 km (1 mile) of an urban area that would adversely affect the urban centre unless, if in the opinion of the County, appropriate measures are taken to mitigate adverse effects and/or the use is provided for in an approved Intermunicipal Development Plan.
- (b) Development in hamlets which do not have communal water supply and sewage disposal systems should be planned and designed so that the lots are of a size and the subsequent development is of a configuration which would permit re-subdivision to a higher density should communal water supply and sewage disposal systems eventually be available.

4.1.4 The County of Vermilion River will encourage regional cooperation in the provision, operation and maintenance of infrastructure services.

- (a) The County will endeavour to cooperate with other municipalities in the upgrading of intermunicipal roadways.
- (b) The County will endeavour to cooperate wherever possible with other municipalities and/or the provincial government with planning, development and operation of sanitary waste disposal facilities and sewage lagoons.
- (c) New development adjacent to the future Highway #16 Lloydminster bypass must be designed to adhere to provincial requirements regarding siting and access.

4.2 Complete Communities

4.2.1 The County of Vermilion River will provide land-use policies that encourage a variety of residential types in an effort to achieve complete communities.

- (d) The County shall require proposed residential development to respect the existing scale, type and character of the community. Secondary suites or mixed-use developments may be contemplated, consistent with the provisions within the County's Land Use Bylaw, where the

4.2 Complete Communities

applicant can successfully demonstrate to the relevant Authority that no significant impacts on municipal infrastructure or community amenities will occur.

4.2.2 The County of Vermilion River will encourage orderly growth and urban density development within the County's unincorporated urban areas.

(a) The County will develop and adopt a Hamlet Growth and Expansion Plan for each of the hamlets in the County to establish development patterns for each of the Community Areas, which will maintain their distinctive attributes and provide residential and non-residential development opportunities different from those provided in the urban centers.

4.2.3 The County of Vermilion River will ensure that hamlets have enough land within their respective boundaries to undertake comprehensive land use planning and development of servicing systems.

(a) Development shall be encouraged in those hamlets where municipal piped water supply and sewage collection and disposal services are already available, or can be economically made available.

(i) Development in hamlets that do not have communal water supply and sewage disposal systems shall be planned and designed so that the lots are of a size and the subsequent development is of a configuration that would permit further subdivision to a higher density should communal water supply and sewage disposal systems eventually become available.

(ii) The County shall ensure that new residential development accounts for increased population and subsequent community impacts through the timely delivery of social services and communities amenities.

(b) The County shall undertake an evaluation of municipal servicing needs prior to significant Hamlet development or expansion in order to identify and prioritize improvements for development.

4.2.4 The County of Vermilion River should promote quality public spaces by restricting the dedication of municipal reserve for right-of-ways, public utilities and marginal lands as they are not considered useable parks and open spaces.

(a) The County should ensure that community facilities and support services are suitably located for the identified residential populations that they are intended to serve.

(b) The County should encourage the use of joint partnership agreements with public and separate school boards for delivering community service.

4.3 Urban Growth Areas

4.3 Urban Growth Areas

- 4.3.1 Ensure incorporated urban centres and hamlet areas are able to expand in an orderly manner and in a manner that encourages the sustainability of the community.
 - (a) Urban centers and hamlet communities should be encouraged to accommodate growth in areas that would minimize the removal of:
 - (i) regionally significant natural resources; and
 - (ii) environmentally sensitive areas.
- 4.3.2 Development on lands near urban centers or hamlet area should be in harmony with future growth requirements and should be able to accommodate urban uses.
 - (a) The policies within approved Intermunicipal Development Plans and any approved Area Structure Plans will apply to the lands located in the areas affected by those plans.
 - (b) The County will continue to work closely with adjacent urban centers in the detailed planning of the lands near them, and by continuing to do detailed planning with the goals being the best utilization of the land and the minimization of long range land use conflicts and servicing costs.



PART 5.0

SUSTAINABLE DEVELOPMENT



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5.0 SUSTAINABLE DEVELOPMENT

“Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs (United Nations 1987).” Although, the concept of sustainability may suggest a sense of stability to some, it does not mean that in the future we will, or should, function the way we function today. Communities evolve, and change is the only surety we have of the future (although, some residents will always fight for their community to remain exactly as it was the day that they moved in). Nevertheless, unmanaged change can be detrimental to the social and fiscal wellbeing of a community, which is not sustainable.

The value added of the concept of sustainability, above and beyond the social, economic, and environmental concerns that make it up, is that it forces us to recognize links and trade-offs, rather than dealing with each concern independently. To achieve sustainability, we need to sustain our economy, protect our environment, and achieve our social goals — ideally without trading off one goal for another (Hecht 2007).

The following objectives and policies set the direction for the County’s future growth and development. The policies provide direction on how our County will maintain successful communities, create a stronger sense of place and civic identity. They support planning for a balanced land-use mix for fiscal sustainability characterized by a pattern that includes both residential and non-residential uses, such that the long-term cost of providing a desirable level of services to residents, business owners, and visitors is closely matched to the tax or user-fee revenue generated by those uses. They guide the development of land within the County, and ensure that such development enhances the quality of life in the County.

5.1 Land Use and Built Environment

Land is a limited resource and how we use it reflects our community values and priorities. It is also important that land use and development be appropriately used to strengthen our local economy: providing a diverse range of jobs, goods, services, and the tax revenue necessary to maintain quality services to meet the needs of our communities.

In addition, land uses and the built environment must be addressed in a manner that strengthens the sense of place for the County as a whole, as well as its rural landscape.

5.1.1 The County of Vermilion River will develop Area Structure Plans for identified growth and development areas that provide the framework for logical, efficient land-use patterns that accommodate a mix of uses in accessible and safe configurations that are attractive, efficient, and sustainable.

(a) New growth shall be focused in and around existing developed areas to discourage rural sprawl.

5.1 Land Use and Built Environment

- (b) The County will support development that respects natural topography, such as conservation and cluster development to preserve and protect natural areas and promote the efficient use of existing infrastructure.
 - (c) The County will support innovative practices that promote fiscal sustainability by making more efficient use of existing infrastructure and topographies, such as low-impact development, including green infrastructure.
 - (i) Green building and site design in development and redevelopment projects is encouraged.
 - (ii) appropriate site design standards shall be followed and appropriate buffers shall be located between non-residential developments and other existing and future sensitive land uses and roadway profiles in order to provide adequate visual or acoustic screening.
 - (iii) The County of Vermilion River may require that the applicant of a development apply the principles and guidelines of Crime Prevention through Environmental Design within subdivision and development reviews to guide design and ensure effective use of the built environment.
 - (d) Shared driveway access, parking, and coordinated site plan designs for non-residential uses is encouraged.
 - (e) The County will identify brownfield sites within the County and develop a strategy for mitigation and redevelopment into productive uses.
 - (f) The County will provide sufficient commercial and industrial sites to be competitive in attracting new, high-quality businesses to the County. Sites should be located to avoid adverse impacts to existing and planned residential communities.
- 5.1.2 The County of Vermilion River will encourage development for non-agricultural uses to be located on lower agricultural capability lands, unless Council decides that the benefits to the community justify the use of higher capability agricultural lands.
- (a) Fragmentation of rural land and working landscapes should be discouraged.
 - (b) Development on Hazardous Lands that are deemed undevelopable or may result in life loss or injury, property damage, social, and economic disruption or environmental degradation shall not be permitted.
 - (c) The development of non-agricultural land uses within the County should be considered only in the case where agricultural opportunities are not compromised by conflicting developments.
 - (d) The County shall encourage the development of vacant lots and underdeveloped opportunity sites and the redevelopment of older

5.1 Land Use and Built Environment

buildings within the hamlets, provided that the infill development or redevelopment will not adversely affect the surrounding areas.

- (e) Industries shall be encouraged to locate on lower capability agricultural land, in proximity to paved County roads or provincial highways, and in areas with access to existing water and power services wherever possible.
- (f) Commercial uses shall be encouraged to locate on lower capability agricultural land wherever possible.
- (g) The municipalities of Dewberry, Kitscoty, Marwayne and Paradise Valley, Vermilion, and Lloydminster should be encouraged to expand in areas which would minimize the removal of higher capability agricultural land.
- (h) Expansion of urban centres should be discouraged from occurring on higher capability agricultural land.
- (i) Council shall only support annexation proposals in accordance with the policies in **Sub-section 6.4** of this Plan.

5.1.3 Development should only occur on lands that do not have critical development constraints.

- (a) Groundwater of sufficient quantity and quality should be available to support the proposed development. Development will be discouraged in areas where reserves of potable water are inadequate.
- (b) Development will be discouraged in areas characterized by wetlands, swamps, muskeg, or saturated soils. Development will also be discouraged in valleys, ravines, or seasonal draws. Where development is allowed in areas exhibiting these characteristics the development must adhere to provincial regulations, guidelines and wetland mitigation policies.
- (c) Development shall be prohibited on slopes in excess of 15% or on slopes which are subject to slippage or mass movement.
- (d) Development is discouraged from locating on soils that have extremely fast percolation rates and/or which might result in the possibility of groundwater contamination.
- (e) No permanent structures will be allowed within the 1:100 year flood plain of any river, stream or lake shore, unless proper flood proofing techniques are applied. A certificate from a qualified, registered professional engineer or architect will be required by the County to confirm that the development has been properly flood proofed.
- (f) The County shall encourage flood plain and flood prone areas to be kept in their natural state. However, if provincial requirements are met and engineering studies have been completed by the applicant that supports development within these areas then the development authority may approve within these locations as long as any mitigation

5.2 Subdivision of Land

measures identified by the province and in any supplementary engineering studies are adhered to.

- (g) On municipal lands within flood areas, new development should be limited to recreational uses.
- (h) Unless unique site requirements determine otherwise, development proposals should conform to the Alberta Environment Land Conservation Guidelines so far as they pertain to setback requirements from valley breaks, ravines and watercourses.
- (i) The County shall continue working in collaboration with non-profit organizations and the Province to manage and conserve wetlands within the County's boundary.

5.1.4 The County of Vermilion River will discourage the fragmentation of working landscapes (see **Sub-section 5.9**).

- (a) The County will encourage new pipelines, electrical and transmission lines, rail lines and road developments to be located adjacent to quarter section or property boundaries and/or within recognized corridor to limit the further fragmentation of lands within the County.
- (b) The County will discourage the premature conversion of productive agricultural land to other uses when equally viable alternatives exist.
- (c) Developments for non-agricultural uses will be encouraged to locate on lands of lower agricultural capability and in areas where possible negative impact on agriculture are minimized.

5.1.5 The County of Vermilion River will diversify the economy and strengthen the tax base through land use and development.

- (a) The County will promote community-based economic development that benefits local rural businesses and residents.
- (b) Environmentally sustainable businesses and work will be encouraged to attract and grow green jobs in the County.

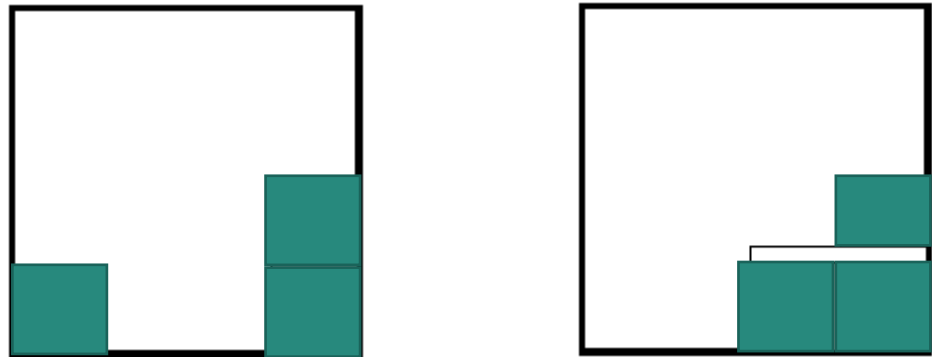
5.2 Subdivision of Land

5.2.1 Subdivisions shall require redesignation to the appropriate Land Use District at the time of subdivision.

5.2.2 The maximum number of parcels out of a quarter section that will be allowed, including fragments, is four (4). Additional parcels will require approval of a Site Development Plan, prepared by a Registered Professional Planner. The County may require an Area Structure Plan prepared by a Registered Professional Planner where it would be in the best interest of the community, unless otherwise indicated within an applicable statutory plan. (See **Figure 1**)

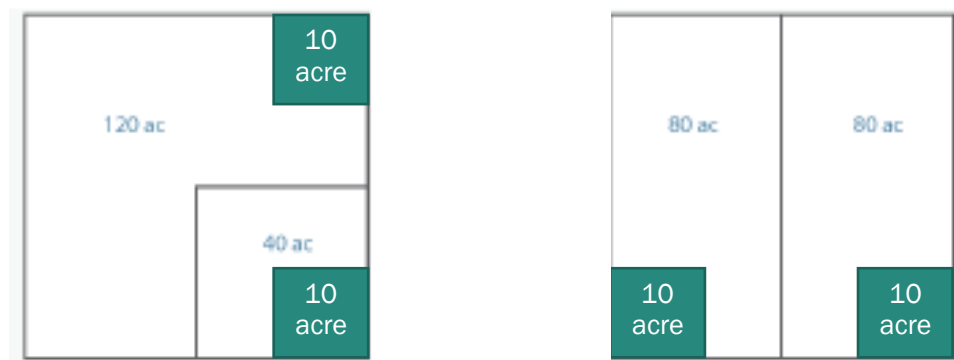
5.2 Subdivision of Land

Figure 1. Subdivision Requiring a Site Development Plan or Area Structure Plan Prior to Additional Subdivision Within the Quarter Section.



- (a) If the quarter section has previously been subdivided into (2) two or more agricultural lots then a maximum of one (1) lot or parcel will be permitted from each agricultural lot to a maximum of 4.04 ha (10.0 ac.) subject to a Real Property Report or Building Site Certificate prepared by an Alberta Land Surveyor; which verifies the locations of all improvements, site features, and proposed boundaries; where the has been demonstrated by the applicant, to the satisfaction of the subdivision authority. (See **Figure 2**)

Figure 2. Maximum Subdivision of Agricultural Lots.



- 5.2.3 A Site Development Plan prepared by a Registered Professional Planner will be required prior to approval of a subdivision that would create more than four (4) parcels out of a quarter section. The County may require an Area Structure Plan prepared by a Registered Professional Planner where it would be in the best interest of the community, unless otherwise indicated within an applicable statutory plan. (See **Figure 1**)

- (a) A multi-lot subdivision for residential and/or non-residential use shall be considered to be any subdivision that will create more than four (4)

5.2 Subdivision of Land

parcels on a quarter section, including the remainder of the quarter section.

- (b) Multi-lot subdivisions may require a Land Use Bylaw amendment and, where there is an Intermunicipal Development Plan or an Area Structure Plan, an amendment to the appropriate Plan may be required.
- (c) Multi-lot subdivisions shall comply with the provisions for cluster and/or conservation subdivision and development under the County's Land Use Bylaw.

5.2.4 Subdivisions shall be designed to follow the logical extension of existing infrastructure.

- (a) Subdivisions shall not be approved where access to existing graded and graveled or paved roads does not exist, or where construction of roadway and access to County standards to the site is not undertaken primarily by the landowner/developer.
- (b) Access to individual lots within a multi-lot subdivision will be provided by internal roads or service roads developed to meet the County's General Municipal Servicing Standards, and not directly onto Provincial Highways or County grid roads.
- (c) Documentation indicating that arrangements satisfactory to the County have been made regarding the development's water supply, sewage disposal, and storm water management systems, including access to the systems for maintenance and any necessary easements, may be conditions of approval for multi-lot development.
 - (i) Documentation indicating that satisfactory arrangements have been made regarding the development's sewage disposal system may be a condition of approval for residential development and/or subdivisions.
- (d) The assessment of the suitability of a proposed residential subdivision will not take into consideration required setbacks for private sewage disposal systems. Rather, if a subdivision results in the reduction of setbacks between an existing or proposed private sewage disposal system and a property line then the developer will be required to ensure that the existing or proposed private sewage disposal system conforms to all relevant provincial regulations affecting private sewage disposal systems.
- (e) The subdivision of a naturally fragmented parcel shall not be approved for any use, unless the fragmented parcel is fragmented by reason of one or more public roadways, railways, rivers, or creeks.
- (f) In addition to the criteria indicated in **Policy 5.2.1(e) above**, a natural fragmentation may also be considered to be a barrier to the crossing of cultivation equipment created by substantial topography, such as a ravine or gulley. The determination that such a topographic barrier is

5.2 Subdivision of Land

a natural fragmentation for the purpose of subdivision shall be at the sole discretion of the Subdivision Authority.

- (g) In the case where another policy of this plan would allow for a subdivision to occur and the subject site also contains a fragmenting feature as described in **Policies 5.2.1(e) and 5.2.1(f) above**, and where the fragmented area contains adequate developable area, the County will encourage the developer to subdivide the fragmented area, as the first subdivision from the subject site.
- (h) The County may refuse to approve an application that proposes to subdivide a fragmented parcel if:
 - (i) in the opinion of the County, the construction and maintenance of the roadway adjacent to the parcel would serve no greater or long-term public interest; and
 - (ii) the municipality is responsible for the maintenance of the roadway upon completion of its construction or upgrading.

5.2.5 Subdivisions lot or parcel size shall be in accordance with the lot or parcel size for the Designated Land Use District within the County's Land Use Bylaw.

- (a) However, lots or parcels and farmstead separations may be larger than allowed in a Land Use District subject to a Real Property Report or Building Site Certificate prepared by an Alberta Land Surveyor; which verifies the locations of all improvements, site features, and proposed boundaries; where it has been demonstrated by the applicant, to the satisfaction of the subdivision authority, that the site includes topographical features such as:
 - (i) treed areas,
 - (ii) sloughs, and/or
 - (iii) poor quality farmland with a farmland assessment ratio of 10% or less, which is rocky or sandy land or slough areas.

Only additional lands that the Real Property Report or Building Site Certificate demonstrates are required to accommodate the improvements, farm yard, or topographical features will be permitted.

- (b) At the discretion of the Subdivision Authority, lots may also be larger, where it has been demonstrated by the applicant, to the satisfaction of the subdivision authority that the larger lot or parcel has been requested to include land that otherwise would be a small area of the remaining farm unit less than 60 m (200 ft.) in width, between the lot and a boundary of the quarter section or adjacent to a road.

5.2.6 Normally, a total maximum of 10.1 ha (25.0 ac) will be allowed for separation per quarter section. (See **Figure 3**)

- (a) However, at the discretion of the subdivision authority, where a quarter section contains two (2) oversized farmsteads, as defined within this Plan, a total of 12.1 ha (30.0 ac) may be permitted to be subdivided from a quarter section to accommodate the two (2) oversized farmsteads. In such cases, a Real Property Report or Building Site Certificate prepared by an Alberta Land Surveyor, will be required to verify the locations of all improvements, site features, and proposed boundaries. (See **Figure 4**)
- (i) If the Real Property Report or Building Site Certificate does not demonstrate that the additional land is required to accommodate the topographical features or improvements then the additional lands will not be permitted.

Figure 3. Maximum Separation per Quarter Section.

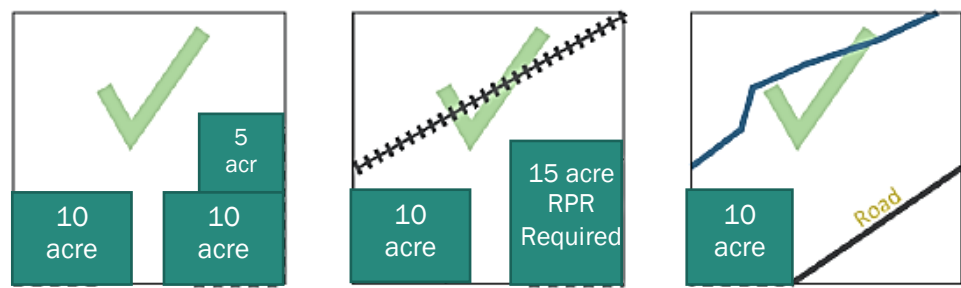


Figure 4. Oversize Farmstead Separations.



- 5.2.7 Lots which include areas described as “pan handles” (lengthy narrow sections leading to a wider development site), shall not be approved by the Subdivision Authority. Exceptions to this policy shall be allowed, if in the opinion of the subdivision authority, the proposed subdivision does not interfere with an existing agricultural operation and:

5.2 Subdivision of Land

- (a) The subdivision is to separate an existing farmstead from the balance of the quarter section; and
- (b) The lengthy narrow section is directly adjacent to the property line or quarter section line, whichever the case may be; or
- (c) The lengthy narrow section is at least 100 m from the property line or quarter section line, whichever the case may be.

5.2.8 County Council's consideration of Land Use Bylaw amendments for multi-lot development will include the following criteria:

- (a) The site should possess features such as trees, ravines, hilly terrain or other topographical features that would provide an attractive residential environment. When the amendment is to allow a currently vacant parcel from a quarter section, the site should not include cultivated land or good quality agricultural land. Where a site is fully or partially treed, all possible means will be undertaken to retain the maximum amount of tree cover.
- (b) The density of development shall be directly related to the development capability of the land resources, such as potable water supply, topography, vegetation, soil, and drainage. In this regard, proponents for multi-lot and residential development may be required to provide the County with an assessment of environmental constraints on the site and the means whereby negative impacts on the natural environment may be mitigated.
- (c) Unless the proposed parcel is for the second or third parcel to be subdivided from a quarter section, access to individual lots will be provided by internal roads or service roads developed to standards acceptable to the County, and not directly onto Provincial Highways or County grid roads.
- (d) There shall be an adequate supply of potable water for the development as proposed. The supply may be provided by wells or by other options, such as by hauling or by communal systems, in accordance with Provincial regulations. If the well option is to be considered, the Council will ask that the report required under the Water Act for multi-lot residential subdivisions be provided at the Land Use Bylaw amendment stage for its consideration. If the communal system is to be considered, Council will require that the creation or expansion of such systems be undertaken at the developer's cost, and not at the County's cost.
- (e) Sanitary sewage shall be treated and/or disposed of in accordance with Provincial requirements. In this regard, the Council will ask that information be provided at the Land Use Bylaw amendment stage for its consideration. If a communal system is to be considered, Council will require that the creation or expansion of such systems be undertaken at the developer's cost, and not at the County's cost.

5.2 Subdivision of Land

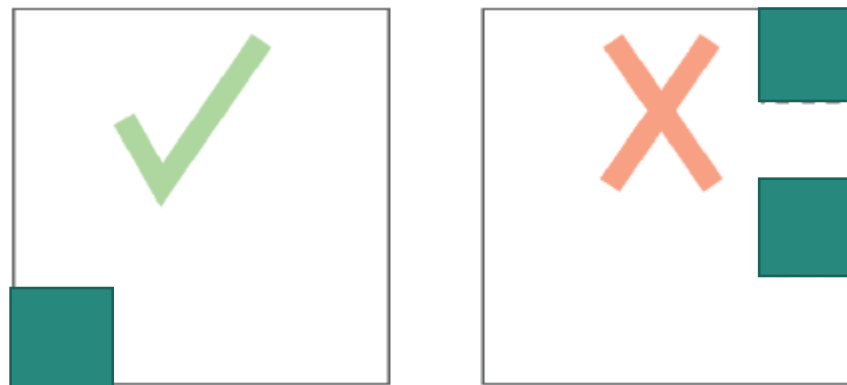
5.2.9 Residential Development

- (a) The County of Vermilion River will provide opportunities for conservation residential development by applying responsible residential subdivision and development practices, consistent with the provisions in the County's Land Use Bylaw.
 - (i) Residential subdivision or development shall not normally be allowed:
 - 1. within an area likely to be subjected to high levels of noise from industry, transportation facilities, or other sources of noise;
 - 2. in close proximity to a resource extraction operation;
 - 3. within a known 1 in 100 year flood plain; or
 - 4. within the minimum distance separation between a single dwelling and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act; or
 - 5. adjacent to river banks, unless the banks are certified as being stable by an engineer prior to development, or, alternatively, unless the land owner takes all responsibility for the impact of any bank instability currently or in the future.
 - (ii) Residential subdivisions should be located in proximity to gas, electrical, and telephone lines which have existing spare capacity to sustain the additional usage.
 - (iii) Residential subdivisions shall have direct access to existing maintained roads. Multi-lot residential subdivisions shall be encouraged to locate in proximity to paved County roads or provincial highways.
 - (iv) Where a subdivision for residential purposes is proposed, the developer shall be required to enter into a development agreement with the County wherein the developer agrees to be responsible for all the costs associated with the subdivision and development.
- (b) Residential development will be prohibited in those areas which are too close to sour gas facilities, in accordance with Provincial legislation and regulations, in accordance with the provisions in the County's Land Use Bylaw.
- (c) Multi-lot residential subdivisions should be clustered or grouped to reduce potential land use conflicts and minimize service costs.
 - (i) Multi-lot non-residential subdivisions and developments shall meet the applicable policies under **Section 3.0** of this Plan.

5.2.10 Farmsteads

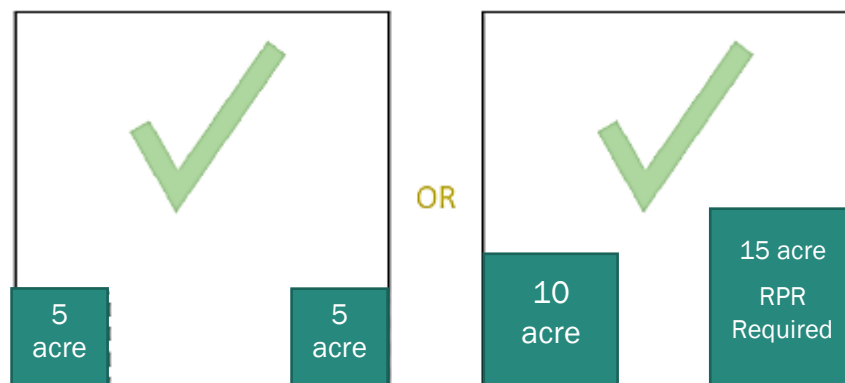
- (a) Once a farmstead has been subdivided from a quarter section, the subdivided farmstead shall be considered a Residential Use for the purposes of this Plan and subject to the regulations of the applicable Land Use District within the County's Land Use Bylaw.
- (i) Only one vacant lot separation or abandoned farmstead separation for Residential Use will be allowed per quarter section without requiring an amendment to the Land Use Bylaw. (See Figure 5)

Figure 5. Vacant Lot Subdivision or Abandoned Farmstead Separation.



- (ii) Vacant subdivisions shall normally be located within those portions of a titled area which consist of the poorest quality agricultural land which is still developable within the quarter section.

Figure 6. Farmstead Separations.



5.2.11 Non-Residential Development

- (a) The County of Vermilion River will provide opportunities for cluster non-residential development by applying responsible residential subdivision and development practices, consistent with the provisions in the County's Land Use Bylaw.

5.3 Cultural Landscapes

- (i) Multi-lot non-residential subdivisions should be clustered or grouped to reduce potential land use conflicts and minimize service costs.
 - 1. Multi-lot non-residential subdivisions and developments shall meet the applicable policies under **Section 3.0** of this Plan.

5.3 Cultural Landscapes

The County of Vermilion River includes unique natural features and rich landscapes. The County of Vermilion River places value on the County's significant cultural landscapes. The County supports the UNESCO World Heritage Committee definition of Cultural Landscapes:

"Cultural Landscapes represent the combined works of nature and man. They are illustrative of the evolution of human society and settlement over time, under the influence of physical constraints and/or opportunities presented by their natural environment and of successive social, economic and cultural forces both external and internal." (UNESCO/ICMOS, 1995,np)

5.3.1 The County will encourage the preservation of significant cultural landscapes throughout the County.

- (a) The County will require Heritage Resource Impact Assessments to be included with proposed subdivision and development applications in locations where the proposal may impact significant cultural landscapes.
- (b) The County will encourage the use of historic resources to promote tourism, where appropriate.
- (c) The County will require that proposed subdivisions and developments on main streets of urban areas protect built heritage and enhance the historic significance and character of these areas.

5.4 Environmental Management

The County of Vermilion River includes a range of valuable and unique environmental features. This natural capital supports not only the County's ecosystem but also the economic, social and cultural systems throughout the County. Recognizing that a successful and sustainable future is dependent on the vitality of all of the interconnected systems (built and natural environment, economic, social and cultural) the County has adopted a strong approach, for environmental management.

The County recognizes that the goal of environmental protection cannot mean total ecological integrity. Simply put, a municipality cannot reasonably expect to maintain the full structure of the ecosystem and still have roads and buildings. Rather the goal must be the achievement of an environment which does not show symptoms of stress such as:

5.4 Environmental Management

- Decreased water quality; and/or
- Significantly reduced biodiversity.

The County supports a Low Net Negative Environmental Impact approach to environmental management that will help to ensure that over all, the County's natural and built heritage and the processes that connect them will prosper well into the future. The goal is to ensure that the cumulative impact of development decisions affecting the ecological, social and heritage assets of the County will be mitigated to ensure that any negative environmental impacts are as low as is reasonably possible. Adopting a low net environmental impact approach to environmental management allows the County to encourage sustainable development in all areas without unduly impacting ecosystem health, working landscapes or the County's cultural landscapes.

The following objective and policies have been adopted by the County, relating to environmental management.

5.4.1 The County will Identify and provide for the preservation of significant ecological sites throughout the County.

- (a) The County will encourage the protection, of native vegetation and biodiversity in agricultural land management through support of such programs as ALUS, Cow's and Fish, Agricultural Service Board, and similar.
- (b) Wildlife habitat protection practices are encouraged through identification and conservation of natural areas such as woodlots, wetlands, ravine systems and creeks/rivers.
- (c) The County will endeavour to establish environmental quality goals to direct future development within the County and to provide specific points of reference for facilitating management decision making.
- (d) The County shall require an Environmental Impact Assessment or evaluation related to a proposed development that may have an impact on an identified natural or environmentally sensitive feature.
- (e) The County will endeavour to identify cumulative impact issues and set goals to mitigate and restore identified issues, consistent with a Regional Plan. Once the goals are set, approval for new projects will be approved with reference to these limits.
- (f) The County will work with provincial and non-government partners to identify and monitor established wetland and upland quality goal to determine if development and County operations are within the established goals. Monitoring is critical for evaluating the suitability of developments in different areas over time and will help to ensure the accuracy of predictions regarding future states and to refine land use and development policies and regulations.

5.5 Servicing Planning and Management

- 5.4.2 Development on sandy or unstable soil may only be allowed if measures to control erosion are implemented, to the satisfaction of the Development Authority.

5.5 Servicing Planning and Management

- 5.5.1 The County of Vermilion River will develop and adopt Management Plans, Master Plans, Area Structure Plans, and Strategies that align with the vision and direction of the County's Municipal Development Plan (MDP) and the Regional Growth Management Strategy (RGMS) that can offer developers and prospective homeowners predictability in terms of the areas identified for future growth and extension of infrastructure.

- (a) The County will develop and implement:

- (ii) an Infrastructure Master Plan,
- (iii) a Transportation Master Plan,
- (iv) a Community Services (water/sewer) Master Plan,
- (v) a Community Facilities (cemeteries/libraries/open space/recreation) Master Plan, and
- (vi) a Storm Water Master Plan

to support current infrastructure needs and to address future identified growth and development areas. Until such Master Plans are in place, implement interim Infrastructure Management Strategies that focus on maximizing the existing network performance, minimizing overall County risks and adhering to current County Standards and policies.

- (b) The County will develop and implement an Economic Development Master Plan to encourage, promote, and support a competitive, diverse, and adaptable local economy that creates a hospitable and attractive environment for businesses and encourages growth.
- (c) The County will develop and implement a Cultural Master Plan that provides an understanding and appreciation of the County's history and culture, including features such as historic sites, sites of local significance, and any notable structures. The Plan is to promote and protect heritage places, which provide a strong sense of identity and place.
- (d) The County will develop and implement an Environmental Management Plan supportive of the guiding principles outlined within the MDP. The Plan should identify, prioritize and establish management practices for sites of environmental significance within the County.

- 5.5.2 The County of Vermilion River will enact Responsible Subdivision and Development Practices through the establishment of policies and

5.5 Servicing Planning and Management

procedures that give due regard to federal, provincial, and municipal requirements and that promote community vitality.

- (a) Subdivision and development proposals shall meet the requirements under the Municipal Government Act, the Subdivision and Development Regulation, and the applicable provisions under the County's Land Use Policy at the discretion of the relevant Authority.
- (b) The County shall ensure that the distribution and timing of future development coincides, and is contiguous with, infrastructure improvements.
- (c) The County shall ensure that both subdivision and development meet or exceed the standards outlined within the County's General Municipal Servicing Standards. Standards should be reviewed and updated along with other County regulatory policies to coincide with innovations in the industry.

5.5.3 The County of Vermilion River will support an ecosystem approach that follows Eco-Logical concepts and components consistent with provincial regulation, Land Use Policies, and other applicable statutory plans.

- (a) Developers and service providers are encouraged to incorporate Ecosystem-Based Mitigation in infrastructure projects to capitalize on meaningful conservation priorities and opportunities that may be vanishing or becoming prohibitively expensive over time, increasing the cost-effectiveness of the mitigation.
 - (i) ecosystem-based mitigation is hereby defined as "the process of restoring, creating, enhancing, and preserving habitat and other ecosystem features in conjunction with or in advance of projects in areas where environmental needs and the potential environmental contributions have been determined to be greatest."
- (b) Simultaneously, advanced mitigation should be targeted to fulfill regulatory requirements early on in the development of infrastructure projects, ensuring efficient project delivery by avoiding costly delays that can sometimes occur with permitting processes.
- (c) Eco-Logical ecosystem approach goals to shall be met when developing infrastructure, which are:
 - (i) conservation: Protection of larger scale, multi-resource ecosystems;
 - (ii) connectivity: Reduced habitat fragmentation;
 - (iii) predictability: Knowledge that commitments made by all parties will be honored: that the planning and conservation agreements, results, and outcomes will occur as negotiated; and
 - (iv) transparency: Better public and stakeholder involvement at all key stages in order to establish credibility, build trust, and streamline infrastructure planning and development.

5.6 Transportation and Infrastructure

- (d) Subdivision and development proposals should incorporate Ecological concepts and components promote an ecosystem approach to comprehensively manage land, water, and biotic and abiotic resources to equitably promote conservation and sustainable use in all newly developed and adopted statutory plans.
- (i) changing priorities, opportunities and threats should be accommodated over time and across landscapes through an adaptive feedback loop that includes:
 - 1. Integrated Planning, for determining regional ecosystem conservation priorities.
 - 2. Mitigation Options, these are recommended approaches that may be used to offset adverse impacts.
 - 3. Performance Measurements serve to assess whether the outcomes met the goals of conservation, connectivity, predictability and transparency as infrastructure projects addressed in the ecosystem approach are completed.

5.6 Transportation and Infrastructure

The development of transportation and utility systems can have a significant impact on land use within the County of Vermilion River. Although the County does not have the authority to regulate Provincial Highways, pipelines, transmission lines and similar installations that are under provincial control in many instances, Council is given an opportunity to comment on the proposed locations of these facilities. It is Council's intention to encourage the appropriate authorities to have regard for the policies of this Plan.

As well, the County is participating in the development of The Alberta Central East Water Corporation, a regional water system, tying in water supply services from Vegreville to Vermillion and from Two Hills to Blackfoot. It is the intent of this Plan that development be directed, as much as is reasonable, to the areas serviced by the system, and that new developments near the system be required to connect to the system.

The following objectives and policies have been adopted by the County relating to transportation and municipal servicing infrastructure.

- 5.6.1 The fragmentation of working associated with the development of linear transportation, communication, or utility facilities and services shall be discouraged.
 - (a) County Council shall encourage transportation, communication, or utility facilities and services to locate so that they:
 - (i) minimize impacts on working landscapes;
 - (ii) minimize the fragmentation of land, and/or the creation of fragmented parcels;

5.6 Transportation and Infrastructure

- (iii) follow road allowances wherever feasible;
 - (iv) use corridors to integrate a number of utilities;
 - (v) minimize disruption of recreation, wildlife, and historic resources;
and
 - (vi) avoid disruption of existing or future urban centres.
 - (b) Where land is taken for roads, rail lines, pipelines or other transmission lines, the County shall endorse only those proposals which minimize fragmentation.
- 5.6.2 Reduction and mitigation of conflicts between transportation, communications or utility facilities and other land uses is encouraged.
- (a) County Council shall encourage high-voltage power lines and high-pressure pipelines to locate away from residential areas.
 - (b) Council shall consider the establishment of a Dangerous Goods Route when Council feels that dangerous goods are being transported on County roads in sufficient quantity to be a significant hazard to the travelling public.
 - (c) Where proposed transportation and utility lines and facilities may adversely affect adjacent lands or land uses, the County shall recommend or require as a condition of development of the line or facility such buffering as deemed appropriate to minimize any negative impacts.
 - (d) The County may require future subdivision or development proposals adjacent to transportation and utility lines and facilities to provide such buffering as deemed appropriate.
 - (e) The County shall encourage wireless communication facilities to consider good planning and design so as to have the least impact on the natural environment, and the least visual impact on nearby residents. The County shall also encourage the developers of wireless communication facilities to provide an opportunity for public consultation.
 - (f) The co-location of multiple devices on wireless communication facilities is preferred. Where appropriate, new facilities should be built to standards to accommodate multiple devices. Individual facilities are strongly discouraged. Should co-locations not prove feasible, the clustering of wireless communication facilities is desired.
 - (g) The roads shown on Map 1 as Arterial Roads shall be considered as arterial roads and developed to arterial road standards relating to width, grades, site lines and access. The roads shown on Map 1 as Collector Roads shall be considered as collector roads and developed to collector road standards relating to width, grades, site lines and access. Service roads for Arterial and Collector Roads shall be considered to be local internal subdivision roads and developed to

5.6 Transportation and Infrastructure

appropriate standards. All other roads in the County shall be considered either local County Roads, or local internal subdivision roads, and developed to appropriate standards.

- (h) Direct access from private property onto Arterial Roads shall normally not be allowed.
- (i) Direct access from private property onto Collector Roads shall normally be limited.
- (j) In order to minimize safety hazards and land use conflicts around airports, the County shall encourage the regulation of building heights in the areas around all publicly licensed and paved airports in the County.

5.6.3 The County of Vermilion River will ensure that municipal services and utilities are provided in an economical and efficient manner and are reflective of need, environmental constraints, land use considerations and existing infrastructure.

- (a) Subdivision and development proposals shall provide and maintain infrastructure capacity in line with growth or decline demands.
- (b) Service roads adjacent to Provincial Highways in the County shall be considered as local internal subdivision roads and developed to appropriate standards
- (c) The County shall require that land use adjacent to the Provincial Highways and their associated accesses conform to the Access Management Guidelines as outlined by Alberta Transportation. As well, the County's system of collector and arterial roads shall be afforded a similar level of protection from encroachment and proliferation of direct access.
- (d) All municipal infrastructure systems, such as new roads, sewage collection and water distribution systems created as a result of private development, which may include dedication to the County or subdivision, shall only be assumed by the municipality if the system has been constructed or upgraded to a standard which is acceptable to the County and which meets or exceeds all appropriate Provincial and Federal standards.
- (e) Should a regional piped water supply system be developed, the County will include as one of the criteria in making its land use decisions (such as decisions respecting the approval of multi-lot country residential development) based on whether the development is to be provided with water supply services from the regional system. As well, the County will encourage landowners near the regional system to connect to the system.
- (f) The County shall implement a program of maintenance and improvement for local roads designed to enhance traffic flow. Through the subdivision and development processes, the County shall

5.6 Transportation and Infrastructure

endeavour to make the most efficient use of existing roadway facilities. Developments with the potential for substantial road impact (high traffic volumes or heavy trucks) will be directed to those roads that are designed and constructed to accommodate such development.

- (g) Direct access from private property onto Provincial Highways shall be discouraged and limited wherever possible, especially where access onto local roads is available. Application for subdivision in the Agricultural Use Area will be specifically designed to minimize accesses onto Provincial Highways and local arterial roads through the use of service roads or redesigning the subdivision boundaries to redirect accesses onto local roads. The cost of consolidation or service roads and the costs of resolving all of Alberta Transportation's concerns with respect to access to the Provincial Highway will be the responsibility of the developer.
- (h) Development will be encouraged to utilize identified haul roads and enter into haul route agreements with the County.
- (i) The County will encourage rail service to future industrial areas to improve industrial developments' accessibility to markets.

5.6.4 The County of Vermilion River will encourage other levels of government and their agencies to provide safe, reliable transportation routes through the County.

- (a) The County will encourage the Province of Alberta to improve and maintain highways through the County connecting to major industrial and commercial centres in the province.
- (b) The County will encourage the federal government, its agencies, and rail operators to improve and maintain existing rail corridors to ensure safety, and to encourage economic opportunities for rail-dependent industries within the County and in the wider region.
- (c) The County will encourage agencies and rail operators to improve railway crossings within the County.

5.6.5 The County will ensure that all subdivision and development conforms to municipal and provincial infrastructure and servicing standards.

- (a) Subdivision shall not be allowed where access to graded and graveled or paved roads in good condition does not exist, or where construction of a roadway and access to then-current County standards to the site is not undertaken by the landowner/developer.
- (b) The County will ensure that subdivision and development proposals account for the timely provision of public facilities and services relative to the demand for them.
- (c) The County will develop and adopt a concurrency management system and policy to keep track of the impacts of new development on

5.7 Recreation

transportation and community infrastructure in order to ensure there is enough capacity to serve each proposed development.

5.7 Recreation

As the demand for recreational land for both public and private use increases, so does the need for planned recreational facilities and areas. This Plan recognizes and encourages local recreational uses based on the capabilities of an area to sustain intensive or extensive development. Recreation development should be located in areas and under circumstances where it does not adversely affect the agricultural economy and community, or the natural environment.

Recreation can also form an important component of the tourism potential of the region, and is to be encouraged as much as possible within the term of this Plan, provided, of course, that the tourist activities or facilities do not threaten the potential development of additional economic activities, the agricultural economy and community, or the natural environment.

The following objectives and policies have been adopted by the County relating to recreation in the County.

5.7.1 Recreational developments are encouraged to locate in areas which will not impact working landscapes.

(a) Council shall encourage the development of public serving recreational facilities/uses within that are:

- (i) compatible with the capabilities of a site or surrounding areas; and/or
- (ii) the site is located near or adjacent to a lake or river, if the proponent can demonstrate, to the satisfaction of the Development Authority, that the proposal is compatible with the lake/river environment.

5.7.2 The County will ensure that recreational uses are compatible with the environment and surrounding land uses.

(a) Subdivision and development for recreational purposes shall occur in accordance with the following design principles:

- (i) the density of development shall be directly related to the development capability of the land resource;
- (ii) the design shall be directly related to the site's topography vegetation, soil, and drainage characteristics. In this regard, the development proposal shall include a detailed analysis of the environmental constraints of the site and the means by which the proposal will protect and harmonize with the natural environment;
- (iii) the design shall protect wildlife habitat; and
- (iv) the design shall protect, maintain and re-establish, where necessary, cover, and maximize the quality of the natural features.

5.7 Recreation

- (b) As the Canadian Pacific Lloydminster/Star rail line corridor is abandoned by Canadian Pacific, the County will require that contaminated soils and other materials be removed from the right-of-way. If the County is to acquire the right-of-way, this removal will occur before the County acquires it. The County may retain the corridor for future utility options and may allow for some limited local recreational use of parts of the right-of-way; but limit use so as to not negatively impact agricultural or residential communities along the right-of-way and, further, so that there are no long term financial impacts to the County.
- (c) Parts of the corridor may be incorporated into adjoining agricultural operations, provided that environmental issues related to the historic application of environmentally hazardous materials to the rail right-of-way are addressed satisfactorily.

5.7.3 Recreational developments must minimize associated municipal costs.

- (a) The County shall require the proponent of a recreational activity to identify all municipal costs associated with the development. The assignment of these costs shall be the basis for an agreement to be entered into as a condition of subdivision approval or the issuance of a development permit. Normally, however, all development servicing costs associated with the development will be carried by the proponent.
- (b) Subdivision and development proposals for recreational uses shall occur in accordance with the following design principles:
 - (i) the density of development shall be directly related to the development capability of the land resource;
 - (ii) the design shall be directly related to the site's topography vegetation, soil, and drainage characteristics. In this regard, the development proposal shall include a detailed analysis of the environmental constraints of the site and the means by which the proposal will protect and harmonize with the natural environment; and
 - (iii) the design shall protect, maintain and re-establish, where necessary, cover, and maximize the quality of the natural features.
- (i) In all instances, any financial involvement in recreational trails by the County will be considered by Council of the County on a project by project basis.

5.7.4 The County will protect and encourage trail development while also protecting adjacent land owners from potential negative impacts through the careful regulation of the recreational use of rights-of-way.

- (a) Multi-lot residential developments will be required to provide multi-modal trail networks to the satisfaction of the Subdivision Authority at time of subdivision.

5.8 Tourism

- (b) Where trails are provided as part of a multi-lot development, buffering measures within the trail right of way will also be provided to reduce noise, dust and the potential for trespassing on private property as a result of trail use.

5.8 Tourism

The County of Vermilion River supports tourism initiatives and encourages the development of local hospitality operations, museums, churches, cultural centers, golf courses, and other special events including special event facilities.

Bed and breakfast establishments and guest ranches are becoming a more significant component of the provincial tourism industry. The Land Use Bylaw should recognize that such establishments are not typical home-based businesses but should be recognized as a separate use category.

The following objectives and policies have been adopted by the County relating to tourism in the County.

- 5.8.1 The County of Vermilion River will support and promote cultural tourism initiatives within the County.
 - (a) The County will encourage the utilization and/or development of cultural, historic and recreational resources to promote tourism, where appropriate.
- 5.8.2 The County of Vermilion River will support and promote existing tourism destinations within the County
 - (a) The County will endeavour to promote existing tourism destinations within the County and nearby recreational tourism opportunities.
- 5.8.3 The County of Vermilion River will cooperate with regional partners to encourage local and regional tourism.
 - (a) The County will co-operate with area tourism groups, municipal neighbours, and tourism zones in promoting local tourism linkages with neighbouring communities.
 - (b) The County shall encourage private sector developers to facilitate tourism development, and may assist in accessing government funding programs to develop new, or upgrade existing tourism attractions.
 - (c) The County shall continue to collaborate with adjacent and neighbouring municipalities to fulfill the Municipal Government Act requirements for Intermunicipal Development Plans and Intermunicipal Collaboration Frameworks while proactively building collaborative relationships.
- 5.8.4 The County of Vermilion River will support and encourage new tourism developments within the region.

5.9 Agriculture

- (a) The County will promote public awareness of significant historic and cultural sites in the region will be promoted as part of heritage tourism efforts.
- (b) The County will support tourism and recreation opportunities within the County and the region such as ecotourism, enhancements to existing trails, new trail development, historic and cultural areas, and parks and campgrounds that respect agricultural land uses and environmentally sensitive lands.

5.9 Agriculture

Agricultural, forestry, and resource lands make up the working landscape of the County of Vermilion River and generate significant employment, and are central to the collective history, culture, and sense of place of the County's residents.

These working landscapes within the County must be carefully and equitably managed in order to retain the integrity and value of these areas for the benefit of future generations while supporting economic growth within the agricultural community.

In order to encourage the future viability of a diverse range of agricultural operations within the County, the Municipal Development Plan includes objectives and policies to not only protect, where appropriate, but also enhance the agri-based economy and rural lifestyle.

5.9.1 The County of Vermilion River will ensure that working landscapes remain an integral and viable component of the regional economy and rural social structure.

- (a) The minimum parcel size for Extensive Agricultural Use, as defined in the County's Land Use Bylaw, shall normally be a quarter section or remainder no less than 32.3 hectares (80 acres), but this minimum size may be adjusted, at the discretion of the relevant Authority, in order to:
 - (i) allow a parcel to follow natural boundaries; or
 - (ii) allow for existing or proposed subdivisions for public or quasi-public uses; or
 - (iii) adjust proportionally where the original quarter section title was less than 64.7 hectares (160 acres).
- (b) Good quality agricultural lands shall be mostly conserved for working landscapes, including agriculture, forestry and resource extraction.
- (c) Rural industrial uses will be allowed in the manner provided for in the County's Land Use Bylaw.
- (d) Uses other than Agricultural Uses, may be considered on agricultural lands in accordance with the County's Land Use Bylaw.

5.9 Agriculture

- (e) The County will give due consideration to the protection of good quality agricultural land and the location of existing agricultural operations when applications for Land Use Bylaw amendments or subdivision are being determined.
- (f) The County should develop and adopt a Transfer Development Credits scheme consistent with the provisions under the Alberta Land Stewardship Act.

5.9.2 Good stewardship of the land through the provision of information and the use of beneficial management practices will be encouraged to minimize negative impacts of agricultural operations on the quality of the environment and adjacent land uses.

- (a) The County will provide information to the agricultural community regarding beneficial management practices (BMPs) ¹ and other conservation practices that conserve or enhance the health of soil resources.
- (b) Input shall be provided to the Natural Resources Conservation Board (NRCB) in responding to application for new or expanded Confined Feeding Operations (CFOs) based on the technical and locational merits of each application. The County's policy is that all such confined feeding operations and manure storage facilities must fully satisfy all the requirements and regulations adopted under that Act, specifically the minimum distance separation requirements and the land base requirements.
- (c) Minimum distance separations for CFOs shall conform to standards set out in the Agricultural Operations Practices Act.
- (d) In addition to the minimum distance separation requirements provided through regulations adopted under the Agricultural Operation Practices Act, the County's policy is that confined feeding operations requiring registration or approval and manure storage facilities requiring authorization under that Act will be discouraged within 2.4 km (1.5 miles) of the corporate boundaries of any urban municipality within the County of Vermilion River or within 0.8 km (0.5 miles) of the Community Areas designated on Map 1, which areas shall be considered an urban fringe when calculating the regulations approved under the Agricultural Operation Practices Act.
- (e) CFO's will be discouraged from locating in environmentally sensitive areas where slope instability and or groundwater contamination may be of concern.

¹ Beneficial Management Practices (BMPs) are a practice, or system of practices, designed to minimize the impact of agricultural activities on natural resource while at the same time maintain economic viability of the agricultural industry. The Province of Alberta defines a BMP as "any management practice that reduces or eliminates an environmental risk."

5.10 Resource Extraction

- (f) In addition, for the purposes of implementing the regulations adopted under the Agricultural Operation Practices Act, the policies of Area Structure Plans within the County of Vermilion River respecting confined feeding operations shall apply in addition to the Municipal Development Plan policies.

5.10 Resource Extraction

Sand, gravel, coal, oil and gas are important non-renewable resources in the County of Vermilion River. In order to benefit the County's and the region's economy, these resources must be protected and extracted efficiently, but not at the risk of irreparably damaging working or cultural landscapes within the County. Therefore, it is the intent of this Plan to encourage the utilization of extractive resources in areas of least detrimental impact and to reclaim the land for other productive uses.

The County recognizes the significant benefits resource extraction provides locally and regionally. Resource extraction activities can result in increased noise, traffic, dust, and other nuisance issues. Certain developments may not be suitable in proximity to resource extraction uses. For the life of this Plan, the County wishes to prioritize resource extraction, and may limit certain other developments or land uses which may be incompatible.

The following objectives and policies have been adopted by the County relating resource extraction in the County.

5.10.1 The County of Vermilion River may encourage appropriate resource extraction industries, where appropriate.

- (a) The developer of a resource extraction industry or activity shall be required at the time of application for a development permit, to demonstrate to the satisfaction of the County, that any necessary provincial permits and approvals pertinent to the development have been obtained.
- (b) Any resource extraction industry that requires a development permit, unless exempted by Provincial legislation, shall enter into and abide by a development agreement with the County, to deal, among other matters, with road use and their maintenance.
- (c) Development permits for sand, gravel, clay or marl extraction shall not be issued until any necessary approvals are obtained in accordance with Provincial legislation.
- (d) Development permits for gravel extraction should be issued on the basis of whether the proposed use will fully and efficiently utilize the capability of the deposit. Deposits suitable for construction aggregates should be reserved for that use.

5.10.2 The County of Vermilion River will ensure that land disturbed by resource extraction activity is reclaimed to an acceptable standard.

5.10 Resource Extraction

- (a) The County should may require development agreements in connection with sand, gravel and other mineral extraction operations and should make provisions for the:
 - (i) reclamation of the land that was disturbed to its former agricultural capability or to a post-extractive use whichever Council feels is more beneficial;
 - (ii) control of on-site noise, dust and weeds;
 - (iii) storage of topsoil;
 - (iv) separation of the resource extractive operation from any multi-lot residential subdivision, hamlet, or urban municipality with a suitable open space buffer;
 - (v) designation of all aggregate haul roads to reduce noise, excessive maintenance costs, and dust problems; and
 - (vi) if required by the County, the provision of security such as an irrevocable letter of credit to ensure reclamation will be completed.

5.10.3 Resource extraction development must minimize associated municipal costs.

- (a) The County will not approve a development permit application or approach permit for resource extraction until the developer enters into a haul road agreement with The County of Vermilion River.
- (b) The developer of a natural gas or oil well site shall be required to obtain approval from the County regarding the construction, upgrading and maintenance of access roads.
- (c) Resource industries that utilize County infrastructure shall be required to participate in the maintenance and upgrading of that infrastructure if the need arises, as determined by the County.

5.10.4 Resource extraction and resource processing developments should generate a low net negative impact on working landscapes and cultural landscapes.

- (a) Developers may be required to contact the Heritage Branch of the Alberta Government in order to determine if a Heritage Impact Assessment (HIA) is required.
- (b) If an Impact Assessment (HIA) is required and the HIA identifies the presence of heritage resources then the developer will be required to take appropriate mitigating measures, to the satisfaction of the appropriate provincial agency, prior to development approval.

5.10.5 Resource extraction developments and uses must manage and mitigate conflicts with incompatible or sensitive land uses.

- (a) The County will identify areas that may have high potential for resource extraction development, specifically areas of sand, gravel, and aggregate deposits.

5.11 Land Dedications

- (b) The County shall discourage development on land which has a high potential for resource extraction development, where the development would prevent subsequent extraction until the deposit has been removed and the land has been reclaimed.
- (c) The County shall encourage haul routes for resource extraction developments to be located in such a way as to minimize the impact on agricultural uses and existing residential developments.

5.11 Land Dedications

Subject to the provisions of the Municipal Government Act, the Subdivision Authority may require the owner that a portion of the land subject to subdivision to be dedicated as reserve land.

Reserve land is dedicated at time of subdivision to serve different purposes, including the provision of public amenities and services, protection of land with development constraints, and the preservation of environmentally significant features. The Municipal Government Act also establishes the means for the acquisition, use, and disposal of Reserve Land.

Types of reserve land are:

- environmental reserve;
- municipal reserve;
- school reserve;
- municipal and school reserve;
- community services reserve; and
- conservation reserve.

Environment Reserves preserve those environmentally sensitive ecological features that require special attention when being considered for development. Such areas include lands subject to a flooding hazard, ravines, steep slopes, and areas subject to erosion. Council intends to have regard for these sensitive areas when making development decisions.

Municipal Reserves can be used by a municipality as public parks, public recreation areas, for school authority purposes, or as buffers between parcels of land that are used for different purposes. Depending on the circumstances, money may be taken by the County in lieu of Municipal Reserve dedication.

Another means of providing reserve land is the dedication of easements. Although, conservation easements cannot be taken by a municipality at time of subdivision, but can be utilized by a private land owner or a Municipality to protect significant environmental areas.

Environmental Reserves, Environmental Reserve Easements, and conservation Easements are three tools municipalities can use to ensure that:

- development does not occur on hazard lands;

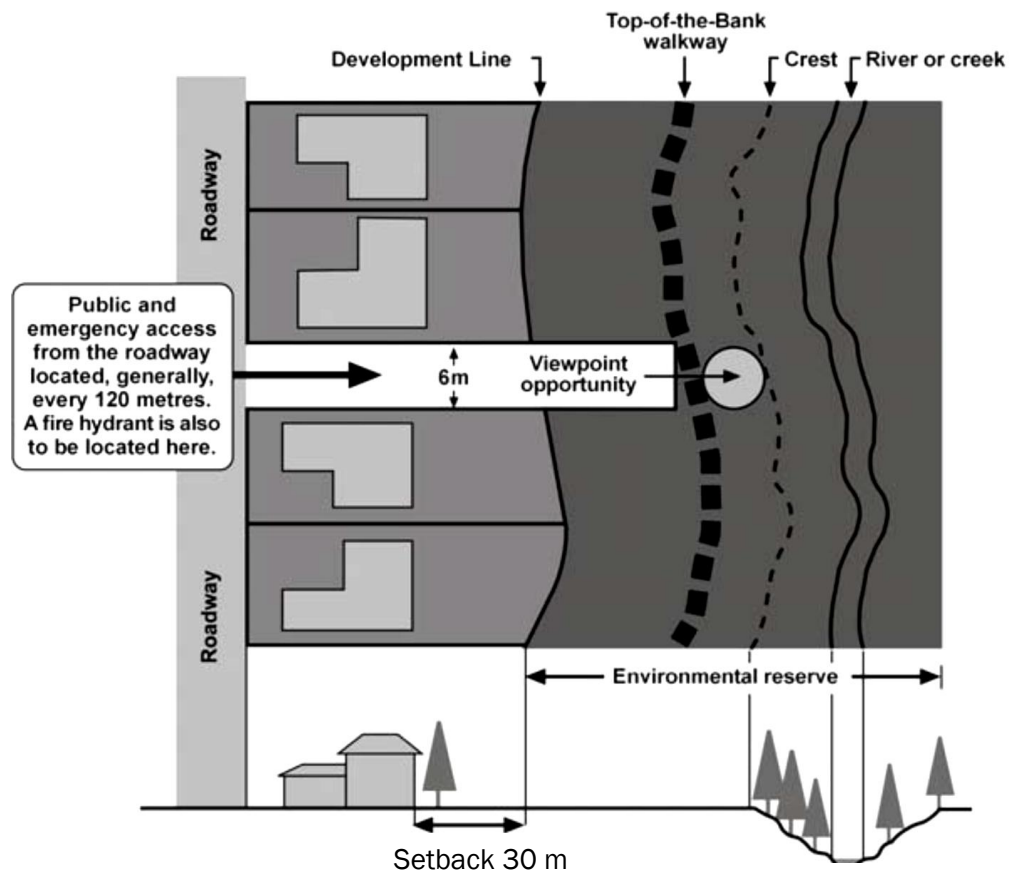
5.11 Land Dedications

- significant environmental areas are protected; and
- the public can access Significant Cultural Landscapes.

5.11.1 The County of Vermilion River will ensure the provision of adequate provision of reserve land consistent with provincial and municipal requirements to accommodate community facilities and services.

- (a) The County shall generally take the full amount of Reserves owing of environmental, municipal and school reserve dedication during the subdivision process, in accordance with the Municipal Government Act (MGA) and County Policy.
- (b) Where it is deemed that Municipal Reserve land is not necessary for the residents of the area, money-in-lieu shall be taken. The money-in-lieu shall be shared with school authorities in accordance with any agreements which may exist between the County and the school authorities, and the rest shall be utilized to acquire and develop tracts of desirable recreation areas in the County.
- (c) The County may require subdivision and development applications adjacent to water bodies and watercourses to prepare an engineering and/or geotechnical study to determine an adequate setback based on soil conditions and slope stability.
- (d) Municipal Reserves
 - (i) Municipal Reserve parcels in the County shall be:
 1. concentrated in a few large parcels on suitable sites rather than scattered through subdivisions; and
 2. evaluated and inventoried with the aim of making more efficient use of the Reserves through consolidation and/or sales.
 - (ii) Prior to disposing of any Municipal Reserve, Council shall review the applicability and effect of such disposition on surrounding land uses and the area's recreational potential.
 - (iii) Municipal Reserves may be required as an open space buffer of sufficient size and composition to act as a noise and visual barrier where required between disparate land uses.
- (e) Environmental Reserves and Setbacks
 - (i) An environmental reserve of not less than 30 m (98 ft.) in width from the high water mark of water bodies and/or the top of bank of lakes and rivers shall be required as a condition of subdivision approval. As a condition of development approval where there is no subdivision, a comparable setback of 30 m (98 ft.) shall be required from the high water mark of waterbodies and/or the top of bank of lakes and rivers to the wall of the nearest building. (See **Figure 7**)

Figure 7. Recommended Environmental Reserve Setback.



- (ii) Additional Reserve and/or setback may be required by the County based on the recommendations of any engineering and/or geotechnical study requested by the County. In these cases, the amount of reserves required will be determined using the guidelines for Environmental Reserve width developed by Alberta Environment and Sustainable Resource Development.
- (iii) Where Environmental Reserve Lands are not necessary to provide public access to the feature, the County shall, at the time of subdivision, consider the option of an Environmental Reserve Easement as provided for in the Municipal Government Act.
- (f) School Reserves
 - (i) School Reserves shall be provided at the time of subdivision in accordance with agreements between the County and the relevant School Divisions.
- (g) Conservation Reserves and Easements
 - (i) The County may consider proposals to designate future Conservation Areas.

5.11 Land Dedications

(ii) At the discretion of the subdivision approving authority, the use of Conservation Easements may be considered as an alternative to traditional environmental reserve during the subdivision process. The use and control of these features and areas shall be clearly stated in the easement agreement. Conservation easements are provided for under the Alberta Land Stewardship Act and the Land Stewardship Act.

(iii) A Conservation Easement may be considered to preserve significant natural features and areas that do not qualify as Environmental Reserve under the Municipal Government Act. The use and control of these features and areas shall be clearly stated in the easement agreement.

5.11.2 The County of Vermilion River will conserve and protect significant cultural landscapes and environmentally sensitive ecological features for future generations.

(a) Spatial buffers or setbacks shall be maintained between uses that may be incompatible for any reason.



PART 6.0
RESPONSIBLE GOVERNANCE

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6.1 Operational Excellence

6.0 RESPONSIBLE GOVERNANCE

The County of Vermilion River is a high-performing local government organization. We know what the community expects, we deliver services as defined, and we deliver outstanding customer satisfaction.

6.1 Operational Excellence

- 6.1.1 County Council will ensure that the County operates in a fiscally sound manner now and into the future by promoting positive change, transparency, and a best-practices, collaborative approach that allows the County to be accountable to its residents.
- (a) Council will implement strategic decision making through clear land-use planning directives that enable growth that supports the future needs and vision of the County.
 - (b) Council will ensure the necessary resources and timeframes are in place to undertake land-use planning projects in a responsible, thorough and transparent manner.
 - (c) County Council should identify and apply a Land Use Assessment Ratio that facilitates service delivery, promotes investment, ensures competitive advantage, and meets the County's long-term financial expectations.

6.2 Environmental Leadership

- 6.2.1 The County of Vermilion River will encourage climate change adaptation strategies to reduce community vulnerability and minimize adverse effects on the environment, economy, and public health.
- (a) The County shall support and encourage the diversification of the energy supply for County residents and businesses through the use of Alternative Energy Systems, in accordance with the provisions under the County's Land Use Bylaw and federal and provincial regulations.
 - (b) The County will develop and adopt Climate Adaptation Policies for water & energy resources, ecosystems, and agriculture.

6.3 Partnerships

- 6.3.1 The County of Vermilion River will engage in cooperative and collaborative communication with municipal, regional and provincial partners.
- (a) The County's planning process must include and involve neighbouring municipalities. To that end the County of Vermilion River:
 - (i) will actively consult with any adjacent or nearby municipality during the consideration of amendments to this Plan, amendments to the Land Use Bylaw.

6.4 Annexations

- (ii) shall request comments from the adjacent municipality and shall give due consideration to such comments when evaluating a proposal for subdivisions, or when, in the opinion of the County of Vermilion River, a significantly discretionary development proposal for lands within 1.6 km (1 mile) of an incorporated urban centre or an adjacent rural municipality, in accordance with the provisions of the County's Land Use Bylaw.
 - 1. The approving authority will give careful consideration to any matters raised during this consultation; however, the County of Vermilion River will not be bound by the recommendations of the adjacent municipality, unless the County has agreed to do so as part of an approved Inter-Municipal Development Plan.
- (b) The County will collaborate with the urban municipalities within the County in the development and adoption of Intermunicipal Development Plans and Intermunicipal Collaboration Frameworks.
- (c) The County shall encourage partnerships between local businesses to support the sharing of information, infrastructure, logistics and by-products.
- (d) The County shall support appropriately located and sized home-based businesses, as they are a vital economic contributor and provide residents with a variety of lifestyle opportunities.
- (e) The County should collaborate with regional partners to identify opportunities to attract, expand or improve economic activity that supports the growth and expansion of value-added agriculture, manufacturing, advanced energy, transportation and logistics, where the associated development is strategically located, and emerging sectors.

6.4 Annexations

- 6.4.1 The County of Vermilion River recognizes the periodic need for urban expansion of urban centres and will support annexation negotiation process that are undertaken in a positive, orderly, timely, and agreed upon manner, once a clear and present need is established through a Joint Growth Study.
- 6.4.2 The County shall engage in a Joint Growth Study prior to entering an annexation negotiation process with urban centres or adjacent municipalities.
- 6.4.3 County Council shall support only those annexation proposals that they feel are required and justified.
 - (a) In determining the timing, size, and location of an annexation area, the outcomes identified through a Joint Growth Study will be considered.

6.5 Interwoven Equity

6.4.4 A Joint Growth Study will serve to inform the annexation negotiation process regarding the following:

- (a) Justifiable and mutually agreeable current and future growth rates. Growth rates are defined at the rate at which land is consumed for residential, commercial, and industrial purposes normally expressed in acres per year over a 30-year horizon.
- (b) Availability and cost of servicing. The physical and economic feasibility of extending services to specific areas within the County in a logical, reasonable, and cost effective manner.
- (c) Adequacy of transportation systems to accommodate new development. Proposed annexation areas should be either serviced with road network or be able to be serviced with a logical extension of existing road networks.
- (d) Landownership patterns. Proposed annexations should follow legal boundaries or natural features where possible to avoid creating a fragmented pattern of landownership.
- (e) Local support. Proposed annexations should, as much as possible, have the concurrence of the landowners involved.
- (f) Consistent with local plans. Proposed annexations should be consistent with the policies of this IDP, the respective Municipal Development Plans, and any area structure plan or other study. Planning for annexations should consider a 30-year horizon for land needs.
- (g) Logical extension. Proposed annexations should be a logical extension of infrastructure networks and development patterns and may include developed areas.
- (h) Agricultural mill rates. Proposed annexations should not dramatically alter the taxes collected from agricultural lands within the annexation area simply because of annexation. The two municipalities may look at harmonizing their agricultural mill rates.
- (i) Any other matter that both municipal Councils consider necessary.

6.5 Interwoven Equity

6.5.1 The County of Vermilion River will plan for jobs/housing balance that provides a roughly equal number of jobs and housing units (households) within the County's commuter areas to improve access to employment opportunities for County residents.

- (a) The County will develop and adopt an Inclusionary Growth Strategy for the County.
- (b) The County should remove barriers in regulations to support innovative, sustainable, and responsible development practices.

6.5 Interwoven Equity

- (c) The County will ensure affordability by facilitating the production of housing at all price points.
 - (d) The County will promote diversity by providing for the development of a wide variety of housing types and formats.
 - (e) The County will ensure equity in the balance of market and affordable units in Plans and proposals.
- 6.5.2 The County of Vermilion River will promote environmental justice meaning the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income, in the development, implementation, and enforcement of environmental laws, regulations, and policies.
 - (a) The County will provide all communities and persons across the County with the same degree of protection from environmental and health hazards and equal access to decision making processes.
 - (b) The County will ensure healthy environments for all in which to live, learn, play, and work.
- 6.5.3 The County of Vermilion River will promote workforce diversity through the employment of a wide variety of people in terms of age, cultural background, physical ability, race and ethnicity, religion, and gender identity as an economic development strategy.
 - (a) The County shall plan for workforce diversity and development through the development and adoption of a Workforce Diversity Strategy that focuses on people rather than businesses; it attempts to enhance a region's economic stability and prosperity by providing opportunities for job creation that match existing skills within the local workforce or for training workers to meet the labor needs of local industries.
- 6.5.4 The County of Vermilion River will provide accessible and quality public services, infrastructure, and facilities in all communities within the County.
 - (a) The County will support an acceptable standard for infrastructure and facilities as necessary to maintain existing service levels.
 - (b) The County will identify capital improvement needs in community infrastructure and facilities in an effort to determine, prioritize and fund infrastructure upgrades and/or repair/replace obsolete or worn out facilities or infrastructure as required to obtain the strategic goals of the County's Strategic Plan and the Municipal Development Plan.
 - (c) The County will pursue coordinated investments through the development of a ten-year Capital Improvements Plan that is meant to guide a five-year Capital Improvements Program and annual budgeting processes for the County, which shall connect the capital improvement needs identified to forecasted revenues for the next ten years.

6.6 Accountability, Transparency and Public Engagement

- (i) The County should identify and prioritize municipal servicing investment based on the findings of infrastructure Life Cycle Costing.
- (d) The County should investigate and implement private/public funding mechanisms for significant public infrastructure investment.
- (a) The County will connect Plan implementation activities to the annual budgeting process.

6.6 Accountability, Transparency and Public Engagement

6.6.1 The County of Vermilion River is accountable to residents, businesses, stakeholders and visitors, and will conduct all matters related to County business in a transparent manner.

- (b) The County will regularly evaluate and report on Plan implementation progress.
- (c) The County will ensure adequate funding from both public and private sources for Plan implementation activities.
- (d) The County may adjust the plan as necessary based on evaluation.
- (e) The County should provide for improved levels of organizational communication and coordination through inter-departmental collaboration mechanisms.

6.6.2 The County of Vermilion River supports the solicitation, consideration, and utilization of public input and suggestions when making public decisions. The County of Vermilion River will ensure public engagement meets County Policy.

- (a) The County will continue to provide public engagement opportunities after the Municipal Development Plan and associated Plans are adopted.
- (b) The County will use a variety of communications channels to inform and involve the community.
- (c) The County will improve access to information for all stakeholders.

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PART 7.0

DEFINITIONS

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7.0 DEFINITIONS

7.1 Interpretation

7.1.1 The following words, terms, and phrases, wherever they occur in this Plan have the meaning assigned to them as follows:

AGRICULTURAL LAND: Means Higher Capability Agricultural Land, as defined in the County's Land Use Bylaw.

AGRICULTURAL OPERATIONS: Means an Agricultural Operation, as defined in the County's Land Use Bylaw.

AREA STRUCTURE PLAN: Means an Area Structure Plan, as defined in the County's Land Use Bylaw.

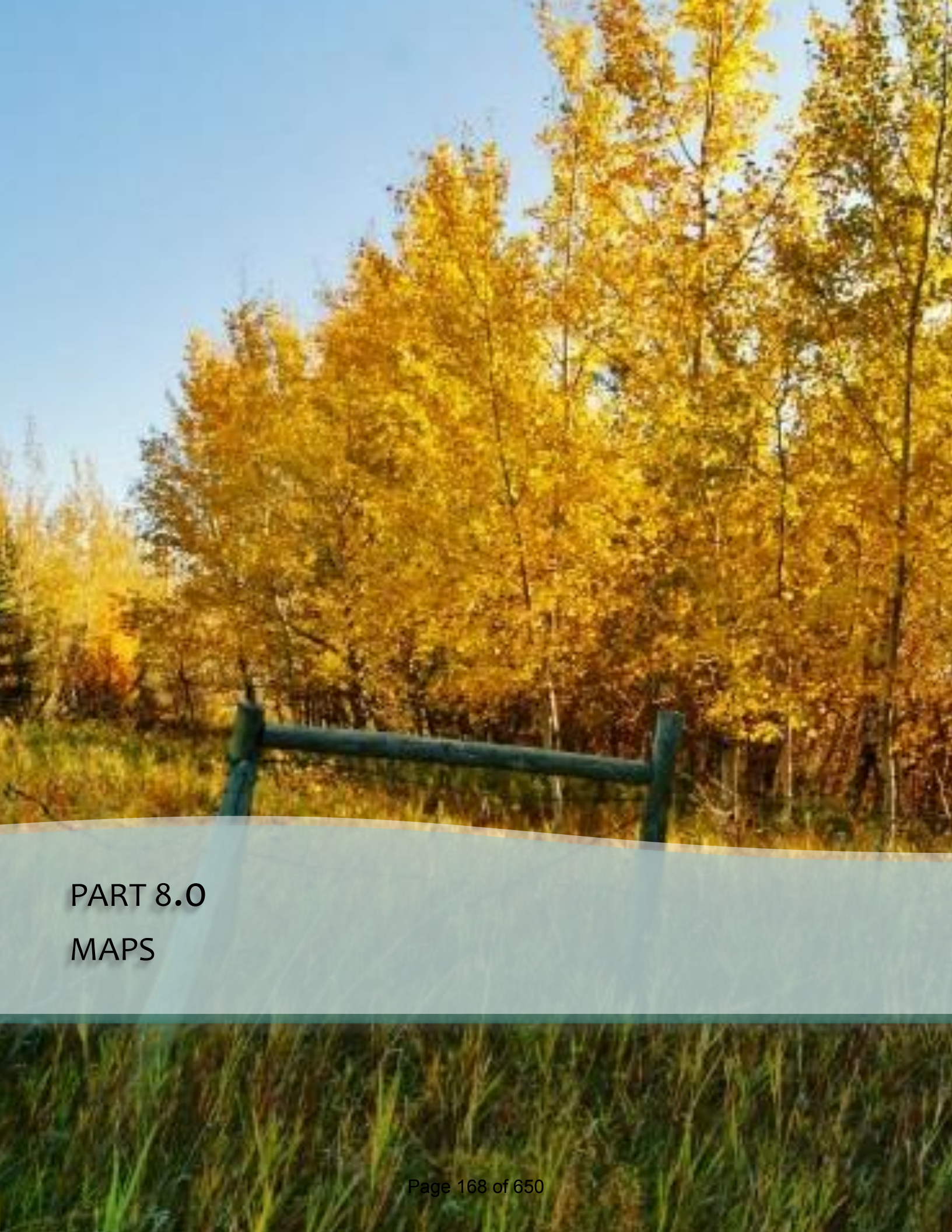
CONSERVATION EASEMENT: Means an agreement registered against title whereby a landowner grants to the County (or other government, government agency, or non-profit society with conservation objectives satisfactory to the County) provisions for the protection, conservation and enhancement of the environment including the protection, conservation and enhancement of biological diversity, and natural scenic or aesthetic values, as provided for in the Section 22 of the Environmental Enhancement and Protection Act. A conservation agreement may provide for recreational use; open space use, environmental education use, and research and scientific studies of natural ecosystems.

COMPLETE COMMUNITY: Means a community that is planned and developed to use less land and reduce the separation of land uses in order to achieve a variety of values including open space protection, community vitality, affordable housing, air quality, transit use, and more walkable places. Complete communities provide housing types and uses in compact form suitable for all ages and income levels, provides non-residential development in proximity that results in easy access to jobs, local amenities, services, community facilities, and access to multi-modal trail and mobility networks.

CONFINED FEEDING OPERATION: Means a Confined Feeding Operation, as defined in the County's Land Use Bylaw.

OVERSIZED FARMSTEAD means a farmstead larger than 2.02 ha (5.0 ac.), up to a maximum of 6.06 ha (15.0 ac.). Where the additional area is required to include the farm yard up to a maximum of 6.06 ha (15.0 ac.). The farm yard shall normally include a house, garage, access, power pole, well, sub-surface sewage disposal system, and established shelter belts. The farm yard may also include barns, sheds, substantial fences and corrals, dugouts if required by the dwelling to provide non-drinking water, and other similar farm buildings and facilities ancillary to the farmstead. In such cases, a Real Property Report or Building Site Certificate prepared by an Alberta Land Surveyor, will be required to verify the locations of all improvements, site features, and proposed boundaries.

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PART 8.0 MAPS

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8.0 MAPS

8.1 Map 1 – Planning Area

8.2 Map 2 – Statutory Plan Areas

COUNCIL MEETING DATE: MARCH 26, 2019

REQUEST FOR DECISION - TO COUNCIL

SUBJECT

LAND USE BYLAW NO. 19-02 – MOTION REQUIRED

RECOMMENDATION

THAT the County of Vermilion River give First Reading to Bylaw No. 19-02, being the Land Use Bylaw to establish the regulations on how land can be developed in the County of Vermilion River.

THAT the County of Vermilion River set a Public Hearing for Bylaw No. 19-02, being the Land Use Bylaw to establish the regulations on how land can be developed in the County of Vermilion River, on April 30th, 2019 at 3:00 p.m. at the County of Vermilion River administration office.

DETAILS

Background: The Planning and Development Department has completed a review of the Land Use Bylaw and is proposing a complete revision to align with the new *Municipal Government Act (MGA)*.

Discussion: With the new Provincial updates to the *MGA*, Planning and Development has put together a complete revision of the current Land Use Bylaw. Planning and Development wants to ensure that the bylaws of the County are consistent with the newly put in place regulations, and those developing in the County are provided consistent information and requirements.

Relevant Policy/Legislation Practices:

Modernized Municipal Government Act

An Act to Strengthen Municipal Government

Municipal Government Act

Desired Outcome (s):

THAT the County of Vermilion River give First Reading to Bylaw No. 19-02, being the Land Use Bylaw to establish regulations on how land can be developed in the County of Vermilion River.



THAT the County of Vermilion River set a Public Hearing for Bylaw No. 19-02, being the Land Use Bylaw to establish regulations on how land can be developed in the County of Vermilion River, on April 30th, 2019 at 3:00 p.m.

Response Options:

THAT the County of Vermilion River give First Reading to Bylaw No. 19-02, being the Land Use Bylaw to establish regulations on how land can be developed in the County of Vermilion River.

AND

THAT the County of Vermilion set a Public Hearing for Bylaw No. 19-02, being the Land Use Bylaw to establish regulations on how land can be developed in the County of Vermilion River, on April 30th, 2019 at 3:00 p.m.

IMPLICATIONS OF RECOMMENDATION

Organizational: Notification of public with advertising.

Financial: Cost of advertising and notification to any lands that may be impacted by a zoning change.

Communication Required: Administration will follow the MGA for notification to the public and hold a public hearing as described under the MGA.

Implementation: Upon approval of third and final reading.

ATTACHMENTS

1. Bylaw 19-02
2. "Schedule A" – County of Vermilion River Land Use Bylaw.

PREPARED BY: Director of Planning and Development

DATE: March 18, 2019

BYLAW NO. 19-02

A BYLAW OF THE COUNTY OF VERMILION RIVER IN THE PROVINCE OF ALBERTA TO ADOPT A LAND USE BYLAW

WHEREAS, pursuant to the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, requires the Council of a municipality to enact a Land Use Bylaw to regulate and control the use and development of land and buildings within the municipality;

AND WHEREAS the Council of the County of Vermilion River deems it desirable, expedient and in the best interest of the County of Vermilion River to adopt a new Land Use Bylaw;

NOW THEREFORE, the Council of the County of Vermilion River, duly assembled, enacts as follows:

1. This new Bylaw may be cited as "The County of Vermilion River Land Use Bylaw".
2. The County of Vermilion River Land Use Bylaw attached hereto as Schedule "A" to this Bylaw is hereby adopted.
3. Bylaw No. 13-14, as amended, being the previous Land Use Bylaw of the County of Vermilion River, is hereby repealed.
4. This Bylaw may be amended by Bylaw in accordance with the Municipal Government Act, R.S.A. 2000, as amended.

SHOULD any provision of this Bylaw be determined to be invalid, then such provisions shall be severed and the remaining bylaw shall be maintained.

THIS Bylaw shall come into force and effect upon receiving third and final reading and having been signed by the Reeve and Chief Administrative Officer.

Read a first time this ____ day of _____, 2019

Advertised the ____ day of _____, 2019 AND the ____ day of _____, 2019 in the _____ AND the ____ day of _____, 2019 in the _____.

PUBLIC HEARING held the ____ day of _____, 2019 at _____ p.m.

READ A SECOND TIME THIS ____ DAY OF _____, 2019.

READ A THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 2019.

SIGNED by the Reeve and Chief Administrative Officer this ____ day of _____, 2019.

REEVE

CHIEF ADMINISTRATIVE OFFICER



County of **VERMILION River**

LAND USE BYLAW

BYLAW NO. 19-02

Version 4

Note:

Land Use Bylaw No. 19-02 repeals and replaces Land Use Bylaw No. 13-14, and all amending bylaws thereto, as listed below, in accordance with Section 1.5 of Land Use Bylaw No. 19-02.

Consolidated Copy Includes:

Bylaw No. 13-19 February 2014

Bylaw No. 14-05 February 2014

Bylaw No. 14-06 April 2014

Bylaw No. 14-07 March 2014

Bylaw No. 14-08 March 2014

Bylaw No. 14-09 March 2014

Bylaw No. 14-11 May 2014

Bylaw No. 14-13 June 2014

Bylaw No. 14-22 July 2014

Bylaw No. 15-05 March 2015

Bylaw No. 15-21 February 2016

Bylaw No. 15-30 January 2016

Bylaw No. 16-05 April 2016

Bylaw No. 16-13 July 2016

Bylaw No. 16-14 July 2016

Bylaw No. 17-03 April 2017

Bylaw No. 17-04 February 2017

Bylaw No. 18-01 February 2018

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GUIDE TO USING THE COUNTY OF VERMILION RIVER LAND USE BYLAW

The County of Vermilion River Land Use Bylaw establishes regulations for the use and development of land and buildings within the County. These regulations prescribe the manner in which to carry out subdivision, development, and use of all land and buildings, whether the latter are constructed or moved in. Additionally, it regulates the type, location, and intensity of land use and buildings; it outlines the process for rezoning land and applying for permits to develop or subdivide property; as well as the administrative and enforcement procedures of the regulations. When using the Land Use Bylaw, keep in mind that Regulations vary depending on the location and type of development and that some developments or uses must follow additional County, Province, or Federal Government Bylaws or Regulations. Where possible, the Land Use Bylaw attempts to provide some guidance to these other requirements. This is not to say that the County of Vermilion River Land Use Bylaw contains an exhaustive list; instead, it is up to each individual to ensure the observance of the laws of each level of government regulating the use of land and Development.

STRUCTURE AND USE

The Land Use Bylaw divides the County into various Land Use Districts. The user needs to examine all the elements of the Land Use Bylaw to determine applicable regulations to a specific Parcel of land or Lot.

- (1) *Land Use Bylaw Maps* identify the specific location of the various Land Use Districts established in the County.
- (2) *Land Use Districts* contain general subdivision and development standards for each of the established designations.
- (3) *Overlay Districts* contain additional regulations to those contained in a Land Use District for each of the established designations.
- (4) *General Provisions* are overall requirements, which apply to some or all Development.
- (5) *Special Provisions* outline additional controls for particular uses that may occur within certain Districts.
- (6) *Definitions* may include additional requirements to some uses.

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.** Each Land Use District has a designation such as “A” for AGRICULTURAL or “C1” for COMMERCIAL. Take note of which Land Use District the subject property is located in. Also, note if an **Area Structure Plan** or **Site Development Plan** affects the subject property, which

may modify some of the uses and regulations of the land Use Bylaw or impose additional regulations.

- (2) **Check the table of contents and locate the Land Use District of your interest.** The Land Use District list is in alphabetical order starting in **Part 6.0**. In each Land Use District, you will find a list of Permitted and Discretionary uses and other applicable regulations. These regulations are used to determine the use of land and buildings in each district, the types, and how of what can be developed in any given Land Use District.
- (3) The **Definitions** in **Part 8.0** should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood. Definitions may include additional requirements to some uses.
- (4) **Review any additional regulations that may apply to the development or use.** For example, **Part 2.0 Development Permits, Rules, and Procedures** describes the rules and procedures applicable to Development Permits; **Part 3.0 Subdivision Standards, Rules, and Procedures** provides guidance with land subdivision matters; **Part 4.0 General Provisions** and **Part 5.0 Special Provisions** contain additional regulations specific to some types of development applicable to all Land Use Districts. Part 7.0 Overlay Districts Regulations includes additional regulations that apply to some lands based on a specific use or location. All the applicable regulations for the lands subject to a Development Permit application within the Land Use Bylaw or other plans must be complied with.
- (5) **Before submitting an application, discuss your proposal/concern with Planning and Development staff.** County staff is well trained and eager to assist you with your development, subdivision, or general inquiry issues and to explain procedures. They can also assist with other situations, such as enforcement or a Land Use Bylaw amendment.

REFERENCING

When referencing any part of the County of Vermilion River Land Use Bylaw you can use the following format:

1.0 PART

1.1 Section

1.1.1 Sub-section

(a) Paragraph

(i) Sub-paragraph

1. Item

a. Clause

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PART 1.0 ADMINISTRATIVE PROCEDURES

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1.1 TITLE

- (1) The title of this Bylaw shall be the Land Use Bylaw of the County of Vermilion River.

1.2 SCOPE

- (1) No development shall be permitted within the boundaries of the County of Vermilion River except in conformity with the provisions of this Bylaw.

1.3 COMPLIANCE WITH OTHER LEGISLATION

- (1) In addition to the requirements of this Bylaw, an applicant must comply with all Federal, Provincial, and Municipal legislation including requirements contained in a Development Permit or Agreement.
- (2) This Bylaw is consistent the Municipal Government Act (hereinafter referred to as “the Act”), as amended, repealed or replaced from time to time.
- (3) Pursuant to Section 632(4), 633(3) statutory plans must be consistent.
- (4) Hierarchy of Plans
 - (a) Pursuant to Section 638.1 of the Municipal Government Act; RSA 2000 c. M26, as amended or repealed and replaced from time to time, in the event of a conflict or inconsistency between a statutory plan or a land use bylaw, and an Alberta Land Stewardship Act (ALSA) regional plan, the ALSA regional plan prevails to the extent of the conflict or inconsistency.
 - (i) Municipal Government Act
 - (ii) Provincial Regional Plans
 - (iii) Intermunicipal Collaboration Framework
 - (iv) Intermunicipal Development Plan
 - (v) Municipal Development Plan
 - (vi) Area Structure Plan and / or Site Development Plan
 - (vii) Land Use Bylaw
 - (viii) County Policies
- (5) This Bylaw shall be applied in a manner that supports the implementation of statutory plans and local plans, which have been adopted by the County, and is consistent with the County's Municipal Development Plan, ALSA Regional Plans, and the *Municipal Government Act; RSA 2000 c. M26*, as amended or repealed and replaced from time to time.

1.4 Purpose

- (6) This Bylaw shall be used in conjunction with County Policies and Procedures, as adopted and amended by County Council.
- (7) Nothing in this Bylaw exempts a person from their obligation to comply with:
 - (a) any Federal, Provincial, or Municipal legislation;
 - (b) any relevant caveat, easement, instrument, agreement, or other legal requirement; or
 - (c) any standards, policies, procedures; or
 - (d) other requirements of the Municipality.
- (8) The issuance of a Development Permit does not entitle a business to operate, which may require a license under a separate agency or organization, nor does it entitle the construction of a building, which may require Safety Codes permits for development of any structures regulated under the Safety Codes Act.

1.4 PURPOSE

- (1) The purpose of this Bylaw is to regulate the use and development of land and buildings within the County of Vermilion River to achieve the orderly, economic, diverse, and sustainable development of land and for that purpose amongst other things, this Land Use Bylaw sets the following objectives:
 - (a) To divide the land within the boundary of the County of Vermilion River into Districts;
 - (b) To establish the roles of the Approving Authorities;
 - (c) To prescribe and regulate for each District the purposes for which land and buildings may be respectively subdivided, developed, and used;
 - (d) To establish a method of making decisions on applications for Development Permits and issuing Development Permits for any development provided for herein;
 - (e) To provide the manner in which notice of the issuance of a Development Permit is to be given;
 - (f) To implement the policies of the statutory plans of the County of Vermilion River;
 - (g) To establish supplementary regulations governing certain specific land uses; and
 - (h) To establish the procedures for making amendments to this Bylaw.

1.5 REPEAL

- (1) This Bylaw comes into force upon receiving Third and Final reading by Council and repeals **Land Use Bylaw No. 13-14** in its entirety and any resolutions made thereunder or amendments thereto, which shall cease to have effect on the day this Bylaw comes into force.

1.6 TRANSITIONAL PROVISIONS

- (1) An application for subdivision or Development Permit which has been submitted and deemed complete, but has not yet received a decision prior to the effective date of this Bylaw, shall be processed in accordance with this Bylaw.
- (2) An application for subdivision or Development Permit which has been submitted and deemed complete prior to the coming into force of this Bylaw shall be evaluated under the provisions of the Land Use Bylaw in force at the time, as amended; or under this Bylaw at the discretion of the applicant, the Development Authority, or the Subdivision Authority.
- (3) An application to amend the Land Use Bylaw that has not been given third reading by Council prior to the coming into force of this Bylaw shall be considered by Council pursuant to this Bylaw and any other relevant Federal, Provincial, or Municipal legislation.

1.7 SEVERABILITY

- (1) If any portion of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision does not affect the validity of the remaining portions of this Bylaw.

1.8 RULES OF INTERPRETATION

- (1) Compliance with the policies in this Bylaw shall be interpreted and applied as follows:
 - (a) **“SHALL”, “MUST”, and “IS”** are operative words that mean that the action or actions outlined are imperative or mandatory and therefore must be complied with, without discretion, except in cases where a Variance has been granted pursuant to the Municipal Government Act; RSA 2000 c. M26, as amended or repealed and replaced from time to time;
 - (b) **“SHOULD”** is a directive term, which means that, in order to achieve the established goals, and objectives, it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances. When the regulation is directed to the Developer, the onus to justify is on the applicant; and
 - (c) **“MAY”** is a discretionary term, meaning a choice is available, with no particular direction or guidance intended, and is usually dependent on the particular circumstances of the specific Parcel of land or Lot and application that are under consideration at any given moment.
 - (d) **“SUCH AS”** indicates an idiomatic preposition meaning “for example” or “of a kind that; like” in reference to the condition or conditions following the statement, but does not implies an exhaustive list.

1.8 Rules of interpretation

- (e) **"SUCH THAT"** indicates an idiomatic preposition meaning "to the extent that", "as being what is indicated; in that capacity" in reference to the condition or conditions following the statement as a requirement for its fulfilment, but does not implies an exhaustive list.
 - (f) **"PROVIDED THAT"** indicates a conjunction meaning "if; only if", in reference to the condition or conditions following the statement as a requirement for its fulfilment, but does not implies an exhaustive list.
 - (g) **"CONSIDERED"** indicates an adjective meaning "to regard as" or "deem to be", in reference to the condition or conditions following the statement.
 - (h) **"PERMITTED USE"** means the use of land or a building for which a Development Permit shall be issued upon application having been made provided that all of the regulations of this Bylaw, and all of the matters left to the discretion or the satisfaction of Approving Authorities, have been fulfilled to the satisfaction of the respective Approving Authority. All Permitted Uses require the issuance of a Development Permit, unless identified as "not requiring a Development Permit" or "exempt" under this Bylaw.
 - (i) **"DISCRETIONARY USE"** indicates the one (1) or more uses of land or buildings that may be permitted in a given District at the discretion of the Approving Authority, with or without conditions, subject to an application having been made. Discretionary Use includes Permitted Uses that submit a Request for a Variance application.
 - (j) **"MAIN USE"** means a Main Use as defined in this Bylaw.
 - (k) **"ACCESSORY USE"** means a Subordinate Use as defined in this Bylaw.
 - (l) **"MAIN"** indicates an adjective meaning first in order of importance or principal.
 - (m) **"EXEMPT"** means development that does not require a Development Permit, if it meets all requirements of this Bylaw.
- (2) Where a regulation involves **two (2)** or more conditions, provisions, or events connected by a conjunction, the following shall apply:
- (a) **"AND"** means all the connected items shall apply in combination;
 - (b) **"OR"** indicates that the connected items may apply singly or in combination; and
 - (c) **"EITHER/OR"** indicates the items shall apply singly, but not in combination.
- (3) Words used in the present tense include the other tenses and derivative forms.
- (4) Words used in the singular include the plural and vice-versa.
- (5) When a word is used in the masculine, it will refer to either gender.
- (6) Examples listed in a Land Use definition are not intended to be exclusive or restrictive.

1.9 Illustrations

- (7) In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall govern.
- (8) Where reference is made to other legislation or documents, the reference is to the legislation or documents then in effect and shall include all amendments and any successor legislation.

1.9 ILLUSTRATIONS

- (1) Drawings and graphic depictions are provided to assist in interpreting and understanding the provisions of this Bylaw. Where any conflict or inconsistency arises between a drawing and the text of the Bylaw, the text shall prevail.

1.10 METRIC AND IMPERIAL MEASUREMENTS

- (1) Within this Bylaw, both Metric and Imperial measures are normally provided with the Imperial measures within brackets. However, the Imperial measures are approximate, and are provided only for information.

1.11 PLANNING AUTHORITIES

- (1) Development Authority
 - (a) For the purposes of this Bylaw:
 - (i) The Development Authority shall be the person or persons appointed to be the Development Authority pursuant to the municipality's Development Authority Bylaw, with their duties and responsibilities that are specified in this Bylaw.
 - (ii) The Development Authority shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto, and keep a register of all applications for development, including the decisions thereof.
 - (iii) For the purposes of Section 542 of the Municipal Government Act; RSA 2000 c. M26, as amended or repealed and replaced from time to time, the Development Authority is hereby declared to be a designated officer.
- (2) Development Authority Officer
 - (a) The position of designated officer for the limited purpose of exercising the powers, duties, and functions of a Development authority Officer is hereby established.
 - (b) The Development Authority Officer shall be appointed by resolution of Council.
 - (c) The Development Authority Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice, or other thing made or given by it.
 - (d) The Development Authority Officer shall:

1.12 Development and Subdivision Appeals

- (i) Keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; and
 - (ii) Keep a register of all applications for development, the decisions thereon, and the reasons therefor.
- (e) The Development Authority Officer is hereby declared to be a designated officer for the purposes of inspection, remedy, enforcement, or action pursuant to Section 542 of the Act.
- (3) Council
 - (a) The Council of the County of Vermilion River shall perform such duties as are specified for it in this Bylaw.
- (4) Subdivision Authority
 - (a) For the purposes of this Bylaw, the Subdivision Authority shall be the person or persons appointed to be the Subdivision Authority pursuant to the municipality's Subdivision Authority Bylaw, as amended or replaced from time to time, with their duties and responsibilities that are specified in this Bylaw, including **Section 3.1**.
- (5) Subdivision And Development Appeal Board
 - (a) The Subdivision and Development Appeal Board established by the municipality's Subdivision and Development Appeal Board Bylaw shall perform such duties as are specified in **Section 1.12** of this Bylaw.
- (6) Municipal Government Board
 - (a) The Municipal Government Board consists of the persons appointed by the Lieutenant Governor in Council, on the recommendation of the Minister, pursuant to the *Municipal Government Act; RSA 2000 c. M26*, as amended or repealed and replaced from time to time, for such duties as are specified under Sections 619 and Section 678 of the Act and for the purposes of **Section 1.12** of this Bylaw.

1.12 DEVELOPMENT AND SUBDIVISION APPEALS

- (1) Development Appeals and Procedures
 - (a) An appeal on a decision of the Development Authority may be made within twenty-one (21) days after receipt of written notice issued under **Section 2.2** of this Bylaw to the Subdivision and Development Appeal Board:
 - (i) where a Development Authority:
 - 1. refuses or fails to make a decision on a Development Permit application within forty (40) days of receipt of a completed application or prior to the

1.12 Development and Subdivision Appeals

expiry date of an agreement between the applicant(s) and the Development Authority Officer to extend the 40-day period herein described; or

2. issues a Development Permit for a Discretionary Use subject to conditions pursuant to this Bylaw; or

3. issues an order under Section 1.14 of this Bylaw.

(ii) when the applicant for a Development Permit, or a person is affected by an order under **Section 1.14**; or

(iii) when any other person affected by an order, decision, or Development Permit made or issued by a Development Authority.

(b) Notwithstanding Items 1(a)(i)1 and 1(a)(i)2 above, no appeal lies in respect of the issuance of a Development Permit for a permitted use unless the provisions of this Bylaw were relaxed, varied, or misinterpreted, or the application was deemed to be refused under Section 2.2.

(c) Notwithstanding Items 1(a)(i)1 and 1(a)(i)2 above, no appeal lies to the Subdivision and Development Appeal Board in respect of the issuance of a Development Permit by Council in the Direct Control District. If the decision is made by a Development authority, the appeal is limited to whether the Development authority followed the directions of Council, and if the Subdivision and Development Appeal Board finds that the Development Authority did not follow the directions it may, in accordance with the directions, substitute their decision for the Development Authority's decision.

(d) An appeal shall be made by serving a written notice of appeal to the Secretary of the Subdivision and Development Appeal Board within twenty-one (21) days after:

(i) the date of the receipt of written notice issued under **Section 2.2** of this Bylaw of the order or decision or the issuance of the Development Permit; or

(ii) if no decision is made with respect to the application within the 40-day period or within any extension issued under Section 684 of the Act.

(e) With respect to an order under section 645 of the Act, within twenty-one (21) days after the date on which the order is made.

(i) The date of notification of an order or decision or the issuance of a Development Permit is deemed to be seven (7) days from the date the order or decision or the notice of issuance of the Development Permit is mailed.

(ii) Each notice of appeal shall be accompanied by a fee as set by Council and shall contain at least one reason for appeal.

(2) Development Appeal Hearing Procedure

1.12 Development and Subdivision Appeals

- (a) Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold an appeal hearing respecting the appeal.
- (b) The Subdivision and Development Appeal Board shall give at least five (5) days' notice in writing of the appeal hearing to:
 - (i) the appellant;
 - (ii) the Development Authority from whose order, decision or Development Permit the appeal is made;
 - (iii) the applicant and/or landowner(s);
 - (iv) those adjacent landowners who were notified under this Bylaw and any other person who, in the opinion of the Subdivision and Development Appeal Board, are affected by the order, decision or permit; and
 - (v) such other persons as the Subdivision and Development Appeal Board specifies.
- (c) The Subdivision and Development Appeal Board shall make available for public inspection and before the commencement of the appeal hearing all relevant documents and materials respecting the appeal, including:
 - (i) the application for the Development Permit, the decision, and the notice of appeal; or
 - (ii) the order of the Development Authority under **Section 1.14** of this Bylaw or Section 645 of the Municipal Government Act, as amended or repealed and replaced from time to time, as the case may be.
- (3) At the appeal hearing referred to in this Section, the Subdivision and Development Appeal Board shall hear:
 - (a) the appellant or any other person acting on his/her behalf;
 - (b) the Development Authority from whose order, decision or Development Permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;
 - (c) any other person who was served with notice of the hearing pursuant to Sub-section (b) above, and who wishes to be heard or a person acting on his/her behalf; and
 - (d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his/her behalf.
- (4) Decisions on Development Appeals
 - (a) In determining an appeal, the Subdivision and Development Appeal Board:

1.12 Development and Subdivision Appeals

- (i) shall comply with any applicable land use policies, regulations, and applicable statutory plans, and the County's Land Use Bylaw;
- (ii) shall comply with the Province's Land Use Policies and applicable regional plans;
- (iii) must comply with the inclusionary housing provisions of the Land Use Bylaw and the Inclusionary Housing Regulation;
- (iv) may confirm, revoke, or vary the order, decision, or Development Permit or any condition attached to any of them or make or substitute an order, decision, or permit of its own;
- (v) must have regard for, but is not bound by, the Subdivision and Development Regulation;
- (vi) may make an order or decision or issue or confirm the issuance of a Development Permit notwithstanding that the proposed Development does not comply with the Land Use Bylaw, if in the opinion of the Subdivision and Development Appeal Board, the proposed Development would not:
 - 1. unduly interfere with the amenities of the neighbourhood;
 - 2. materially interfere with or affect the use, enjoyment, or value of neighbouring Lots or Parcels of land; and
 - 3. the proposed Development conforms with the use prescribed for that land or Building in this Bylaw.
- (b) The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the appeal hearing.
- (c) If the decision of the Development Authority to approve a Development Permit application is reversed by the Subdivision and Development Appeal Board, the Development Permit shall be null and void.
- (d) If the decision of the Development Authority to refuse a Development Permit application is reversed by the Subdivision and Development Appeal Board, the Development Authority shall forthwith approve the Development Permit application in accordance with the decision of the Subdivision and Development Appeal Board.
- (e) If the decision of the Development Authority to approve a Development Permit is varied by the Development Appeal Board, the Development Authority shall forthwith approve the Development Permit application in accordance with the decision of the Subdivision and Development Appeal Board.
- (f) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:

1.12 Development and Subdivision Appeals

- (i) to a judge of the Court of Appeal; and
- (ii) within thirty (30) days after the issuance of the order, decision, permit, or approval sought to be appealed.

(5) Subdivision Appeals and Procedures

(a) A notice of appeal on a decision of the Subdivision Authority may be made within fourteen (14) days after receipt of written notice issued under **Section 2.5** of this Bylaw to:

- (i) the Municipal Government Board if:
 - 1. the land that is the subject of the application is within the Green Area, as classified by the Minister responsible for the Public Lands Act; or
 - 2. the land that is the subject of the application contains, is adjacent to or is within the prescribed distance of a highway, a water body, a sewage treatment or waste management facility or a historical site; or
 - 3. in any other circumstances described in the regulations under section 694(1)(h.2) of the Act.

(ii) the Subdivision and Development Appeal Board:

- 1. for all other instances; or
- 2. when a relevant agency or organizations has entered a written agreement to vary the distances in **Sub-section 5(a)(i) above**, under the Subdivision and Development Regulations.

(iii) For the purpose of **Sub-sections (a)(i) and (a)(ii) above**, the date of receipt of the decision is deemed to be seven (7) days from the date the decision is mailed.

(iv) If a notice of appeal is filed with the wrong Appeal Board, the Appeal Board that receives the application must refer the appeal to the appropriate Appeal Board. The appropriate Appeal Board then must hear the appeal as if the notice of appeal had been filed with it, and it is deemed to have received the notice of appeal from the applicant on the date it receives the notice of appeal from the Appeal Board that first received the application.

(b) An appeal shall be made by serving a written notice of appeal to the Secretary of the appropriate Board within fourteen (14) days after:

- (i) the date of the receipt of written notice issued under **Section 2.5** of this Bylaw of the decision of the subdivision authority; or
- (ii) deemed refusal by the Subdivision Authority, in accordance with Section 681 of the Municipal Government Act; RSA 2000 c. M26, as amended or repealed and replaced from time to time, as amended.

1.12 Development and Subdivision Appeals

- (iii) if no decision is made with respect to the application within the time prescribed by the subdivision and development regulations, or within any extension issued under Section 681 of the Act.
 - (c) Each notice of appeal shall be accompanied by a fee as set by Council and shall contain at least one reason for appeal.
- (6) Subdivision Appeal Hearing Procedure
- (a) A Subdivision and Development Appeal Board hearing an appeal under section 678 of the Act must hold the hearing within thirty (30) days after receiving a notice of appeal.
 - (b) The Municipal Government Board hearing an appeal under section 678 of the Act must hold the hearing within sixty (60) days after receiving a notice of appeal.
 - (c) The Appeal Board hearing the appeal shall give at least five (5) days' notice in writing of the appeal hearing to:
 - (i) the applicant for subdivision approval;
 - (ii) the Subdivision Authority that made the decision;
 - (iii) the applicant and/or landowner(s);
 - (iv) if land that is the subject of the application is adjacent to the boundaries of another municipality, the adjacent municipality;
 - (v) any school board to whom the application was referred;
 - (vi) every relevant agency or organization that was given a copy of the application pursuant to the Subdivision and Development Regulations; and
 - (vii) such other persons as the Appeal Board specifies.
 - (viii) Sub-sections (4), (5) and (6) do not apply to an appeal of the deemed refusal of an application under section 653.1(8) of the MGA.
- (7) At the appeal hearing referred to in this Section, the Appeal Board shall hear:
- (a) a person or entity that was notified pursuant to **Sub-section (c)** above;
 - (b) the Subdivision Authority from whose order, decision, or Development Permit the appeal is made, or if a person is designated to act on behalf of the Subdivision Authority, such person;
 - (c) each owner of adjacent land to the land that is the subject of the appeal, or a person acting on any of those persons' behalf; and
 - (d) any other person or entity who claims to be affected by the order, decision, or permit and that the Appeal Board agrees to hear or a person acting on his/her behalf.

1.12 Development and Subdivision Appeals

(8) Decisions on Subdivision Appeals

(a) In determining an appeal, the Board hearing the appeal:

- (i) must act in accordance with any applicable Regional Plan;
- (ii) must have regard to any statutory plan;
- (iii) must comply with the inclusionary housing provisions of the Land Use Bylaw and the Inclusionary Housing Regulation;
- (iv) must conform with the uses of land referred to in a Land Use Bylaw;
- (v) must be consistent with the Land Use Policies;
- (vi) must have regard to, but is not bound by, the Subdivision and Development Regulations;
- (vii) may confirm, revoke, or vary the approval or decision or any condition imposed by the Subdivision Authority, or make, or substitute an approval, decision or condition of its own;
- (viii) may, in addition to the other powers it has, exercise the same power as a Subdivision Authority is permitted to exercise pursuant to Part 17 of the Act, or the regulations or bylaws under Part 17 of the Act, as amended or repealed and replaced from time to time.

(b) In the case of an appeal of the deemed refusal of an application, in which the Subdivision Authority considered complete, the board must determine whether the documents and information that the applicant provided met the requirements of section 653.1(2) of the Act.

(c) **Sub-section (a)(ii)** above, does not apply to an appeal of the deemed refusal of an application under section 653.1(8) of the Act, in which an application was considered incomplete and the applicant failed to submit all the outstanding information and documents required to be considered complete.

(d) The Appeal Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the appeal hearing.

(e) When on an appeal the Municipal Government Board or the Subdivision and Development Appeal Board approves an application for subdivision approval, the applicant must submit the plan of subdivision or other instrument to the Subdivision Authority from whom the appeal was made for endorsement by it.

(f) If a Subdivision Authority fails or refuses to endorse a plan of subdivision or other instrument submitted to it pursuant to **Sub-section (c) above**, the member of the board that heard the appeal who is authorized to endorse the instrument may do so.

1.13 LAND USE BYLAW AMENDMENT

(1) Application for Amendment

- (a) Subject to the provisions of the *Municipal Government Act*, as amended or repealed and replaced from time to time, any Section or Part of this Bylaw may be amended.
- (b) Council may at any time initiate an amendment to this Bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Development Authority Officer to prepare an amendment application, reports, and recommendations.
- (c) Any person may apply to have this Bylaw amended by applying in writing, by submitting the application form provided by the County of Vermilion River along with applicable fees, and request that the Development Authority present the application to Council.
- (d) An applicant proposing to amend this Bylaw for a purpose of clarification of an existing provision must provide the following information:
 - (i) pay the County of Vermilion River an application and advertising fee as set by Council;
 - (ii) undertake in writing on a form provided by the County of Vermilion River to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the County may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges;
 - (iii) reasons in support of the application;
 - (iv) drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable;
 - (v) the program of land servicing, if applicable;
 - (vi) a recent title search (dated within thirty days of the date the application is received) of the land affected and/or other documents satisfactory to the Development Authority showing the applicant's interest in the said land, if applicable; and
 - (vii) where the applicant is an agent acting for the owner, a letter from the owner(s) authorizing the agent to make the application.
- (e) A person making an application to amend this Bylaw for a purpose other than the clarification of an existing provision of this Bylaw shall:
 - (i) pay the County of Vermilion River an application and advertising fee as set by Council;

1.13 Land Use Bylaw Amendment

- (ii) undertake in writing on a form provided by the County of Vermilion River to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the County may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges;
 - (iii) reasons in support of the application;
 - (iv) drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable;
 - (v) the program of land servicing, if applicable;
 - (vi) information regarding any potential impact of the development that would be allowed by the proposed amendment on the existing natural or man-made environment;
 - (vii) information respecting the suitability of the subject site for the development that would be allowed by the proposed amendment;
 - (viii) a recent title search (dated within thirty days of the date the application is received) of the land affected and/or other documents satisfactory to the Development Authority showing the applicant's interest in the said land, if applicable;
 - (ix) sign a statement authorizing the right of entry by the Development Authority to such lands and/or buildings as may be required for investigation of the proposed amendment; and
 - (x) any other information deemed necessary by the Development Authority or Council.
- (f) Upon receipt of an application to amend the Land Use Bylaw, the Development Authority shall:
- (i) initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment; and
 - (ii) prepare a detailed report including all maps and relevant materials for Council to consider.
- (g) In order to carry out any necessary investigation or analysis of the problems involved in or related to the amendment, the Development Authority may refer the application to such agencies as they consider necessary for comment.
- (h) Upon receiving the preliminary advice of the Development Authority, the applicant shall advise the Development Authority if:

1.14 Enforcement, Penalties, and Fines

(i) he/she wishes the Council to proceed with the amendment as submitted by the person, or an alternative amendment proposed by the Council; or

(ii) he/she wishes to withdraw the application for an amendment.

(i) As soon as reasonably convenient, the Development Authority shall submit the proposed amendment as originally applied for, or as alternatively chosen by the applicant, as the case may be, to the Council, accompanied by the report of the Development Authority and other relevant material, if any, and the Council shall then consider the proposed amendment.

(j) During deliberation on the Bylaw amendment application, Council may refer the application to such agencies as it considers necessary for comment.

(k) Council may request such information as it deems necessary to reach a decision on the proposed amendment.

(l) Notwithstanding anything in this Section, a proposed amendment which has been rejected by Council within the previous twelve (12) months may not be reconsidered unless Council otherwise directs.

(m) Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the Act regarding the enactment of Bylaws.

(n) All amendments to this Bylaw shall be made by Council by Bylaw and in conformity with the requirements of the Act regarding the notification and holding of a public hearing.

(2) Public Hearing Process

(a) At the discretion of Council, first reading of a proposed amendment may be given before the Public Hearing process, and Council may require that the applicant pay a fee for advertising according to the governing Land Use Bylaw advertising fee schedule as amended from time to time by resolution of County Council.

(b) All amendments to this Bylaw shall be made by Council, by Bylaw, and in conformity with the requirements of the Act with regard to the holding of a Public Hearing.

(c) Notice shall be provided for proposed bylaws, amendments, resolutions, meetings and public hearings in conformity with the requirements of section 606 and 606.1 of the Act.

1.14 ENFORCEMENT, PENALTIES, AND FINES

(1) Contravention and Stop Orders

(a) Every person or corporation who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, or who does any act which violates any of the provisions of this Bylaw, or fails to comply with any order, notice, or direction given under this Bylaw is in

1.14 Enforcement, Penalties, and Fines

contravention and guilty of an offence against this Bylaw and is liable to the penalties hereby imposed.

- (b) Where the Development Authority finds that a development or use of land or buildings is not in accordance with:
- (i) the Municipal Government Act or the regulations; or
 - (ii) a Development Permit or subdivision approval; or
 - (iii) any relevant statutory plan, bylaw, or policy; or
 - (iv) this Land Use Bylaw;
 - (v) the Development Authority may, in accordance with the Municipal Government Act; RSA 2000 c. M26, as amended or repealed and replaced from time to time, by notice in writing to, within the time frame specified by the notice, as the case may be order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:
 - 1. stop the development or use of the land or buildings in whole or in part as directed by the notice; and/or
 - 2. demolish, remove or replace the development; and/or
 - 3. take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act, the regulations, a Development Permit, subdivision approval or this Bylaw,
- (c) Where a notice is issued under **Sub-section (b) above**, the notice shall state the following and any other information considered necessary by the Development Authority:
- (i) an explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the Act the order is being cared out;
 - (ii) the alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;
 - (iii) a time frame in which the contravention must be corrected prior to the County of Vermilion River pursuing action; and
 - (iv) advise the person of his/her right to appeal the notice to the Subdivision and Development Appeal Board.
 - (v) The date on which the order was made;
 - (vi) must be given or sent to the person or persons referred to in **Sub-section (a) above**, on the same day the decision is made.

1.14 Enforcement, Penalties, and Fines

- (d) Where a person fails or refuses to comply with an order directed to him/her pursuant to **Sub-section (a) above**, or an order of the Subdivision and Development Appeal Board, the Development Authority may, in accordance with Section 542 of the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- (e) Where the Development Authority carries out an order, the County shall, as part of its process, ask the courts to allow it to cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.
- (f) The County may register a Caveat under the Land Titles Act pursuant to the Order against the certificate of title that is subject to the Order in accordance with Section 646(2) of the Act.

(2) Enforcement

- (a) This Bylaw may be enforced, and the contravention of any provisions contained herein restrained, by the Court of Queen's Bench of Alberta upon action brought by Council, whether or not any penalty has been imposed for the contravention.
- (b) A person who:
 - (i) contravenes any provision of the Act or the regulations under the Act;
 - (ii) contravenes this Bylaw;
 - (iii) contravenes an order under **Sub-section 1.14.1(b)** of this Bylaw and/or Section 645 of the Act;
 - (iv) contravenes a Development Permit or subdivision approval or a condition attached thereto, and/or
 - (v) obstructs or hinders any person in the exercise or performance of his powers or duties under this Act, the regulations under the Act or this Bylaw
 - (vi) is guilty of an offense and is liable to a fine prescribed in Section 566 of the Act.
- (c) If a person is found guilty of an offense under **Section 1.14** of this Bylaw (Section 557 of the Act), the court may, in addition to any other penalty imposed, order the person to comply with:
 - (i) the Act and the regulations under the Act;
 - (ii) this Bylaw;
 - (iii) an order under **Section 1.14.1(b)** of this Bylaw and/or Section 645 of the Act; and/or

1.14 Enforcement, Penalties, and Fines

- (iv) a Development Permit or subdivision approval or a condition attached to a Development Permit or subdivision approval.
- (d) Any written notice, or order, or decision that is required under any provision of this Bylaw is deemed to have been served on the Person whom it is addressed when the Order has been:
 - (i) in the case of an individual, delivered personally to the individual, or left for the individual at his or her last known address with a Person on the Premises who appears to be at least eighteen (18) years of age; or
 - (ii) in the case of a Person, Partnership, Firm, Company, or Corporation by post mail or personal delivery to either the last known registered office or business address of the Person, Partnership, Firm, Company, or Corporation; or
 - (iii) in the event that the County is unsuccessful in its attempts to serve the Order pursuant to Sub-sections 5.14 (a), (b), or (c) above, a Designated Officer may post a copy of the Order in a conspicuous place on the Property referred to in the Order, where the Designated Officer has reason to believe that the Person to whom the Order is addressed is evading service, and that there is no other reasonable means of service available.

(3) Violation Tickets and Fines

- (a) In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for the purposes of this **Section 1.14** shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.
- (b) The Development Authority or any other person identified as a designated officer by the Council for the purposes of this **Section 1.14** may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.
- (c) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within twenty-one (21) days from the date of issue of the violation ticket, of a fine to the County.
- (d) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$150.00 for the first offence and \$300.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.
- (e) The violation ticket shall be served upon the alleged offender personally or delivered by regular mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.

1.14 Enforcement, Penalties, and Fines

- (f) If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- (g) If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$200.00, plus court costs, for each offence.

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PART 2.0

DEVELOPMENT PERMITS, RULES, AND PROCEDURES

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2.1 CONTROL OF DEVELOPMENT

- (1) No development, other than that designated in **Section 2.2**, shall commence, or be allowed to commence, or carried on, or caused or allowed to be carried on, within the County unless an application for a Development Permit has been approved and a Development Permit has been issued.
- (2) Notwithstanding **Section (1) above**, where a Variance to any regulation in this Bylaw is required for any development listed in **Section 2.2**, in addition to a Development Permit a request for a Variance Permit is also required.
- (3) No building or structure shall be used or occupied, and no change in the existing use or occupancy of a building or structure or portion thereof, shall be made until the Development Authority has issued a Use and Occupancy Permit as provided for in **Section 2.17** herein. Issuance of a Use and Occupancy Permit shall not be construed as an approval of a violation of the provisions of this Bylaw or of other Provincial or Municipal regulations.
- (4) Except as otherwise allowed by this Bylaw, development and subdivision in each Land Use District shall be in accordance with the uses listed in the District and all the regulations and guidelines in the Bylaw.
- (5) Any person who undertakes, causes, or permits any Development or Occupancy of a building or on a Lot or Parcel to commence, take place, or continue to take place without a Development Permit being issued, or after a Development Permit has been suspended or revoked; or any person who undertakes, causes, or permits a Use or Occupancy of a Lot or Parcel or building before a Use and Occupancy Permit has been issued, or after a Use and Occupancy Permit has been suspended or revoked; shall discontinue such Development and/or Use or Occupancy forthwith upon notice in writing issued under **Section 1.14** requiring so, and shall not resume such Development, Use, or Occupancy unless a permit to that effect has been issued or the permit reinstated.
- (6) In addition to a Development Permit, various authorizations, permits, or approvals under Provincial legislation other than the Act may be required such as under the Highway Development Act or the Safety Codes Act. This Bylaw in no way alleviates or removes any requirements for such authorizations, permits, or approvals. It shall be the responsibility of any landowner and/or Developer to obtain such authorizations, permits or approvals under any other Provincial legislation as may be necessary.
- (7) Any person applying for, or in possession of, a Development Permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with, but not limited to:
 - (a) The requirements of the Alberta Safety Codes Act;
 - (b) Bylaws of the County;
 - (c) County Policy;

2.2 Development Commencement and Completion

- (d) General Municipal Servicing Standards, as amended;
- (e) The requirements of Alberta Agricultural Operation Practices Act;
- (f) The requirements of any other relevant Federal, Provincial, or municipal legislation.

2.2 DEVELOPMENT COMMENCEMENT AND COMPLETION

- (1) If the development authorized by a Development Permit is not commenced within twelve (12) months from the date of its issuance and carried out with reasonable diligence within two (2) years of the date of issuance, the permit is deemed null and void, unless an extension to this period has previously been granted by the Development Authority.
- (2) No development that has been undertaken in accordance with a Development Permit shall be used until an occupancy permit has been obtained, pursuant to the provisions under **Section 2.17** of this Bylaw.
- (3) Upon application to the Development Authority, and prior to the expiry of an approved Development Permit application, the Development Authority may grant an extension for the completion of a Development to the effective period of a Development Permit for a period that shall not exceed twelve (12) months.
- (4) When a Development Permit expires before the completion of a Development and an extension has not been granted, application for a new Development Permit is required. The new application will be reviewed and a decision issued based on the current merits of the proposed Development in relation to applicable current municipal, provincial, and federal regulations, requirements, policies, and practices. The Development Authority shall not be obliged to approve a Development Permit based on a previous approval.
- (5) In cases where a Use is discontinued, or intended to be discontinued for a period of six (6) months or more, any subsequent Use of the land or building shall comply with the provisions of this Bylaw, as amended, and shall require the issuance of a new Development Permit.

2.3 DEVELOPMENT REGULATIONS

- (1) Highway Access
 - (a) In the consideration of any development proposal for Main or Accessory Uses within any District along transportation network corridors, adequate access to highways or freeways will be an issue. Any development approval may be conditional upon the Developer providing or agreeing to being responsible for the provision of whatever access or access improvements Alberta Transportation or the County may require to any road.
- (2) Sensitive Uses
 - (a) Notwithstanding any other provision of this Bylaw to the contrary, no dwelling, nor any institutional, public or health service use, nor any other use which includes human

2.0 Development Permits, Rules, and Procedures

2.3 Development Regulations

habitation, either on a temporary or a permanent basis, shall be allowed within 800 m (2625 ft.) of any Landfill and Composting (LC) District.

(b) The Development Authority may require the submission of a storm water management plan acceptable to the County prior to considering any approval of any development.

(i) The Development Authority may require as a condition of the approval of any development that the developer provide or agree to being responsible for the provision of whatever storm water management facilities the storm water management plan may recommend.

(3) Reserves

(a) Municipal, School, Municipal and School, Environmental, and Conservation reserves shall be taken at time of subdivision pursuant to **Section 3.1** of this Bylaw, to accommodate those uses provided for in Provincial legislation that are compatible with adjacent Land Uses.

(4) Restricted Uses

(a) The Development Authority may restrict, or may be subject to special regulations or conditions of approval, uses that may produce, directly or indirectly, noise, odour, fumes, dust, smoke, unsightly appearance, or other effects that may be detrimental to other land uses adjacent or nearby a Designated Non-Residential District.

(b) No fur-bearing animals, fowl, or livestock other than domestic pets and horses other than as provided for in the Designated District may be kept on a Lot or Parcel within a Residential District, unless a Permit for a Home Occupation consistent with the provisions of this Bylaw has been issued.

(5) Approvals

(a) Approval of development within some District may be required by Provincial Regulation and, if that is the case, issuance of such permit will be a requirement for any Development Permit issued in this District.

(6) Exceptions

(a) Notwithstanding any other provision of this Bylaw to the contrary, Dwellings within non-residential Districts existing as of the date of the approval of this Bylaw may be entirely restored and/or replaced, whether or not they have been damaged by fire or other incident, and whether or not the landowner/developer merely wishes to replace the building.

(b) Notwithstanding any other provision of this Bylaw to the contrary, no more than 3 lots for residential uses may be allowed on that portion of NW 17-50-2-W4 lying to the south of Highway #16.

(c) At the discretion of the Development Authority, the height provisions of these regulations may be waived for church steeples, belfries, towers, cupolas, and similar architectural

features; flagstaffs, chimneys, elevator mechanisms and housings, water tanks, stand pipes, and similar utility structures; and radio and television towers and antennas, and similar telecommunication structures.

2.4 DECISIONS ON DEVELOPMENT PERMIT APPLICATIONS

- (1) The Development Authority shall:
 - (a) receive and review all applications for Development Permits;
 - (b) refer to the Council for its consideration and decision all Development Permit applications for significant discretionary uses within a Direct Control (DC District); and
 - (c) consider and decide on all other Development Permit applications within a Direct Control (DC District);
 - (d) consider and decide on all other applications for Development Permits;
 - (e) shall issue decisions for development applications for those uses listed in Direct Control Districts when directed to do so by Council.
- (2) The Development Authority, in making a decision on a Development Permit application for:
 - (a) A Permitted Use that conforms to the Land Use Bylaw in force at the time of application, as amended:
 - (i) may approve the application unconditionally,
 - (ii) may approve the application subject to those conditions he/she considers appropriate,
 - (iii) may approve the application permanently or for a limited amount of time, or
 - (iv) shall refuse the application, if the proposed development does not conform to the Land Use Bylaw in force at the time of application, as amended.
 - (b) A Discretionary Use, as designated in the Land Use Bylaw in force at the time of application, as amended:
 - (i) may approve the application, if it meets the requirements of this Bylaw, with or without conditions, based on the merits of the application including any approved statutory plan or approved policy affecting the site;
 - (ii) may refuse the application even though it meets the requirements of this Bylaw; or
 - (iii) shall refuse the application, if the proposed development does not conform to the Land Use Bylaw in force at the time of application, as amended.

2.0 Development Permits, Rules, and Procedures

2.4 Decisions on Development Permit Applications

- (iv) shall refuse the application, if the proposed Variance does not conform to the Land Use Bylaw in force at the time of application, as amended
- (3) The Development Authority may approve an application for a Development Permit even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, regarding the circumstances and merits of the application, in the opinion of the Development Authority:
 - (a) the proposed development would not:
 - (i) unduly interfere or disturb the order and enjoyment of the amenities of the neighbourhood; or
 - (ii) materially interfere with or affect the use, enjoyment, or value of neighbouring Parcels of land; or
 - (b) the proposed development is similar to the uses prescribed for that land or building in this Bylaw; or
 - (c) the suitability of the design, character, and appearance of the proposed development is compatible with and complementary to the surrounding properties; or
 - (d) the proposed development preserves the purpose and intent of any statutory plan adopted by the County; or
 - (e) the proposed development preserves the purpose and intent of any non-statutory plan and relevant policy adopted by the County that is applicable to that land or building in this Bylaw.
- (4) In reviewing a Development Permit application for a permitted or discretionary use, the Development Authority shall consider any technical study as may be required in **Section 2.8** and/or as prescribed in the designated Land Use District, or any of provisions made under this Bylaw, or any statutory or non-statutory plan and relevant policy adopted by the County.
- (5) A Development Permit may be issued on a temporary basis for a period specified by the Development Authority, which shall be specified on the permit. Upon the expiry of such time, the use allowed shall be discontinued and any buildings that were erected because of the Development Permit shall be removed, and the site restored to its original condition prior to the issuance of the Development Permit.
- (6) An application to extend the duration of a temporary Development Permit shall be dealt with as a new Development Permit application. There shall be no obligation to approve a Development Permit on the basis that the previous permit had been issued.
- (7) Notwithstanding any provisions or requirements of this Bylaw, the Development Authority may establish a more stringent standard for a Discretionary Use when the Development Authority deems it necessary to do so.

2.0 Development Permits, Rules, and Procedures

2.4 Decisions on Development Permit Applications

- (8) The Development Authority shall refuse a Development Permit for a Use or Development that is not listed as Permitted or Discretionary within the proposed Land Use District.
- (9) Notwithstanding **Sub-section (8) above**, in the case where a proposed Use or Development is not defined and provided for in any Land Use District in this Bylaw, the Development Authority may allow the Use or Development as a Discretionary Use, if at his/her sole discretion it is determined that the proposed Use or Development is similar in character and purpose to a defined Permitted or Discretionary Use provided for in a particular Land Use District in this Bylaw.
- (10) An application for a Development Permit shall be deemed to be refused when a decision is not made by the Development Authority within forty (40) days after receipt and acceptance of a complete application by the Development Authority, unless an agreement to extend the forty (40) day period is established between the applicant(s) and the Development Authority.
- (11) Where the development of land involves a subdivision of land, issuance of a Development Permit is subject to the provisions in **Part 3** of this Bylaw.
- (12) Notwithstanding **Sub-section (11) above**, the Development Authority may consider a Development Permit application on existing registered Lots.
- (13) The Development Authority may suspend or revoke a Development Permit:
 - (a) at any time, where the permit was issued on the basis of incorrect or inconsistent information, fraud, non-disclosure, or misrepresentation on the part of the applicant;
 - (b) if the applicant fails to comply with conditions of the approval outlined in a Development Permit;
 - (c) the conditions of approval outlined in a development cease to be complied with;
 - (d) any person undertakes, causes, or permits any Use and Occupancy or Development on a Lot or Parcel contrary to the conditions of a permit;
 - (e) the Development does not comply with the Development agreement or Restrictive Covenant;
 - (f) If, in the opinion of the Development Authority, it appears that a Development Permit has been obtained by misrepresentation, the Development Authority may suspend, revoke, or modify the Development Permit.
 - (g) if requested to do so by the applicant; or
 - (h) within 14 days of issue of the permit, where the permit was issued in error.
- (14) In the case of refusal of an application for a Development Permit, whether refused pursuant to this Part or ultimately after appeal pursuant to **Section 1.12** of this Bylaw, the Development Authority may, at his/her sole discretion, either accept or refuse the submission of another

2.0 Development Permits, Rules, and Procedures

2.4 Decisions on Development Permit Applications

application for a permit on the same Lot or Parcel of land for the same or a similar use submitted by the same or any other applicant during the six (6) months following the date of the refusal.

- (15) All development in the County, in addition to the requirements of this Bylaw, shall satisfy any other requirements of Provincial or Federal Legislation or Regulations, including, without limiting the foregoing, the Safety Codes Act and Regulations made under the Act, as well as the Water Act and the Provincial Wetland Restoration/Compensation Guide.
- (16) Conditions of Development Permits
- (a) The Development Authority may require that as a condition of issuing a Development Permit, the applicant enter into an agreement to construct or pay for the construction of roads, pedestrian walkways or parking areas which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development, to install or pay for the installation of public utilities other than telecommunications systems or works, to pay an off-site levy, and/or to give security to ensure that the terms of the agreement noted herein are carried out.
 - (b) The Development Authority may require a Developer to pay an off-site levy in respect of land that is to be developed or subdivided, in accordance with County Bylaws.
 - (c) The Development Authority shall impose as conditions those mitigation and other necessary measures required by an environmental assessment carried out pursuant to the Canadian Environmental Assessment Act to minimize any potential adverse environmental effects.
 - (d) The Development Authority shall impose as conditions those mitigation and other necessary measures considered necessary to minimize any potential impacts, based on the results technical study as may be required in **Section 2.8**, and/or as prescribed in the designated Land Use District, or any of provisions made under this Bylaw, or any statutory or non-statutory plan and relevant policy adopted by the County.
 - (e) The Development Authority shall impose conditions requiring the applicant to make satisfactory arrangements for the supply of gas, water, electric power, telephone, sewer service, vehicular, and pedestrian access and any other utility, service, or facility, including payment of installation or construction costs by the applicant.
 - (f) The Development Authority may impose a condition that the applicant enter into an agreement with the County for any of the following:
 - (i) to construct or pay for the construction or improvement of a public roadway required to give access to the development;
 - (ii) to construct or pay for the construction of a pedestrian walkway system to serve the development; or a pedestrian walkway that will connect the pedestrian

2.0 Development Permits, Rules, and Procedures

2.4 Decisions on Development Permit Applications

walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;

- (iii) to specify the location, standard, and number of vehicular and pedestrian access locations to a site from public roadways;
 - (iv) to install or pay for the installation of utilities to municipal standards necessary to serve the development;
 - (v) to construct or pay for utilities, roadways, and improvements with an excess capacity pursuant to the Act, Section 650;
 - (vi) to construct or pay for the construction of servicing and community facilities, and garbage, loading and unloading facilities; and
 - (vii) to give security to the County to ensure terms of the agreement under this **Sub-section** are carried out.
- (g) The Development Authority shall impose a condition requiring the applicant to repair or reinstate, or to pay for the repair or reinstatement, to original condition any street furniture, curbing, sidewalk, boulevard landscaping, and tree planting which may be damaged, destroyed, or otherwise harmed by the development.
- (h) The Development Authority shall impose conditions respecting the paving, fencing, and landscaping of the Lot and adjacent public roadways during and after its development including that the applicant provide security in the amount of 125% of the estimated paving, fencing, and landscaping cost, the condition of the security being that, if these works are not completed in accordance with this Bylaw and the landscaping within one (1) year after the completion of the development, then the amount fixed shall be paid to the County for its use in completing the works.
- (i) The Development Authority shall impose conditions respecting the time within which a development or any part of it is to be completed; and
- (j) The Development Authority shall impose conditions limiting the length of time that a Development Permit may continue in effect.
- (k) The County Council may impose the following conditions in a Development Permit approved by it:
- (i) any of the conditions that the Development Authority may impose in a Development Permit;
 - (ii) a condition imposing a development standard that is more restrictive or onerous than the regulations of this Bylaw, having regard to:
 - 1. the nature of the development,

2.5 Notice of Decision

2. any applicable Federal, Provincial, or Municipal legislation, including the Municipal Development Plan, any applicable statutory plan, and
 3. the provisions of this Bylaw; and
 4. any relevant caveat, easement, instrument, agreement, or other legal requirement under the Land Titles Act registered against the certificate of title.
- (iii) such other conditions as it considers appropriate to the circumstances.
- (l) The County may register a caveat in respect of an agreement under this **Section** against the Lot or Parcel that is subject of the Development Permit. The caveat may be discharged when the agreement has been complied with.

2.5 NOTICE OF DECISION

- (1) Within five (5) working days after a decision on a Development Permit application, the Development Authority Officer shall send a notice by regular mail of the decision to the applicant and post a notice in a place available to public view in the County office, indicating the disposition of the application. Mailing the notice is not required when an applicant picks up a copy of the decision.
- (2) In addition to **Sub-section (1) above**, within five (5) working days after a decision on a Development Permit application for a discretionary use or after a Variance has been granted, the Development Authority Officer shall:
 - (a) mail a notice in writing to all adjacent landowners and any other landowners who, in the sole opinion of the Development Authority, may be affected, to provide notice of the decision and right of appeal;
 - (b) publish a notice of the decision in a newspaper circulating in the municipality stating the legal description of the property, municipal address of the application, nature of the approved development, and right of appeal; and
 - (c) when the Lot on which the approved Development Permit is located within a multi-Lot country residential subdivision, mail a notice in writing to all owners of Lots within that multi-Lot country residential subdivision stating the legal description of the property, municipal address of the application, nature of the approved development, and right of appeal.
- (3) Notice of a decision on a Development Permit application shall be sent by electronic means if:
 - (a) The applicant has consented to receive documents by electronic means and has provided an email address, website or other electronic address in their application for this purpose; and
 - (b) It is possible to make a copy of the document from the electronic transmission.

2.6 Developer Responsibilities

- (c) A document sent by electronic means is considered to have been received seven (7) days after it was sent.
- (4) When the Development Authority refuses an application for a Development Permit, the decision shall contain reasons for the refusal, the period within which an appeal can be made, and to whom the applicant may appeal, if so desired.
- (5) Development Permit appeals are subject to the provisions under **Section 1.12** of this Bylaw.

2.6 DEVELOPER RESPONSIBILITIES

- (1) A person to whom a Development Permit has been issued shall obtain from the appropriate authority where applicable, permits relating to building, grades, sewers, sanitary and storm water disposal, water mains, electricity, and all other permits required in connection with the proposed development.
- (2) Obtain and maintain in good standing provincial licensing or authorization that may be required, as applicable under the provisions of the *New Home Buyer Protection Act*.
- (3) The holder of a valid Development Permit is:
 - (a) responsible for ensuring compliance with any Regulation, Bylaw, Act, or Agreement, which may affect the proposed project.
 - (b) financially responsible during construction for any damage by the applicant, his/her servants, suppliers, agents, or contractors to any public or private property.
 - (c) responsible of preventing excess soil or debris from being spilled on public road allowances, streets, lanes, sidewalks, and adjacent private properties.
 - (d) responsible to provide for appropriate fire protection measures in an application for Development, Subdivision, a Site Development Plan, or an Area Structure Plan.
 - (e) responsible for ensuring that no building or use is used, occupied or continued to be used or occupied; and that no change in the existing occupancy classification of a building takes place, continues or is allowed to take place or continue until the Developer, proposed user, or proposed occupant of said development, building is issued a Use and Occupancy Permit.

2.7 DEVELOPMENT NOT REQUIRING A PERMIT

- (1) The following development shall not require a Development Permit:
 - (a) the carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation that would require a building permit;

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2.7 Development Not Requiring a Permit

- (b) the completion of a building, which was lawfully under construction at the date of the first publication of the notice required by the Act, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of the first publication of the notice;
- (c) the use of any such buildings as referred to in paragraph (b) above for the purpose for which construction was commenced;
- (d) the erection, construction, or maintenance, improvement or alteration of gates, fences, or walls or other means of enclosure, unless the gate, fence, wall, or other means of enclosure exceeds the regulations indicated in **Sub-section 4.5(13)** of this Bylaw. Including the maintenance, improvement, and other alterations of any gates, fences, or walls, or other means of enclosure, unless the fencing material is razor wire. An approved Development Permit shall always be necessary before razor wire can be used as a fencing material;
- (e) a temporary building or sign, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw;
- (f) the maintenance and repair of public works, services, and utilities carried out by or on behalf of federal, provincial, and municipal public authorities on land which is publicly owned or controlled;
- (g) on Parcels of land exceeding 32 ha (80 ac.) used for farming and not intensive agriculture or a confined feeding operation, the construction of accessory farm uses such as corrals and game fences, but not including residences, machine shops, barns, granaries, dugouts, or similar developments or any proposed development within 40 m (134 ft.) of the centre line of a County Road or within the setbacks established in **Section 4.6** of this Bylaw;
- (h) a building or structure with a gross floor area of under 13.5 square metres (145 sq. ft.) which is not on a permanent foundation.
- (i) construction with a total value of under \$3,500.00, including the nominal value of labour;
- (j) a deck or patio provided that no construction occur above 1.0 metre (3.3 ft.) in height above grade;
- (k) grading and/or landscaping, not including the removal of top soil, where the proposed grades will not adversely affect the drainage of the subject or adjacent Lots or Parcels of land, including the hard-surfacing of part of a Lot in a Residential District for the purposes of providing vehicular access from a road to an attached or detached garage or carport, provided that such hard-surfacing does not exceed 7.5 m (24.6 ft.) in width; except on lands affected by an Intermunicipal Development Plan;
- (l) a home occupation which complies with all of the regulations of this Bylaw;

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2.7 Development Not Requiring a Permit

- (m) the erection of campaign signs for federal, provincial, municipal or school board elections on privately-owned Lots for no more than thirty (30) days, or such time as regulated under provincial or federal legislation provided that:
 - (i) such signs are removed within seven (7) days after the election date,
 - (ii) such signs do not obstruct or impair vision or traffic,
 - (iii) such signs are not attached to fences, trees, or utility poles; and
 - (iv) such signs indicate the name and address of the sponsor and the person responsible for removal;
 - (n) the placement of one (1) sign on internal sites, or two (2) signs on corner sites advertising a residential property for sale or rent displayed on the property to which it (or they) pertain(s) during the time the property is being offered for sale or rent, with removal to be within one (1) month after the sale or rental agreement has been entered into, provided that such signs are a maximum of 0.6 m² (6.5 sq. ft.) in area and provided further that such signs are placed or erected no closer than 3.0 m (9.8 ft.) to a road right-of-way;
 - (o) development within a basement which does not change or add to the uses within a dwelling;
 - (p) the development of land for a confined feeding operation or a manure storage facility if the confined feeding operation or manure storage facility is the subject of an approval, registration or authorization under the Agricultural Operation Practices Act;
 - (q) the demolition or removal of any building or structure for which erection a Development Permit would not be required pursuant to Sub-sections (d) through (j) above, both inclusive.
- (2) Notwithstanding any other provision in **Section 2.2**, the Development Authority may, at its sole discretion, waive the requirement for a Development Permit for:
- (a) Buildings accessory to extensive agriculture less than 600 sq. ft; or
 - (b) Sea Cans within the Agricultural (A) District on Parcels or Lots greater than 2.02 ha (5.0 ac); or
 - (c) if after reviewing the Development Permit application, it is determined by the Development Authority that the proposed development will not:
 - (i) materially interfere with the amenities of, or change the character of the area;
 - (ii) materially interfere with or affect the use and enjoyment of adjacent properties;
 - (iii) adversely impact the environment;

- (iv) result in excessive demand on municipal services, utilities and road access; and
- (v) will comply with all regulations in this Land Use Bylaw, including regulations in the applicable District, unless a Variance has been granted by the Development Authority.

2.8 DEVELOPMENT PERMIT APPLICATIONS REQUIREMENTS

- (1) All applications for a Development Permit shall be submitted to the Development Authority in writing, on the corresponding application form provided by the municipality and must be fully completed and signed by the applicant and registered owner(s).
- (2) A fee as established by Council shall accompany each application for a Development Permit. This fee may vary dependent on whether a Development Permit application has followed an enforcement action pursuant to **Section 1.14** of this Bylaw.
- (3) Development Permit Applications will only be processed when it is completed in its entirety. In order for an application to be considered complete, all required items, AND any applicable additional supportive information either requested when making an application or during the process of reviewing an application, must be submitted to the satisfaction of the Development Authority.
- (4) The Development Authority must, within twenty (20) days after the receipt of the application for a Development Permit, determine whether the application is complete. This time period may be extended by an agreement in writing between the applicant and the Development Authority.
- (5) If the Development Authority does not make a determination referred to in **Sub-section 2.8(4)** above, within the time required, the application is deemed to be complete.
- (6) A written notice must be issued to the applicant for the following:
 - (a) Acknowledgement that the application is complete.
 - (b) Acknowledgement that the application is incomplete, and request of any outstanding documents and information referred to in the notice must be submitted by the date set out in the notice or a later date agreed on between the applicant and development authority, in order for the application to be considered complete.
 - (c) Acknowledgment that the application is complete if the Development Authority determines that the information and documents submitted under Sub-section (b) are completed.
 - (d) Acknowledgement that the application is deemed refused if the application fails to submit all the outstanding information and documents on or before the date referred to in Sub-section (b).

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- (7) Despite the Development Authority issuing an acknowledgement that an application is complete, during the course of review the Development Authority may request any additional information it considers necessary during the decision making process.
- (8) Required items for an application may include:
 - (a) at the discretion of the Development Authority, a public participation summary pursuant to **Section 2.14** of this Bylaw.
 - (b) Copy of provincial licensing or authorization, as applicable under the provisions of the *New Home Buyer Protection Act*.
 - (c) if applicable, a business registration form;
 - (d) a site plan, to scale, showing the legal description; north arrow; municipal address; location and dimensions of property lines; existing utility rights-of-way and easements; fences; driveways; paved areas; proposed front, rear, and Side Yards, if any; any provisions for off-street loading and Vehicle parking; access and egress points to the site; and any encumbrance such as rights-of-way;
 - (e) existing and proposed building dimensions, to scale, including, but not limited to, the house, garage, decks and any covered structures such as car ports;
 - (f) the type and location of water supply and sewage and waste water disposal facilities;
 - (g) a statement of existing and proposed uses;
 - (h) a statement of ownership of the land and the interest of the applicant therein;
 - (i) the signatures of at least one of the registered landowners listed on the Certificate of Title;
 - (j) the estimated commencement and completion dates;
 - (k) the estimated cost of the project or contract price;
 - (l) an application fee as established by resolution of Council;
 - (m) written consent from the registered owner authorizing the right-of-entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed development;
 - (n) information on abandoned oil and gas wells as required by the Subdivision and Development Regulation and ERCB Directive 079;
 - (o) floor plans, elevations, and sections of any proposed buildings;
 - (p) drainage, grading and landscaping plans which provide pre- and post-construction site elevations;

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- (q) a mitigation plan detailing how vegetation, topography disturbance, erosion, or any impacts due to development are to be minimized;
 - (r) in the case of an application for a Development Permit on Crown Land, Provincial authorization for the development; and
 - (s) any other information as required by the Development Authority.
- (9) The Development Authority may also require additional supportive information in order to assess the conformity of a proposed development with this Bylaw before consideration of the Development Permit application shall commence. Such information may include:
 - (a) a Real Property Report, or other documentation indicating the exact location of all structures on the property (prepared within the last five (5) years, in a form that is acceptable to the Development Authority;
 - (b) a storm water management plan approved by Alberta Environment and Sustainable Resource Development (or other appropriate provincial authority);
 - (c) a certified geotechnical report prepared, stamped and signed by a qualified professional registered in the Province of Alberta in potentially hazardous or unstable areas;
 - (d) a certified biophysical assessment prepared, stamped and signed by a professional registered in the Province of Alberta, on the impacts of the proposed development on wildlife habitat or natural environments;
 - (e) a reclamation plan for aggregate extraction or site grading and excavation;
 - (f) an environmental assessment to determine potential contamination and mitigation;
 - (g) in the case of the placement of an already constructed or partially constructed building on a Lot or Parcel of land, information relating to the age and condition of the building and its compatibility with the District in which it is to be located;
 - (h) for subdivisions adjacent to water bodies and watercourses, an engineering and/or geotechnical study to determine an adequate setbacks based on soil conditions and slope stability prepared, stamped and signed by a registered professional engineer or hydro-geologist, registered in the Province of Alberta.
 - (i) an environmental impact assessment describing a development's potential environmental effects;
 - (j) a cumulative effects assessment prepared, stamped and signed by a professional, registered to practice in the Province of Alberta, describing a development's potential cumulative effects;
 - (k) the identification of all rights-of-way and easements within or abutting the subject property; and/or

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- (l) any additional information as the Development Authority deems necessary.
- (10) When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a Development Permit, the Development Authority may, at its sole discretion, either return the application to the applicant for further details or make a decision on the application with the information it has available. An incomplete application shall be deemed to not have been submitted until all required details have been provided to the satisfaction of the Development Authority.
- (11) In the case of an application for a Development Permit on Crown Land, the County will require Provincial authorization prior to the issuance of a Development Permit.
- (12) The Development Authority may make a decision on an application for a Development Permit notwithstanding that any information required or requested has not been submitted.
- (13) Industrial Development Permit Application Requirements
 - (a) In addition to the application requirements indicated in **Sections (1)-(12) above**, and prior to considering an application complete, each application for industrial development shall be accompanied by the following information and any additional supportive information required by the Development Authority:
 - (i) at the discretion of the Development Authority, a public participation summary pursuant to **Section 2.14** of this Bylaw.
 - 1. business registration form;
 - 2. type of industry;
 - 3. estimated number of employees;
 - 4. estimated water demand and anticipated source;
 - 5. estimated gas demand and anticipated source;
 - 6. type of effluent and method of treatment;
 - 7. type of air emissions and method of abatement;
 - 8. estimated noise generated by the development and method of abatement;
 - 9. estimated light generated by the development and (if necessary) method of abatement;
 - 10. transportation routes to be used and estimated traffic impact,
 - 11. reason for specific location;
 - 12. means of solid waste disposal;

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13. any accessory works required (pipeline, railway spurs, power lines, etc.);
14. anticipated residence location of employees;
15. municipal servicing costs associated with the development;
16. physical suitability of site with respect to soils, slopes and drainage;
17. if a subdivision is involved, the size and number of Lots and proposed phasing of development (if any);
18. servicing requirements and provisions for meeting them;
19. costs associated with providing new or upgraded municipal services associated with the development, and/or
20. any other information as may be reasonably required by the Development Authority.

(14) Commercial & Recreation Development Permit Application Requirements

(a) In addition to the application requirements indicated in **Sections (1)-(12) above**, each application for a commercial or recreation developments shall be accompanied by the following information and any additional supportive information required by the Development Authority:

- (i) at the discretion of the Development Authority, a public participation summary pursuant to **Section 2.14** of this Bylaw.
- (ii) business registration form;
- (iii) physical suitability of site with respect to soils, slopes and drainage;
- (iv) the size and number of Lots and proposed phasing of development (if any);
- (v) servicing requirements and provisions for meeting them;
- (vi) estimated water demand and anticipated source;
- (vii) estimated gas demand and anticipated source;
- (viii) type of effluent and method of treatment;
- (ix) type of air emissions and method of abatement;
- (x) estimated noise generated by the development and method of abatement;
- (xi) estimated light generated by the development and (if necessary) method of abatement;

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- (xii) costs associated with providing new or upgraded municipal services associated with the development;
- (xiii) the requirements and provisions for employee and customer parking and for site access;
- (xiv) a landscaping plan;
- (xv) cross-sections and elevations for each building;
- (xvi) a list of proposed uses;
- (xvii) transportation routes and estimated traffic impact; and/or
- (xviii) any other information as may be reasonably required by the Development Authority.

(15) Resource Extraction Development Permit Application Requirements

- (a) In addition to the application requirements indicated in **Sections (1)-(12) above**, the Development Authority shall require, where not required to do so by the Province, that each application for a Development Permit for resource extraction development be accompanied by the following information and any additional supportive information deemed necessary by the Development Authority:
 - (i) at the discretion of the Development Authority, a public participation summary pursuant to **Section 2.14** of this Bylaw.
 - (ii) if applicable, a business registration form;
 - (iii) a reclamation plan and a statement indicating the projected final use of the site. In those cases where the proponent is required to do so by the Province, the proponent shall submit a copy of the reclamation plan to the County;
 - (iv) for Class I Pits on Private Land under 5 ha. (12.5 ac.) in area: proof of approval from Alberta Environment and Sustainable Resource Development;
 - (v) for Class II Pits on Private Land under 5 ha. (12.5 ac.) in area: a reclamation deposit in the amount of \$2,000 per acre for each acre of working pit;
 - (vi) statement indicating the number of years the pit is proposed to be in operation;
 - (vii) anticipated generation of motor Vehicle traffic estimated on a daily, weekly or monthly basis;
 - (viii) number of Vehicles that will be used in the hauling of materials and the proposed hauling route to and from the site;

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- (ix) type and number of equipment to be used for each activity to be carried out on the site;
- (x) access locations to and from the site, including roads and highways, and anticipated traffic generation on each of the roads and highways resulting from the development;
- (xi) dust control measures to be implemented, including the suppressant materials or methods to be used either on the pit floor and on stockpiles as well as the proposed frequency of application;
- (xii) projected impacts of dust or emissions (asphalt, gravel crushing, concrete or other) and the methods to be used for controlling such dust or emission;
- (xiii) proposed frequency for cleaning settled dust from, in and around gravel crushing plants;
- (xiv) provisions for loading and parking;
- (xv) descriptions of any noxious, toxic, radioactive, flammable or explosive materials to be stored or used on the site;
- (xvi) location of garbage and storage areas and proposed fencing and screening for the same, as well as the proposed method for disposing of garbage;
- (xvii) provision of a written security plan that identifies potential dangerous situations, area and typical procedures to be used for monitoring the site during periods of activity and also when activity on the site is suspended;
- (xviii) proposed methods to be used to restrict public access, protect wildlife, neighbouring livestock and domestic animals;
- (xix) quality and quantity of well water and soil tests for the water systems that may be used in conjunction with the proposed development;
- (xx) amount of water required for the proposed development on a daily, weekly or monthly basis and the proposed water source;
- (xxi) engineering studies which demonstrate the suitability of the proposed method of water supply;
- (xxii) engineering studies which demonstrate the suitability of the proposed method of effluent disposal;
- (xxiii) engineering studies which demonstrate the suitability of the proposed method of surface water management;

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(xxiv) method proposed for controlling noise, dust and drainage from the site both during and after completion of the operation;

(xxv) profiles and cross sections showing the original ground level, the proposed depth of any excavation, the finished grade elevation, the depth of the over-burden and water table elevations;

(xxvi) the method intended to be used for excavation of the materials contained within the land, backfilling, terracing, compacting, leveling, reclaiming the site and equipment to be used in connection therewith;

(xxvii) the method to be used for supporting pit walls;

(xxviii) size, number and location of stockpiles of topsoil, overburden and gravel;

(xxix) proposed days and hours of operation for each activity and any known or regularly anticipated periods of inactivity; and

(xxx) if the proposal is located within the heritage overlay area, then a Historic Resource Impact Assessment and/or clearance from the Alberta Culture and Community Spirit.

(b) Without limiting the requirements of the Development Authority, the proponent will also be required to enter into:

(i) a haul road agreement with the County; and

(ii) a development agreement with the County.

(16) Excavation and Stripping of Land and/or Stockpiling of Materials Development Permit Application Requirements

(a) In addition to the application requirements indicated in **Sections (1)-(12) above**, the Development Authority shall require each application for the excavation, stripping or grading of land proposed without any other development on the same land, to be accompanied by the following information and any additional supportive information deemed necessary by the Development Authority:

(i) at the discretion of the Development Authority, a public participation summary pursuant to **Section 2.14** of this Bylaw.

(ii) if applicable, a business registration form;

(iii) location and area of the site where the excavation is to take place;

(iv) the type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the site;

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- (v) the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
 - (vi) identification of potential for outdoor noise and the discharge of substances into the air;
 - (vii) a reclamation plan including information regarding the condition in which the site is to be left when the operation is complete, the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the site; and
 - (viii) potential long-term costs of new or upgraded municipal services associated with the development.
- (b) In addition to the information requirements indicated in **Sections (1)-(12) above**, the Development Authority shall require each application for the stockpiling of any material proposed, with or without any other development on the same land, to be accompanied by the following information and any additional supportive information deemed necessary by the Development Authority:
- (i) at the discretion of the Development Authority, a public participation summary pursuant to **Section 2.14** of this Bylaw.
 - (ii) if applicable, a business registration form;
 - (iii) location and area of the site where the stockpiling of material is to take place;
 - (iv) the type of materials to be stockpiled on the site;
 - (v) the anticipated height of all stockpiles;
 - (vi) statement indicating the number of years the pit is proposed to be in operation;
 - (vii) anticipated generation of motor Vehicle traffic estimated on a daily, weekly or monthly basis;
 - (viii) number of Vehicles that will be used in the hauling of materials and the proposed hauling route to and from the site;
 - (ix) type and number of equipment to be used for each activity to be carried out on the site;
 - (x) access locations to and from the site, including roads and highways, and anticipated traffic generation on each of the roads and highways resulting from the development;
 - (xi) provisions for loading and parking;

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- (xii) descriptions of any noxious, toxic, radioactive, flammable or explosive materials to be stored or used on the site;
- (xiii) engineering studies which demonstrate the suitability of the proposed method of surface water management for the stockpiling of snow;
- (xiv) method proposed for controlling noise, dust and drainage from the site both during and after completion of the operation;
- (xv) a reclamation plan including information regarding the condition in which the site is to be left when the operation is complete, the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the site; and
- (xvi) potential long-term costs of new or upgraded municipal services associated with the development.

(17) Alternative Energy Systems Development Permit Application Requirements

- (a) In addition to the application requirements indicated in Sections (1)-(12) above, and Section 5.31 applicable regulations regarding towers, the Development Authority shall require each application for a Wind Energy Conversion System to be accompanied by the following information and any additional supportive information deemed necessary by the Development Authority:
 - (i) at the discretion of the Development Authority, a public participation summary pursuant to **Section 2.14** of this Bylaw.
 - (ii) if applicable, a business registration form;
 - (iii) a fully dimensioned and scaled site plan showing and labeling information including the location of overhead utilities on or abutting the subject site, contours of the land and access roads;
 - (iv) a visual representation including scale elevations, photographs and/or digital information of the proposed alternative energy system showing total height, components height, diameter, colour, and the landscape;
 - (v) any impacts to the local road system including required approaches from public roads having regard to County standards;
 - (vi) a preliminary reclamation/decommissioning plan; and
 - (vii) appropriate reports and/or approvals from relevant agencies and organizations, including:
 - 1. Safety Codes Council

2. Alberta Utilities Commission
3. Transport Canada
4. NavCanada
5. Alberta Energy
6. Alberta Environment and Sustainable Resource Development

2.9 DWELLING UNITS AND MAIN BUILDINGS ON A LOT OR PARCEL

- (1) The number of dwelling units or main buildings permitted on a single Lot or Parcel within any Land Use District shall not exceed one (1), including Agricultural Lots or Parcels.
- (2) Notwithstanding the provisions of **Sub-section (1) above**, the development authority may issue a Development Permit for the construction or location of more than one (1) dwelling unit or main building on a Lot:
 - (a) if additional dwelling units or main buildings are a Permitted or Discretionary Use within the applicable Land Use District and the second or additional Dwelling Unit or Main Building:
 - (i) is placed in a way that conforms to the historically precedent religious and/or cultural practices and/or settlement pattern of the applicant(s); or
 - (ii) is a building as defined in the Condominium Property Act that is the subject of an approved condominium plan registered in the Land Titles Office; or
 - (iii) is contained in a building that, or in buildings each of which, are designed for or divided into two (2) or more dwelling units, subject to an approved strata plan registered in the Land Titles Office; or
 - (iv) is a Surveillance Suite as defined in this Bylaw;
 - (v) is a temporary building or use as defined in this Bylaw;
 - (vi) is a Secondary Dwelling or Secondary Suite as defined in this Bylaw and meets the requirements for such developments within the Designated District as established in this Bylaw.
- (3) Notwithstanding the provisions of **this Section**, a second or additional dwelling shall be allowed on a Lot or Parcel when the additional dwelling is a manufactured home located within a Manufactured Home Community, in accordance with the provisions of **Sub-section 6.3.7** of This Bylaw.

2.10 Existing Substandard Lots

- (4) Notwithstanding the provisions of **Sub-sections (1), (2), and (3) above**, where provided for in this Land Use Bylaw, the location of a second or additional Single-Detached Dwelling or Main Building shall be in a manner such that the additional dwelling or main building could be subdivided from the balance of the Lot or Parcel in the future with each dwelling being on a separate Lot or Parcel, having its own yards and access, or joint access agreement, or parking agreement, all in compliance with this Bylaw.

2.10 EXISTING SUBSTANDARD LOTS

- (1) The Development Authority may consider development to take place on existing substandard Lots.
- (2) When the Development Authority deems the development of a substandard Lot feasible, the development will be required to comply with the Alberta Safety Codes Act and any other Provincial legislation or regulations.

2.11 EXPIRED PERMITS AND DISCONTINUED USES

- (1) When a Development Permit expires, a new application is required. The new application will be reviewed and a decision issued based on the current merits of the proposed development in relation to current municipal, provincial, and federal regulations, requirements, policies, and practices. The Development Authority shall not be obliged to approve a Development Permit based on a previous approval.
- (2) In cases where a Use or Occupancy is discontinued, or intended to be discontinued for a period of six (6) months or more, any subsequent Use or Occupancy of the land or building shall comply with this Bylaw and shall require a new Development Permit and a new Use and Occupancy Permit to be issued.

2.12 NON-CONFORMING BUILDINGS AND USES

- (1) A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with this Bylaw.
- (2) A non-conforming use of part of a Lot may not be exceeded or transferred in whole or in part to any other part of the Lot, and no additional buildings may be constructed upon the Lot while the non-conforming use continues.
- (3) A non-conforming use of part of a building may be extended throughout an existing building while the building, whether or not it is a non-conforming building, may not be enlarged or added to, and no structural alterations may be made thereto or therein to accommodate a non-conforming use.
- (4) Notwithstanding **Section (3) above**, a non-conforming building may be enlarged, added to, rebuilt or structurally altered solely for the purpose of:

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- (a) making it a conforming building,
 - (b) the routine maintenance of the building, if the Development Authority considers such measures necessary, or
 - (c) in accordance with the powers possessed by the Development Authority pursuant to the Act and **Section 1.11(1)** of this Bylaw to approve a Development Permit notwithstanding any non-compliance with the regulations of this Bylaw.
- (5) Pursuant to the Act, a Development Permit continues in effect, when:
 - (a) on or before the day on which this Bylaw or any Bylaw for the amendment thereof comes into force, a Development Permit has been issued; and
 - (b) the enactment of the Bylaw would render the development in respect of which the permit was issued a non-conforming use or non-conforming building;
- (6) If a non-conforming building is damaged or destroyed to the extent of more than seventy-five (75%) percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- (7) The use of land or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

2.13 POWERS OF VARIANCE

- (1) In addition to the application requirements of **Section 2.8**, when an application for a Development Permit is submitted for a Permitted or Discretionary Use that does not comply with the provisions of this Land Use Bylaw; with respect to District regulations or standards, structure size, or location on the Lot or Parcel; a property owner may submit an application for a Variance from the Bylaw requirement to the Development Authority.
- (2) All applications for a Variance permit shall be submitted to the Development Authority in writing, on the application form provided by the municipality, which must be fully completed and signed by the applicant and registered owner(s).
- (3) A fee as established by Council shall accompany each application for a Variance permit. This fee may vary dependent on whether the Development Permit application in connection to a Variance request has followed an enforcement action pursuant to **Section 1.14** of this Bylaw.
- (4) Variance Request Approvals.
 - (a) Minor Variances may be approved at the discretion of the Development Authority.
 - (b) The Development Authority, at its sole discretion, may refer to Council for approval requests for Major Variances.
 - (c) Major Variances may require a circulation of the application to adjacent Property Owners.

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- (d) Any Variance request that will require an amendment to the Land Use Bylaw is subject to approval by County Council.
- (5) Development Permit applications with Variances are evaluated and considered on a case-by-case basis. A request for a Variance does not guarantee its approval in whole or in part.
- (6) The Development Authority may permit a Variance of less than ten percent (10%) to the Lot coverage, building height, and setbacks for all structures without processing a Variance application.
- (7) The Development Authority may allow a Variance in regards to front, rear and Side Yard setbacks, Lot area, Lot coverage, Lot width, building height, landscaping, and parking requirements of up to 20% without notifying the adjacent/affected landowners.
- (8) The Development Authority must notify the adjacent/affected landowners of any Development Permit application requesting a Variance exceeding 10% of the Land Use Bylaw regulations or standards. In addition, provide two (2) weeks for the landowners to submit written comments. If no comments are received in this time, the Development Authority may conclude that there are no objections to the Variance.
- (9) Any Development Permit requiring a Variance to Yard setbacks, Lot area, Lot coverage, Lot width, building height, landscaping, and parking requirements greater than fifty percent (50%) is subject to approval by the County Council, a circulation of the application to adjacent property owners, and a public hearing before a decision can be made.
- (10) The Development Authority may grant a Variance on a Development Permit application, if it can be shown that compliance with the Bylaw is unreasonable and causes undue hardship. The burden to prove undue hardship is that of the applicant.
- (11) Before the granting of a Variance, it must be demonstrated that every other option available for compliance has been sought first.
- (12) When Variances are granted, the Variance will be for no more than the minimum adjustment required to resolve the problem. For example, if an applicant is asking for a setback Variance (which meets all the criteria required by law) of 3 meters (10 ft), and the problem could be corrected by a 1.5 meter (5 ft) Variance, only a 1.5 meter (5 ft) Variance will be granted.
- (13) A Variance shall be considered only in cases of undue hardship or practical difficulties particular to the character of situation of land or building, which is not generally common to other lands in the same Land Use District.
- (14) Variances cannot be granted to allow a use that is not already permitted within the land use District nor can a Variance be used to provide relief from a self-induced hardship or be based solely on economic hardship.
- (15) The Development Authority cannot vary use and density provisions. If a proposed development does not conform to the use and density requirements within the applicable

2.13 Powers of Variance

district, then an application for a Variance Request Permit and a Land Use Bylaw amendment will be required prior to development approval.

- (16) A Variance may only be granted if, in the opinion of the Development Authority:
- (a) The proposed Variance would not result in a development that will:
 - (i) unduly interfere with the amenities of the neighbourhood;
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring Parcels of land; and
 - (iii) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
 - (b) The building site has irregular Lot Lines creating an odd shape, is a substandard Lot, or has Development Constraints that may create difficulties in locating a structure within the required setbacks, in which case the Development Authority may permit the development and vary the setback or average the setbacks; and/or,
- (17) Variance Request Applications for Minor or Major Variances must be accompanied by the following:
- (a) a complete Variance Permit Request application form.
 - (b) a complete Development Permit application, including receipt of applicable fees.
 - (c) the applicable Variance Request Application fee.
 - (d) Variance Permit Request Site plan checklist, including landscape and parking areas.
 - (e) Elevation drawings.
 - (f) Any other supporting documents as requested by the Development Authority.
- (18) In addition to the provision of this **Section 2.13**, when considering a Variance the Development Authority shall:
- (a) not grant a Variance that would infringe the Airport regulations; and
 - (b) have regard to the purpose and intent of the Land Use District and the nature of developments on adjacent properties.
- (19) The Development Authority shall specify the nature of the decision on a Variance Permit Request application in the Variance Permit approval and the Development Permit approval.
- (20) Any Variance approved is subject to **Sub-sections (5) and (6) above**.

2.14 Public Participation Requirements

- (21) Variance requirements for signs shall be in accordance with the provisions on **Section 4.20** of this Bylaw – Sign Regulations.

2.14 PUBLIC PARTICIPATION REQUIREMENTS

- (1) Applicants for a Development Permit are encouraged to apply suitable methods ensure that citizens and the parties or organizations that could be affected by a decision on their development are provided with the opportunity to provide their comments. The method used will vary depending on the specific development, and may include, but are not limited to public notices, comment periods, workshops, charrettes, public hearings, newsletters, surveys and media releases, or any other mechanism for public participation currently provided for in County bylaws or policies and the Municipal Government Act and Regulations, as amended.
- (2) In addition to the application requirements indicated in **Section 2.8**, each application for discretionary use is encouraged to seek public input through appropriate techniques as outlined in **Sub-section (1) above**.
- (3) In addition to the information requirements indicated in **Section 2.8**, each application for considerable discretionary uses may be required to seek public input through appropriate techniques as outlined in **Sub-section (1) above**.
- (4) Where, in the opinion of the Development Authority, a proposed development will have a significant impact on surrounding properties, the Development Authority may require the applicant to hold a public open house to inform affected residents and landowners of the proposed development.
- (5) In addition to the requirements in **Sub-sections (1), (2), (3), and (4) above**, and prior to considering an application complete, the applicant shall provide a written summary, prepared to the Development Authority's satisfaction, which indicates the type of public participation process employed. The summary shall contain all the materials distributed along with any comments received during the process, and how the public input has been incorporated, or not, into the development and the reasons for it.

2.15 REFERRAL OF APPLICATION

- (1) Historical or archaeological sites identified as Historic Resource Value pursuant to the Alberta Historical Resources Act shall be protected in accordance with Provincial legislation and regulations.
- (2) In addition to any sites identified in **Sub-section (1) above**, an application for a Development Permit within the County that may, in the opinion of the Development Authority, impact on or is proposed to be located in any Historic Resource Value site, will require that project details be provided to Alberta Culture and Tourism in a Historic Resources Application submitted through the Online Permitting and Clearance (OPaC) system for approval.

2.0 Development Permits, Rules, and Procedures

2.16 Two or More Land Use Districts on a Lot or Parcel

- (3) Development Permit applications within 800.0 m (2625.0 ft.) of the Right-Of-Way of a highway may, at the discretion of the Development Authority, be referred to Alberta Transportation for comments prior to a Development Permit being issued.
- (4) Development proposals may be circulated to adjacent municipalities and / or federal and provincial agencies for comment prior to any consideration for approval. The comments from adjacent municipalities will be carefully considered by the Development Authority; however, the Development Authority will not be bound by the municipality's comments or recommendations.
- (5) All subdivision proposals and all Development Permit applications for significant discretionary uses within 3.2 km (2.0 miles) of adjacent municipalities shall be referred to the adjacent municipality for comment prior to a Development Permit being issued or a subdivision being approved.
- (6) Development Permit applications for uses within 3.2 km (2.0 miles) of a confined feeding operation may be referred to the County Agricultural Fieldman for comments and for assistance in calculating any necessary development setback distance.
- (7) The Development Authority may refer any application for a Development Permit prior to making a decision on the application to any other person, agency, or organization as deemed necessary or suitable by the Development Authority.
- (8) Application Referral Development proposals may be circulated to adjacent municipalities and / or federal and provincial agencies for comment prior to any consideration for approval. The comments from adjacent municipalities will be carefully considered by the Development Authority; however, the Development Authority will not be bound by the municipality's comments or recommendations.

2.16 TWO OR MORE LAND USE DISTRICTS ON A LOT OR PARCEL

- (1) Where a Lot or a Parcel of land contains more than one Land Use District, each land use area shall be treated as a separate entity in determining compliance with the provisions of the Land Use District. Where designation does not follow a property line, the applicant shall provide the dimensions of each land use area on a site plan.
- (2) Where a Land Use District boundary is uncertain, it shall be located based on the following:
 - (a) the municipal boundaries; or
 - (b) the edge of a property line or Parcel boundary; or
 - (c) the edge, shoreline, or high water mark of a river, lake, or other water body, or a topographic contour line, or a top of bank line. In the event of change in a line, the Land Use District boundary shall continue to align with the edge or shoreline; or
 - (d) the centre line of a road, lane, railway, pipeline, power line, utility Right-Of-Way, or easement.

2.17 Use and Occupancy Permit Requirements

- (3) Where a Land Use District boundary is shown to be generally parallel to or, as an extension to any of the features listed above, it shall be considered as such.
- (4) Where the Land Use District boundary is in dispute, its location shall be determined by the Development Authority on the basis of the scale of the Land Use Maps.
- (5) Where the Development Authority is unable to determine a Land Use District boundary or overlay boundary by applying the above provisions, they shall fix the boundary in doubt or dispute in a manner otherwise consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as circumstances require. The decision of the Development Authority may be appealed to the Subdivision and Development Appeal Board.

2.17 USE AND OCCUPANCY PERMIT REQUIREMENTS

- (1) No development, building, or use, in addition to complying with a Development Permit, shall be used or occupied and no change in the existing occupancy classification of a building shall be made until an Use and Occupancy Permit has been issued in accordance with the occupancy or use stated on the permit application.
- (2) Failure to obtain a Use and Occupancy Permit prior to occupancy will constitute a contravention of this Land Use Bylaw and may result in penalties being imposed pursuant to **Section 1.14** herein and/or issuance of an order to vacate.
- (3) The landowner, Developer, and/or applicant shall submit a complete application for a Use and Occupancy Permit to the Development Authority.
- (4) To be deemed complete, Use and Occupancy Permit Applications must be accompanied by the following:
 - (a) A copy of a Final Building Inspection Report, issued by a Safety Codes Officer, not more than six (6) months before the date on the permit application.
 - (b) Copies of Permit Services Reports indicating that all disciplines are compliant, issued by a Safety Codes Officer.
 - (c) The Development Authority shall issue an Occupancy Permit on the prescribed form, if satisfied that:
 - (i) The development has been completed in accordance with the approved plans and Development Permit,
 - (ii) The development will, subject to such conditions as may be appropriate in the circumstances, be completed in accordance with the approved plans and Development Permit.

2.18 Validity of Development Permits

- (5) An incomplete Use and Occupancy Permit application shall be deemed to not have been submitted until all required details have been provided to the satisfaction of the Development Authority.
- (6) A Use and Occupancy Permit application shall not be issued until all required inspections are completed and acceptable to the Safety Codes Officers involved.
- (7) After the Safety Codes Officer inspects the building or structure and finds no violations of the provisions of Alberta Building Code, the Safety Codes Act, and all applicable Provincial and County regulations, upon an application being submitted, the Development Authority should issue a Use and Occupancy Permit within ten (10) working days that contains the following:
 - (a) Development Permit number.
 - (b) address of the structure.
 - (c) name and address of the owner.
 - (d) type of use and/or occupancy the permit is issued for.
 - (e) description of that portion of the structure for which the permit is issued.
 - (f) a statement that the described portion of the structure has been inspected for compliance with the requirements of the Alberta Building Code, the Safety Codes Act, and all applicable Provincial and County regulations for the occupancy and division of occupancy and the use for the proposed occupancy.
 - (g) name of the Safety Codes Officer contained in the Final Building Inspection Report and report number.
 - (h) Land Use Bylaw number and District under which the permit was issued.
 - (i) use and occupancy, in accordance with the provisions of the Alberta Building Code, the Safety Codes Act, and the Land Use District contained in the Final Building Inspection Report.
 - (j) type of construction as defined in Final Building Inspection Report.
 - (k) any special inspections and conditions of the Development Permit.
- (8) The Development Authority shall not issue a Use and Occupancy Permit for any Use or Development on any Lot within any Land Use District until the requirements of this Bylaw pertaining to the Use or Development have been met.

2.18 VALIDITY OF DEVELOPMENT PERMITS

- (1) When a Development Permit has been granted by the Development Authority, it shall not be valid unless and until the conditions of the permit, save those of a continuing nature, have been

2.0 Development Permits, Rules, and Procedures

2.18 Validity of Development Permits

fulfilled and no notice of appeal has been served on the Subdivision and Development Appeal Board within the appeal period.

- (2) When the Subdivision and Development Appeal Board has approved a Development Permit, the permit shall not be valid until the decision of the Board is issued in writing.
- (3) If the Subdivision and Development Appeal Board is served with notice of an application for leave to appeal its decision, such notice shall suspend the Development Permit, except where approval has been granted for a permitted use or, where a license, permit, approval, or other authorization is granted by the Natural Resource Conservation Board, Energy Resources Conservation Board, or Alberta Utilities Commission to the extent that the application complies with the license, permit, approval, or other authorization granted. The final determination of an appeal, except for those applications approved as a permitted use and/or, by the Natural Resource Conservation Board, Energy Resources Conservation Board, or Alberta Utilities Commission, shall validate, amend, or revoke, as the case may be, a suspended Development Permit.

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PART 3.0

SUBDIVISION STANDARDS, RULES, AND PROCEDURES



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3.1 SUBDIVISION OF LAND

- (1) Where the development involves a subdivision of land, no Development Permit shall be issued until an application for subdivision has been submitted to the Subdivision Authority and the Development Authority has received written evidence that the necessary subdivision has the approval of the Subdivision Authority. The Subdivision Authority of the County shall abide by the requirements of and consider the matters indicated in Sections 652 to 670 of the Act.
- (2) Subdivision approvals must be consistent with the County of Vermilion River Municipal Development Plan (MDP), the provisions of any Growth Plans, Statutory Plans, and Land Use Bylaw that affects the land proposed to be subdivided. Development that does not conform to the MDP, Growth Plans, Statutory Plans and Land Use Bylaws which affect the land proposed to be subdivided will not be approved. If a development, resulting from a proposed subdivision does not comply with the MDP or the provisions of this Bylaw; however, it is felt to be conforming to the spirit and intent of the goals, objectives, and policies of the MDP; approval may be granted at the discretion of the Subdivision Authority.
- (3) Subdivision approvals must comply with part 17 and 17.1 of the Municipal Government Act and the regulations therein, as applicable.
- (4) Environmental reserve taken at time of subdivision must remain in its natural state except as permitted in accordance with Part 17, Division 9 of the Municipal Government Act. In some instances, conservation easements may be considered in place of environmental reserves, as provided for in the Section 22 of the Environmental Enhancement and Protection Act.
- (5) Environmental reserves will be taken according to Section 664 of the Municipal Government Act; either in the form of a Lot (Ownership transferred to the Municipality) or as an environmental reserve Easement (private Ownership is retained). The County may require any Owner or Developer to provide hazard land as environmental reserve as part of a Subdivision application.
- (6) Property taxes must be up to date prior to final endorsement of any subdivision within the County.
- (7) The Developer may be required to provide for inclusionary housing in accordance with provincial regulation.
- (8) The County shall generally take the full amount (10%) of Municipal Reserves owing as a result of subdivision, in accordance with Provincial legislation and County Policy.
- (9) Subdivisions shall not be approved where access to existing graded and graveled or paved roads does not exist, or where construction of roadway and access to the site, which are required to meet County standards, is not undertaken by the landowner/developer.

3.2 SUBDIVISION APPLICATIONS REQUIREMENTS

- (1) All Subdivision applications for lands within the County shall comply with the provisions under this Section.
- (2) Preparation and approval of an Area Structure Plan or Site Development Plan prepared by a Registered Professional Planner (RPP) is required for multi-Lot Subdivisions that will result in a total of four (4) or more Lots or Parcels, including the remainder per quarter section. Additional supporting information may be required depending on the magnitude and complexity of the proposed Subdivision.
- (3) All drawings and plans submitted in respect to Development involving a Subdivision of land shall comply with the Drawing Submissions Standards set forth in the County of Vermilion River General Municipal Servicing Standards (County Policy PD-014, Schedule A).
- (4) A subdivision application may be submitted by:
 - (a) the registered Owner of the land to be subdivided; or
 - (b) a person with written authorization to act on behalf of the registered Owner.
- (5) Multi-Lot Subdivisions shall be developed in accordance with the applicable provisions of Land Use District for the proposed Lot or Parcel at time of Subdivision application.
- (6) If the proposed Subdivision requires an environmental assessment under the Canadian Environmental Assessment Act, the applicant shall file an environmental assessment in accordance with the Canadian Environmental Assessment Act. A copy of the environmental assessment shall be submitted with the Subdivision application.
- (7) If the proposed Subdivision is required to obtain assessments and/or approvals from relevant Federal or Provincial agencies and organizations, the applicant shall file and obtain the appropriate reports and/or approvals with relevant agencies and organizations. A copy of the required reports and / or approvals or licenses shall be submitted with the Subdivision application.
- (8) A map indicating the current Land Use District designation for the Adjacent Lands within 0.8 km (0.5 mi.) of the land proposed to be subdivided shall be submitted with the Subdivision application.
- (9) Information on abandoned oil and gas wells as required by the Subdivision and Development Regulation and Alberta Energy Regulator Directive 079.
 - (a) Abandoned/reclaimed wells will not be allowed in vacant Lots or Parcels less than 10 ac.
- (10) The tentative plan of Subdivision shall:

3.0 Subdivision Standards, Rules, and Procedures

3.2 Subdivision Applications Requirements

- (a) clearly outline the location, dimensions, and boundaries of the land which the applicant wishes to register in a Land Titles Office;
 - (b) 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-way.
 - (c) show the Use, location, and dimensions of existing 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;
 - (d) show the location of any river, stream, watercourse, lake, or other body of water (natural or man-made) that is contained within the bounds of the proposed Parcel of Land;
 - (e) 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
 - (f) information provided by the Alberta Energy Regulator identifying the location of any active wells, batteries, processing plants or pipelines within the proposed Subdivision;
 - (g) the existing and proposed access to the proposed Parcels and the remainder of the titled area.
- (11) The County may also require an applicant to submit to the Subdivision Authority 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 (4.9 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 qualified professional, registered 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, prepared and signed by a qualified professional registered in the Province of Alberta;
 - (d) a storm water management plan, to be prepared at the discretion of the Development Authority, which must be approved by Alberta Environment and Parks including:

3.3 Subdivision Design Standards

- (i) topography;
 - (ii) location of associated watershed and of the Development in relation to it;
 - (iii) proposed minor drainage system (ditches/pipes/catch basin locations/flow rate);
 - (iv) proposed major drainage systems (direction of surface drainage/flow rate);
 - (v) proposed on-site detention/retention facility (location/size/capacity);
 - (vi) location of outflow/outfall Structures; and
 - (vii) any related modeling and calculation information.
- (e) if the land that is the subject of an application is located in a potential Flood Plain, a figure showing the 1:100-year Flood Plain or highest and most frequent rain event series relevant to flooding of the land;
- (f) 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;
- (g) information respecting the land surface characteristics of land within 0.8 km (0.5 mi.) of the land proposed to be subdivided;
- (h) 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
- (i) an approved Site Development Plan or Area Structure Plan that relates the application to future Subdivision and Development of adjacent areas.
- (12) All proposed Parcels being created shall not, in the opinion of the Subdivision Authority, prejudice the future efficient Development of the remnant Parcel.
- (13) The Development Authority may require the applicant for a proposed multi-Lot Subdivision to provide the Subdivision Authority a public participation summary pursuant to Section 2.13 of this Bylaw.

3.3 SUBDIVISION DESIGN STANDARDS

- (1) Single-Lot Subdivision Standards
- (a) Residential

- (i) Single-Lot subdivisions for residential uses are subject to the policies in the Municipal Development Plan and the provisions of Land Use District designated at time of subdivision, which shall guide the Subdivision Authority.
 - (ii) One country residential, farmstead, or farm residence Lot or Parcel; from a minimum of 0.8 ha (2 ac.) to a maximum of 2.0 ha (5 ac.) in size, whether vacant or developed; may be subdivided from each quarter section for Country Residential Use without amendment to the Land Use Bylaw.
 - (iii) Single-Lot or Parcel subdivisions for Country Residential Use, Country Residence, Farmstead, or Farm Residence, at the discretion of the Subdivision Authority, may also include undeveloped lands such as sloughs; bush and even low quality pasture, or land that because of natural topography such as sloughs, ravines, or water bodies, would otherwise be cut off from the remainder of the Parcel. If the farmland assessment of the land is below 10%, such additions may also increase the size of the vacant Country Residential Parcel beyond the 2.0 ha (5 ac.) to a maximum of 4 ha (10 ac.) subject to the policies in the Municipal Development Plan.
 - (iv) In determining, the suitability of an application for single-Lot or Parcel subdivision for Country Residential use, Country Residence, Farmstead, or Farm Residence, adequate year-round access by an all-weather road must be available.
 - (v) Notwithstanding the above-noted criteria, the Development Authority may consider a Development Permit application for Country Residential use, Country Residence, Farmstead, or Farm Residence on existing registered Lots.
 - (vi) Clustering, development, arrangement, location, and orientation of buildings, main and accessory, are subject to the provisions of this Bylaw, as applicable.
 - (vii) Country residential subdivisions should be located in proximity to gas, electrical, and telephone lines, which have existing spare capacity to sustain the additional usage. Subdivisions shall have direct access to existing maintained roads.
 - (viii) Approach and / or access to a country residential subdivision shall meet the County's General Municipal Servicing Standards requirements.
 - (ix) Where a subdivision for Country Residential Use is proposed, the Developer may be required to enter into a development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the subdivision and development.
- (b) Non-Residential
- (i) Single-Lot subdivisions for non-residential uses are subject to the policies in the Municipal Development Plan and the provisions of Land Use District designated at time of subdivision, which shall guide the Subdivision Authority.

- (ii) Non-residential uses shall be encouraged to locate in designated areas that are designed and serviced to accommodate additional development.
- (iii) Non-residential uses shall be encouraged to locate on lower capability agricultural land, in proximity to paved County roads or provincial highways, and in areas with access to existing water and power services wherever possible.
- (iv) Clustering, development, arrangement, location, and orientation of buildings, main and accessory, are subject to the provisions of this Bylaw, as applicable.
- (v) The County may refer subdivision applications to the relevant Provincial Agencies Authority considered necessary to determine whether the land that is the subject of the application is suitable for the purpose for which the subdivision is intended.
- (vi) Approach and / or access to a non- residential subdivision shall meet the County's General Municipal Servicing Standards requirements.
- (vii) Where a subdivision for Non-Residential Use is proposed, the Developer may be required to enter into a development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the subdivision and development.

(2) Multi-Lot Subdivisions

(a) Residential

- (i) Multi-Lot subdivisions for residential uses are subject to the policies in the Municipal Development Plan and the provisions of Land Use District designated at time of subdivision, which shall guide the Subdivision Authority.
- (ii) Preparation and approval of a Site Development Plan or Area Structure Plan may be required for multi-Lot Residential Use subdivisions that would create less than four (4) Lots or Parcels, depending on the magnitude and complexity of the proposed development.
- (iii) Multi-Lot Residential Use subdivisions should locate in proximity to existing hamlets, planned rural hamlets, and existing multi-Lot development areas that have the capacity to support additional development.
- (iv) Multi-Lot Residential Use subdivisions will be required to provide multi-modal trail networks to the satisfaction of the Subdivision Authority at time of subdivision, as applicable.
- (v) Multi-Lot Residential Use subdivisions shall be clustered or grouped to reduce potential land use conflicts and minimize servicing costs. To that end, the County encourages innovative design, such as low-impact development, in the

development of Multi-Lot Country Residential developments to reduce as much as possible development costs and minimizing the conversion of agricultural land into non-agricultural uses.

- (vi) Multi-Lot Residential Use subdivisions shall ensure that necessary public facilities and services to support new development are available and adequate, based on adopted level of service standards, at the time that the impacts of new development occur.
- (vii) Clustering, development, arrangement, location, and orientation of buildings, main and accessory, are subject to the provisions of this Bylaw, as applicable.
- (viii) Approach and / or access to Multi-Lot Residential Use subdivisions shall meet the County's General Municipal Servicing Standards requirements.
- (ix) Where a subdivision for Multi-Lot Residential Use is proposed, the Developer shall be required to enter into a development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the subdivision and development.

(b) Non-Residential

- (i) Multi-Lot subdivisions for non-residential uses are subject to the policies in the Municipal Development Plan and the provisions of Land Use District designated at time of subdivision, which shall guide the Subdivision Authority.
- (ii) Multi-Lot Non-Residential Use subdivisions should locate within existing multi-Lot development areas that have the capacity to support additional development.
- (iii) Compatible non-residential uses shall be clustered together in commercial, rural/agricultural, or industrial parks to reduce potential land use conflicts and minimize servicing costs. To that end, the County encourages innovative design in the development of multi-Lot commercial, rural/agricultural, or industrial parks such as low-impact development and eco-parks, or similar as to reduce as much as possible development costs and minimizing the conversion of agricultural land into non-agricultural uses.
- (iv) Clustering, development, arrangement, location, and orientation of buildings, main and accessory, are subject to the provisions of this Bylaw, as applicable.
- (v) Approach and / or access to Multi-Lot Non-Residential Use subdivisions shall meet the County's General Municipal Servicing Standards requirements.
- (vi) Where a subdivision for Multi-Lot Non-Residential Use is proposed, the Developer shall be required to enter into a development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the subdivision and development.

- (vii) Multi-Lot Non-Residential Use subdivisions shall ensure that necessary public facilities and services to support new development are available and adequate, based on adopted level of service standards, at the time that the impacts of new development occur.

3.4 BARE LAND CONDOMINIUMS

- (1) A Bare Land Condominium development subdivision must comply with the provisions of this Section along with any applicable regulations of this Bylaw, including the regulations of the designated Land Use District, any relevant caveat, easement, instrument, agreement, or other legal requirement, and any applicable standards, policies, procedures.
- (2) An application for a Bare Land Condominium subdivision that would create more than four (4) Lots or Parcels, including the remainder of the quarter section, shall require a Site Development Plan or Area Structure Plan to be approved prior to submitting an application.
- (3) Preparation and approval of a Site Development Plan or Area Structure Plan may be required for Bare Land Condominium development subdivisions that would create less than four (4) Lots or Parcels, depending on the magnitude and complexity of the proposed development.
- (4) An application for a Bare Land Condominium subdivision shall comply with **Sections 3.2 and 3.2(1)** of this Bylaw and applicable County Standards.
- (5) The Development Authority may relax Bylaw standards or regulations, including site coverage and Yard or Setback requirements, beyond the maximum relaxation requirements in this Bylaw where the relaxations only affect internal Bare Land Condominium boundaries and properties. No relaxations to Land Use District minimum and maximum requirements shall be permitted at the outer boundaries of a Bare Land Condominium development and/or adjacent to properties not associated with the project; and
- (6) Internal roads that serve Bare Land Condominium subdivisions are contributed assets and shall meet the County's General Municipal Servicing Standards requirements, and must allow for safe and efficient movement of emergency Vehicles.
- (7) Where a subdivision for Bare Land Condominium development is proposed, the Developer shall be required to enter into a development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the subdivision and development.

3.5 STRATA SPACE PLANS

- (1) An application for a Strata Space Plan subdivision shall comply with **Sections 3.2 and 3.2(1)** of this Bylaw and applicable County Standards.
- (2) A Strata Space Plan subdivision pursuant to Section 86 of the *Land Titles Act*, t, *R.S.A. 2000*, c. L-4, must comply with the applicable Alberta Building Code (ABC) regulations, as amended; along

3.6 Multi-Lot Country Residential Uses and Farmsteads

with any applicable regulations of this Bylaw, including the regulations of the designated Land Use District, any relevant caveat, easement, instrument, agreement, or other legal requirement, and any applicable standards, policies, procedures.

- (3) The boundaries in a Strata Space Plan must conform to or lie within the boundaries of a single Parcel on a plan of survey registered under the *Land Titles Act*.
- (4) Strata spaces in a Strata Space Plan of subdivision shall be designated by means of a strata descriptive plan of survey prepared by professional surveyor registered to practice in the Province of Alberta. Descriptive plans, which may inform the tentative subdivision plan, are solely for informational purposes; only tentative plans approved by the Subdivision Authority may be registered.
- (5) An application for Subdivision by Strata Plan shall require an approved Site Development Plan or Area Structure Plan before the building code implications of a development with strata can be considered. The relevant Plan must explain what alternative measures will be put in place to offset any hazards associated with Variances from the Code requirements or implementation of alternative or mitigation measures, as applicable.
- (6) A Strata Space Plan must execute and register, against each of the affected titles, a Shared Easements, Covenants, and Restrictions (SECR) Agreement concurrently with the registration of the final instrument. The SECR Agreement must identify all building services and systems that are shared among strata owners, including locations where it is necessary for occupants to cross over another strata or fee simple Lot in order to reach a public road or sidewalk. The Subdivision Authority must submit a draft of the SECR to the Development Authority for approval prior to final endorsement of the Plan.
- (7) Secondary or Accessory Dwelling Units cannot be strata units.
- (8) Where a subdivision by Strata Plan is proposed, the Developer shall be required to enter into a development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the subdivision and development.

3.6 MULTI-LOT COUNTRY RESIDENTIAL USES AND FARMSTEADS

- (1) Preparation and approval of a Site Development Plan or Area Structure Plan is required for Multi-Lot Country Residential subdivisions that will create four (4) or more Lots or Parcels, including the remainder of the quarter section. Additional supporting information may be required depending on the magnitude and complexity of the proposed development.
- (2) Multi-Lot Country Residential Use subdivisions shall be developed in accordance with the provisions of Land Use District designated at time of subdivision.
- (3) An application for a Multi-Lot Country Residential Use or Farmstead subdivision shall comply with **Sections 3.2 and 3.2(1)** of this Bylaw and applicable County Standards.

3.7 Decisions on Subdivision Applications

- (4) Where a subdivision for Multi-Lot Country Residential Use is proposed, the Developer shall be required to enter into a development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the subdivision and development.
- (5) Farmstead subdivisions shall require redesignation to the Country Residential Agriculture (CR-A) District by the relevant Authority.
- (6) Where a subdivision for a Farmstead is proposed, the Developer may be required to enter into a development agreement with the County wherein the Developer agrees to be responsible for all the costs associated with the subdivision and development.

3.7 DECISIONS ON SUBDIVISION APPLICATIONS

- (1) Completeness of Application
 - (a) A Subdivision Authority must, within twenty (20) days after the receipt of the application for a subdivision approval, determine whether the application is complete. This time period may be extended by an agreement in writing between the applicant and the Subdivision Authority.
 - (b) If the Subdivision Authority does not make a determination referred to in **Sub-section (a) above**, within the time required, the application is deemed to be complete.
 - (c) A written notice must be issued to the applicant for the following:
 - (i) Acknowledgement that the application is complete.
 - (ii) Acknowledgement that the application is incomplete and request any outstanding documents and information referred to in the notice, which must be submitted by the date set out in the notice or a later date agreed on between the applicant and Development authority, in order for the application to be considered complete.
 - (iii) Acknowledgment that the application is complete if the Subdivision Authority determines that the information and documents submitted under **Sub-section (ii) above**, are completed.
 - (iv) Acknowledgement that the application is deemed refused and the reason for refusal, if the application fails to submit all the outstanding information and documents on or before the date referred to in **Sub-section (ii) above**.
 - (d) On receipt of acknowledgement under **Sub-section (c) above**, that the application for subdivision approval is complete, the Subdivision Authority shall:
 - (i) Give a copy of the application to the Government departments, persons and local authorities required by the subdivision and Development regulations, and

- (ii) Give notice of the application to owners of the land that is adjacent to the land that is subject of the application.

(2) Conditions of Subdivision

- (a) Development agreements, performance bonds, caveats, Easements, covenants and restrictions agreements, and/or restrictive covenants, as applicable, shall be required as a condition of approval for Subdivision of land within the County.
- (b) The County shall generally take the full amount (10%) of Municipal Reserves owing as a result of Subdivision, in accordance with Provincial legislation and County Policy.
- (c) Where the County wishes to ensure public access to a water body, environmental reserve in the form of a Lot or Parcel or Public Utility Lot will be taken.
- (d) An environmental reserve or Easement of not less than 30 m (98 ft.) in width from the high-water mark of water bodies and/or the top of bank of lakes and rivers shall be required as a condition of subdivision approval. The use of Conservation Easements may be considered as an alternative to traditional environmental reserve during the subdivision process.
- (e) A Private Sewage Inspection will be required, at no cost to the County, prior to endorsement of all subdivisions within the County where the site is affected by a private sewage disposal system.
- (f) School Reserves shall be provided at the time of subdivision in accordance with agreements between the County and the relevant School Divisions.

(3) Decisions on Applications

- (a) In making a decision as to whether to approve an application for subdivision, the Subdivision Authority must consider, with respect to the land that is the subject of the application, the following:
 - (i) the Municipal Government Act;
 - (ii) Regional Plans under the Alberta Land Stewardship Act (ALSA);
 - (iii) the Subdivision and Development Regulation;
 - (iv) the applicable policies in the County's Municipal Development Plan;
 - (v) other statutory plans and bylaws;
 - (vi) its topography;
 - (vii) its soil characteristics;

- (viii) storm water collection and disposal;
- (ix) any potential for the flooding, subsidence, or erosion of the land;
- (x) its accessibility to a road;
- (xi) the availability and adequacy of a water supply, sewage disposal system, and solid waste disposal;
- (xii) in the case of land not serviced by a licensed water distribution and wastewater collection system, whether the proposed subdivision boundaries, lot sizes and building sites comply with the requirements of the Alberta Private Sewage Disposal Systems Regulation, as amended or repealed or replaced from time to time, in respect of Lot or Parcel sizes and distances between property lines, buildings, water sources, and private sewage disposal systems;
- (xiii) the use of land in the vicinity of the land that is the subject of the application;
- (xiv) any other matters referred to it by the County and relevant Provincial Agencies Authority consider necessary to determine whether the land that is the subject of the application is suitable for the purpose for which the subdivision is intended; and
- (xv) any other matters that it considers necessary to determine whether the land that is the subject of the application is suitable for the purpose for which the subdivision is intended.

(b) When reviewing applications to redesignate land for subdivisions, Council shall have regard, among other matters, to **Sections 3.2 and 3.2(1)** of this Bylaw and applicable County Standards.

(a) The written decision of the 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:

- (i) any submissions made to it by the adjacent landowners, and
- (ii) the matters listed in Sections 3.1 and 3.2, pursuant to Section 7 of the Subdivision and Development Regulation.

(4) Notice of Decision

(a) A decision of a subdivision authority must be given in writing to the applicant and to the relevant agencies and organizations, persons and local authorities to which the Subdivision Authority is required by the subdivision and development regulations to give a copy of the application.

- (b) A decision of a subdivision authority shall be sent by electronic means if:
 - (i) The applicant has consented to receive documents from the Subdivision Authority by electronic means and has provided an email address, website or other electronic address to the Subdivision Authority for this purpose and
 - (ii) It is possible to make a copy of the document from the electronic transmission.
 - (iii) A document sent by electronic means is considered to have been received seven (7) days after it was sent.
- (c) A decision of a subdivision authority must state:
 - (i) whether an appeal lies to a Subdivision and Development Appeal Board or to the Municipal Government Board, and
 - (ii) if an application for subdivision approval is refused, the reasons for the refusal.
- (d) 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 6-month period after the date of the Subdivision Authority's decision to refuse the application.

(5) Endorsement and Conditions Met

- (a) An applicant for Subdivision approval must submit to the Subdivision Authority the plan of survey or other instrument that effects the Subdivision within one (1) year of either:
 - (i) the date of Subdivision approval;
 - (ii) the date of an appeal board's decision; or
 - (iii) the date the judgment is entered, or the appeal is discontinued by the Court of Appeal.
- (b) On being satisfied that a plan of survey 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, as amended.
- (c) The Subdivision Authority may provide up to a one (1) year time extension to the applicant for Subdivision in order to meet conditions of Subdivision approval to a maximum of three (3) extensions per application.
- (d) If the plan of survey or other instrument is not submitted within the time prescribed or further authorized by a time extension, the Subdivision approval is void and a new application must be made to the Subdivision Authority.

(6) Registration

- (a) If the plan of survey 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.
- (b) The Subdivision Authority may provide a one (1) year time extension to the applicant for Subdivision in order to register the plan or instrument to a maximum of three (3) extensions per application.



PART 4.0

GENERAL PROVISIONS

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4.1 APPLICABILITY

- (1) The provisions under this Part apply to all land use districts except where directed otherwise in this Bylaw.

4.2 ACCESSORY BUILDINGS AND DEVELOPMENT SITING AND SETBACKS REGULATIONS FOR NON-RESIDENTIAL DISTRICTS

- (1) The intent and purpose of these regulations is to encourage smart growth and sustainable development within the County. To preserve and enhance the rural character of the landscape and support the goals and objectives established in the County's plans, policies, and regulations.
- (2) An Accessory Building shall not be used as a Dwelling unless a Development Permit has been issued allowing the use of the Accessory Building as a Secondary Dwelling or Secondary Suite, and the Secondary Dwelling or Secondary Suite meets the provisions of **Section 4.18** and all other applicable provisions of this Bylaw and the Building meets the requirements of the Alberta Safety Codes Act.
- (3) Use and Occupancy of an Accessory Building shall comply with the provisions of **Section 2.17** of this Bylaw.
- (4) Sea cans shall comply with the provisions of **Section 5.26** of this Bylaw and all other provisions of this Bylaw. Accessory Buildings shall be located such that the minimum distances shown on **Figure 1** are provided.
- (5) Accessory Buildings shall be located as follows:
 - (a) No closer to the front property line than the Main Building.
 - (b) In no case shall an Accessory Building or structure be located within any setbacks as shown in Figure 1, on an easement, or a utility Right-Of-Way (ROW).
- (6) The siting of a Development or an Accessory Building on a Lot with Development Constraints, such that the building cannot feasibly be located in the Rear or Side Yards of the Lot, shall be as required by the Development Authority and may require a request for a Variance subject to the provisions of **Section 2.13** of this Bylaw.
- (7) The siting of a Development or an Accessory Building on an irregularly shaped Lot shall be as required by the Development Authority.

(8) Development and Accessory Buildings Regulations

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area / Building Coverage	As required under the Designated Land Use District.		<p>Except where the lot is subject to:</p> <p>(a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or</p> <p>(b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.</p> <p>(c) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.</p>
Minimum Front Yard	Shall be no closer than the front line of the Main Building, unless the Lot or Parcel meets the criteria in Sub-section (6) above .		<p>Except for provincial highways, which are subject to Alberta Transportation regulations.</p> <p>Commercial, Business, and Industrial Park's setbacks shall be consistent with an approved Site Development Plan or Area Structure Plan.</p>
Minimum Side Yard	6 m (20 ft.) from Lot Line.		At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.
Minimum Rear Yard	7.6 m (25 ft.) from Lot Line.		
Minimum Sight Distance	As required by the established setbacks shown in Table 1. Designated Setbacks from Roadways . or as required by Alberta Transportation Highway		

4.2 Accessory Buildings and Development Siting and Setbacks Regulations for Non-Residential Districts

	Design Guide, Chapter G.4, where applicable.	
<p>Maximum Height</p> <p><i>Detached Accessory Buildings</i></p> <p><i>Attached Accessory Buildings</i></p>	<p>Maximum 10.5 m (34.5 ft.)</p> <p>Shall not exceed the height of the Main Building, except that a Variance has been granted in connection with a valid Development Permit at the discretion of the Development Authority.</p>	<p>Except for an agricultural structure such as a silo, grain bin, elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance is granted, pursuant to Section 2.13 of this Bylaw.</p> <p>Where a structure is attached to the main building on a Lot or Parcel by a roof, an open or enclosed structure, a floor, or a foundation it is to be considered a part of the Main Building and is not an Accessory Building, and is subject to the same minimum Yard requirements as the main building.</p>
Minimum Shelterbelt and Planting Setback	<p>As required by the established setbacks shown in Table 1, excluding provincial highways, which are subject to Alberta Transportation regulations. Setbacks from roadways must be measured from Right-Of-Way centerline.</p> <p>Notwithstanding any provisions to the contrary in this Bylaw, the designated setbacks from roadways in Table 1 apply to all Accessory Buildings in all districts, in addition to the Designated District applicable regulations, except that a Variance has been granted at the discretion of the Development Authority in connection with a valid Development Permit.</p>	
Vegetation	<p>All landscaping, screening, buffering, and planting shall meet County Standards and all other provisions of this Bylaw, and must be carried out to the satisfaction of the Development Authority. In addition:</p> <p>Landscaping adjacent to structures should incorporate FireSmart Vegetation Management Strategies.</p> <p>Shelterbelts and buffers should follow Agriculture and Agri-Food Canada Design Guidelines. (See Figure 2. Shelterbelt Setbacks.)</p>	

4.2 Accessory Buildings and Development Siting and Setbacks Regulations for Non-Residential Districts

Application Referral	Development proposals may be circulated to adjacent municipalities and / or federal and provincial agencies for comment prior to any consideration for approval. The comments from adjacent municipalities will be carefully considered by the Development Authority; however, the Development Authority will not be bound by the municipality's comments or recommendations.
Exceptions	<p>At the discretion of the Development Authority, the height provisions of these regulations may be waived for church steeples, belfries, towers, cupolas, and similar architectural features; flagstaffs, chimneys, elevator mechanisms and housings, water tanks, stand pipes, and similar utility structures; and radio and television towers and antennas, and similar telecommunication structures, and may require a request for a Variance subject to the provisions of Section 2.13 of this Bylaw.</p> <p>Radio and television towers and antennas, and similar telecommunication structures are subject to specific District requirements as established in Section 5.19 of this Bylaw.</p> <p>The FireSmart Setback provisions of these regulations may be modified at the discretion of the Development Authority, and may require a request for a Variance subject to the provisions of Section 2.13 of this Bylaw.</p> <p>Notwithstanding any regulation in this Section to the contrary, a fence or hedge may be constructed along a boundary line of a Lot or Parcel or immediately adjacent to a Main Building, subject to the provisions in Section 4.5(13) of this Bylaw.</p>
Non-conforming Uses	<p>Non-conforming use status will apply to those Accessory Buildings, which are already in existence at the time these regulations come into effect and do not meet the requirements established within these regulations, pursuant to Section 2.12 of this Bylaw.</p> <p>Non-conforming Accessory Buildings already in existence, may be allowed to encroach into the setbacks established within these regulations at the discretion of the Development Authority.</p> <p>Notwithstanding any other provision of this Bylaw to the contrary, dwellings existing as of the date of the approval of this Bylaw may be entirely restored and/or replaced, whether or not they have been damaged by fire or other incident, and whether or not the landowner/developer merely wishes to replace the building.</p>
Restricted Uses	The Development Authority may restrict, or may be subject to special regulations or conditions of approval, uses that may produce, directly or indirectly, noise, odour, fumes, dust, smoke, unsightly appearance, or

4.2 Accessory Buildings and Development Siting and Setbacks Regulations for Non-Residential Districts

	other effects that may be detrimental to other land uses adjacent or nearby a Designated Non-Residential District.
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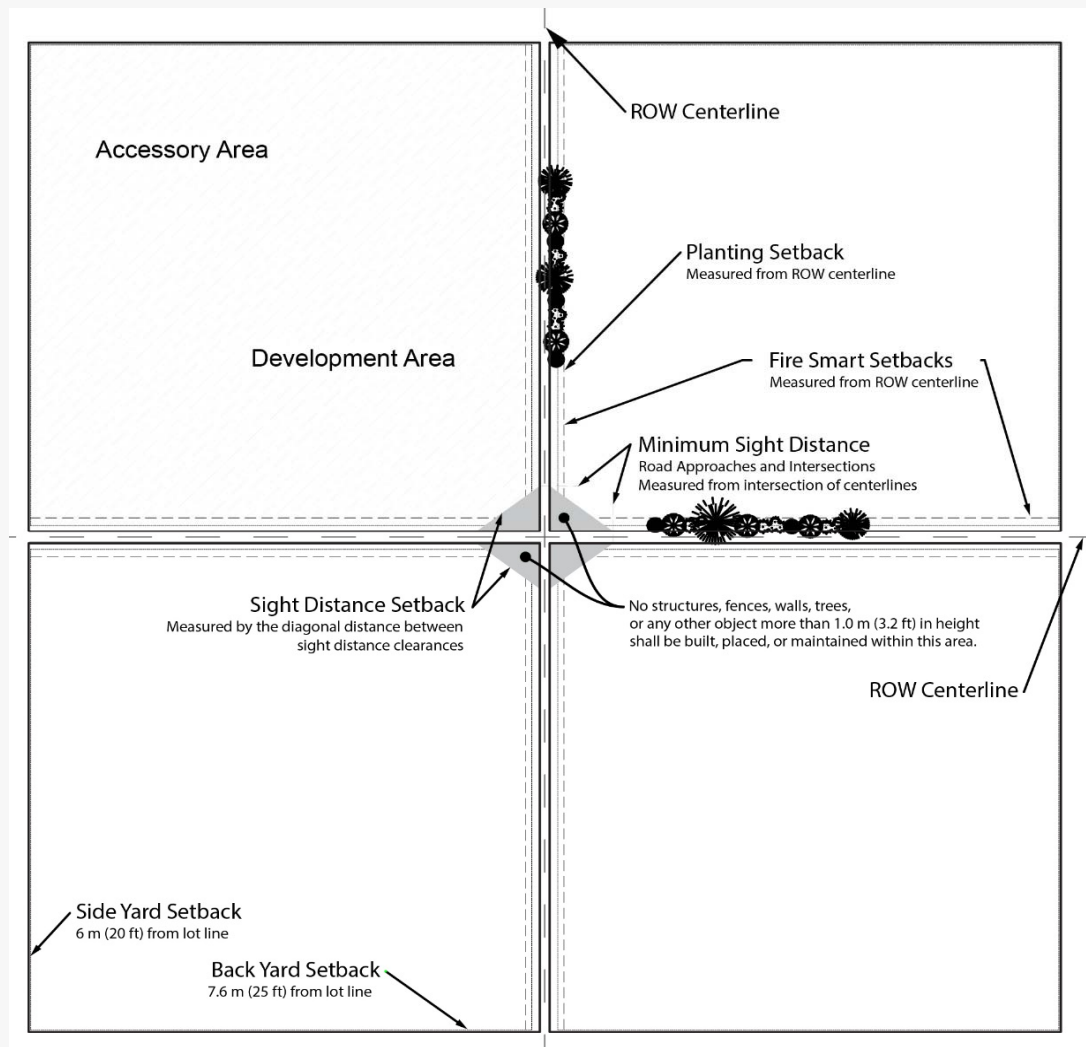
(9) The following distances between Industrial Uses and Sensitive Land Uses shall apply.

CATEGORY	EFFECTS	SCALE	PROCESS	INTENSITY	SEPARATION
Industrial, Light	Noise: Sound not audible off property Dust and/or Odour: Infrequent and not intense Vibration: No ground borne vibration on plant property	No outside storage Small scale plant or scale is irrelevant in relation to all other criteria for this Category	Self-contained plant or building that produces and / or stores a packaged product. Low probability of fugitive emissions.	Daytime operations only. Infrequent movement of products and/or heavy Trucks	Minimum 20 m (66 ft)
Industrial, Medium	Noise: Sound occasionally audible off property Dust and/or Odour: Frequent and occasionally intense Vibration: Possible ground-borne vibration, but cannot be perceived off property	Outside storage permitted Medium level of production allowed	Open process Periodic outputs of minor annoyance Low probability of fugitive emissions	Shift operations permitted. Frequent movement of products and/or heavy Trucks with the majority of movements during daytime hours	Minimum 70 m (230 ft)
Industrial, Heavy	Noise: sound frequently audible off property	Outside storage of raw and	Open process	Continuous movement of products and employees.	Minimum 300 m (984 ft)

4.2 Accessory Buildings and Development Siting and Setbacks Regulations for Non-Residential Districts

	Dust and/or Odour: Persistent and/or intense Vibration: Ground-borne vibration can frequently be perceived off property	finished products Large production levels	Frequent outputs of major annoyance High probability of fugitive emissions	Daily shift operations permitted	
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Figure 1. Siting and Setbacks in Non-Residential Districts.



4.2 Accessory Buildings and Development Siting and Setbacks Regulations for Non-Residential Districts

Figure 2. Shelterbelt Setbacks.

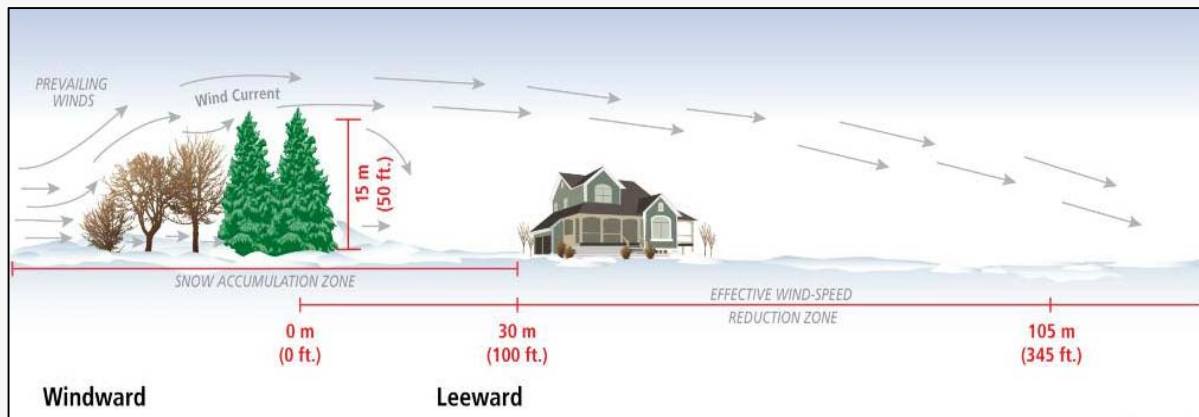


Image: Shelterbelts Design Guidelines for Farmyard, Field, Roadside, Livestock, Wildlife, and Riparian Buffer Plantings on the Prairies © Her Majesty the Queen in Right of Canada, 2010.

Table 1. Designated Setbacks from Roadways.

Arterial and Collector Roadways and Highways				
Posted Speed (km/h)	Planned Road ROW (m)	Shelterbelt and Planting Setback* (m)	FireSmart Setback* (m)	Minimum Sight Distance Clearance Road Approaches and Intersections** (m)
40	20	25	40–55	120
50	30	30	45–60	150
60	30	30	45–60	175
80	30	30	45–60	300
100	60	65	80–95	300
Other Roadways				
At the discretion of the Development Authority.				

* Measured from Right-Of-Way centerline. ** Measured from intersection point of Right-Of-Way centerlines.

Table 1 Footnote:

ROW: Right-Of-Way

Shelterbelt and Planting Setback: Minimum distance for vegetation buffers. Should incorporate Prairie Shelterbelt Program Guidelines and Best Management Practices.

FireSmart Setback: Minimum recommended setback for fire prevention. Should incorporate FireSmart Vegetation Management Strategies.

Sight Distance Clearance: Minimum safety distance clearance for locating road approaches at intersections.

Sight Distance Setback: Shall be the resulting diagonal between sight distance clearances at the intersection of roads, as shown in Figure 1.

4.3 ACCESSORY BUILDINGS AND DEVELOPMENT SITING AND SETBACKS REGULATIONS FOR RESIDENTIAL DISTRICTS

- (1) The intent and purpose of the development regulations is to encourage smart growth and sustainable development within the County. To preserve and enhance the rural character of the landscape and support the goals and objectives established in the County's plans, policies, and regulations.
- (2) Accessory Buildings include storage sheds, garages and carports, greenhouses, sea cans, or other similar uses or buildings.
- (3) An Accessory Building shall not be used as a Dwelling unless a Development Permit has been issued allowing the use of the Accessory Building as a Secondary Suite or Secondary Dwelling, and Secondary Dwelling or Secondary Suite meets the provisions of **Section 4.18** and all other applicable provisions of this Bylaw and the Building meets the requirements of the Alberta Safety Codes Act.
- (4) Sea cans shall comply with the provisions of **Section 5.26** and all applicable District Regulations.
- (5) Accessory Buildings shall be located such that the minimum distances shown on
- (6) **Figure 3** are provided.
- (7) Accessory Buildings shall be located as follows:
 - (a) No closer to the front property line than the Main Building.
 - (b) In no case shall an Accessory Building or structure be located within any setbacks as shown in
 - (c) **Figure 3**, on an easement, or a utility Right-Of-Way.
- (8) The siting of a Development or an Accessory Building on a Lot with Development Constraints, such that the building cannot feasibly be located in the Rear or Side Yards of the Lot, shall be as required by the Development Authority and may require a request for a Variance subject to the provisions of **Section 2.13** of this Bylaw.
- (9) The siting of a Development or an Accessory Building on an irregularly shaped Lot shall be as required by the Development Authority.

4.3 Accessory Buildings and Development Siting and Setbacks Regulations for Residential Districts

(10) Development and Accessory Buildings Regulations

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area / Building Coverage	As required under the Designated Land Use District.		Except where the lot is subject to: (a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (c) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Front Yard	Minimum 7.6 m (25ft) from Lot Line as shown in Figure 3 . Maximum shall be no closer than the front line of the Main Building, unless the Lot or Parcel meets the criteria in Sub-section (8) above .		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	0.9 m (3 ft.) from Lot Line, provided that overhanging eaves shall not be less than 0.6 m (2 ft.) from any Lot Line, or as provided for within the Designated District.		At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.
Minimum Rear Yard	1.5 m (5 ft.) from Lot Line, provided that overhanging eaves shall not be less than 0.6 m (2 ft.) from any Lot Line, or as provided for within the Designated District.		
Minimum Sight Distance	6 m (19.6 ft), as shown in Figure 3 , or as required by Alberta Transportation Highway Design Guide, Chapter G.4, where applicable.		

4.3 Accessory Buildings and Development Siting and Setbacks Regulations for Residential Districts

Maximum Height		
<i>Detached Accessory Buildings</i>	Shall not exceed 5 m (16.5 ft.), except that a Variance has been granted in connection with a valid Development Permit.	Except where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance is granted, pursuant to Section 2.13 of this Bylaw.
<i>Attached Accessory Buildings</i>	Shall not exceed the height of the Main Building, except that a Variance has been granted in connection with a valid Development Permit at the discretion of the Development Authority.	Where a structure is attached to the main building on a Lot or Parcel by a roof, an open or enclosed structure, a floor, or a foundation it is to be considered a part of the Main Building and is not an Accessory Building, and is subject to the same minimum Yard requirements as the main building.
<i>Secondary Suites</i>	In such cases where it can reasonably be determined by the Development Authority that the additional height will not impact the quality of life or enjoyment of adjacent properties, the height of the Accessory Building containing the Secondary Suite shall not exceed the height of the Main Building and shall meet the provisions under this Sub-section.	
Minimum Shelterbelt and Planting Setback	<p>0.9 m (3 ft.) from Lot Line, as shown in Figure 3, excluding provincial highways, which are subject to Alberta Transportation regulations. Setbacks from roadways must be measured from Right-Of-Way centerline.</p> <p>Notwithstanding any provisions to the contrary in this Bylaw, the designated setbacks from roadways in Table 1 apply to all Accessory Buildings in all Districts, in addition to the applicable regulations in the Designated District, except that a Variance has been granted at the discretion of the Development Authority in connection with a valid Development Permit.</p> <p>Notwithstanding any provisions to the contrary in this Bylaw, the designated setbacks in Figure 3 apply to all Accessory Buildings, along with the applicable regulations for the Designated District, except at the discretion of the Development Authority or where a Variance has been granted in connection with a valid Development Permit.</p>	
Design and Appearance	The exterior treatment of the Accessory Building shall be consistent and complement with that of the Main Building.	

4.3 Accessory Buildings and Development Siting and Setbacks Regulations for Residential Districts

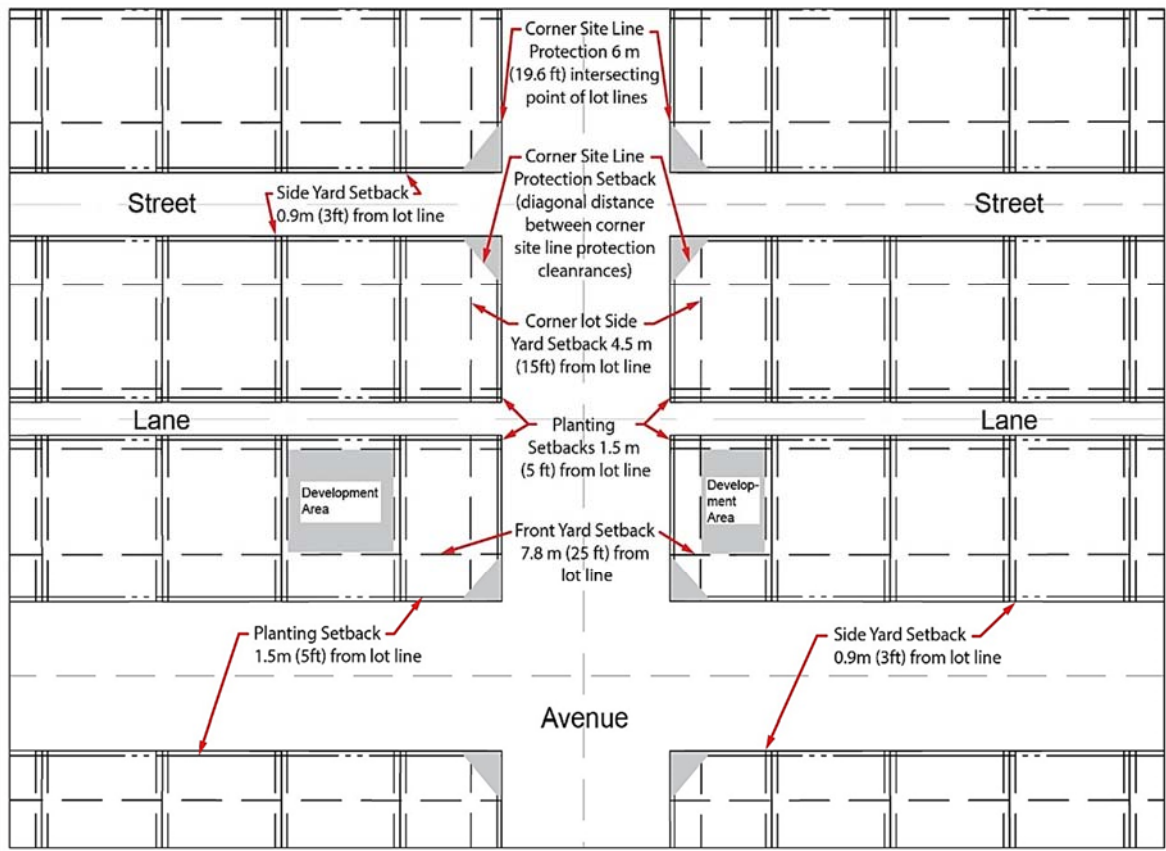
Vegetation	<p>All landscaping, screening, buffering, and planting shall meet County Standards and all other provisions of this Bylaw, and must be carried out to the satisfaction of the Development Authority. In addition:</p> <p>(a) Landscaping adjacent to structures should incorporate FireSmart Vegetation Management Strategies.</p> <p>(b) Shelterbelts and buffers should follow Agriculture and Agri-Food Canada Design Guidelines. (See Figure 2. Shelterbelt Setbacks.)</p>
Application Referral	<p>Development proposals within 2 miles of an adjacent municipality boundary may be circulated to the relevant adjacent municipality and / or federal and provincial agencies for comment prior to any consideration for approval. The comments from adjacent municipalities will be carefully considered by the Development Authority; however, the Development Authority will not be bound by another municipality's comments or recommendations.</p>
Exceptions	<p>At the discretion of the Development Authority, the height provisions of these regulations may be waived for church steeples, belfries, towers, cupolas, and similar architectural features; flagstaffs, chimneys, elevator mechanisms and housings, water tanks, stand pipes, and similar utility structures; and radio and television towers and antennas, and similar telecommunication structures, and may require a request for a Variance subject to the provisions of Section 2.13 of this Bylaw.</p> <p>Notwithstanding any regulation in this Section to the contrary, all garages and carports shall be located a minimum of 6 m (20 ft.) from any Lot Line where the garage doors that provide Vehicle access face that Lot Line. The distance from the doors of an attached garage that provide Vehicle access or the entrance of an attached carport to the Lot Line shall not be less than the required Yard setback within the Designated District.</p> <p>Notwithstanding any regulation in this Section to the contrary, a fence or hedge may be constructed along a boundary line of a Lot or Parcel or immediately adjacent to a Main Building, subject to the provisions in Section 4.5(13) of this Bylaw.</p> <p>Radio and television towers and antennas, and similar telecommunication structures are subject to specific District requirements as established in Section 5.19 of this Bylaw.</p> <p>The FireSmart Setback provisions of these regulations may be modified at the discretion of the Development Authority, and may require a request for a Variance subject to the provisions of Section 2.13 of this Bylaw.</p>

4.3 Accessory Buildings and Development Siting and Setbacks Regulations for Residential Districts

Non-conforming Uses	<p>Non-conforming use status will apply to those Accessory Buildings, which are already in existence at the time these regulations come into effect and do not meet the requirements established within these regulations, pursuant to Section 2.12 of this Bylaw.</p> <p>Non-conforming Accessory Buildings already in existence, may be allowed to encroach into the setbacks established within these regulations at the discretion of the Development Authority.</p> <p>Notwithstanding any other provision of this Bylaw to the contrary, Non-Conforming Uses existing as of the date of the approval of this Bylaw may be entirely restored and/or replaced, whether or not they have been damaged by fire or other incident, and whether or not the landowner/developer merely wishes to replace the building.</p>
Restricted Uses	<p>Uses that may produce, directly or indirectly, noise, odour, fumes, dust, smoke, unsightly appearance, or other effects that may be detrimental to uses within a Residential District shall not be allowed within a Residential District.</p>
Swimming Pools	<p>The minimum Front and Side Yards of a swimming pool shall be the same as for the main building, and the minimum Rear Yard for a swimming pool shall be 1.5 m (5 ft.).</p> <p>All swimming pools must be enclosed by a non-climbable fence not less than 1.8 m (5.9 ft.) in height either around the pool area or around the perimeter of the Lot or Parcel and shall include a security gate.</p> <p>All swimming pools shall meet the minimum standards of any applicable Provincial regulations regarding swimming pools.</p> <p>There shall be no mechanical or electrical equipment used, which would interfere with the enjoyment of adjacent properties.</p>
Temporary Uses	<p>Development Permits for non-permanent structures, including but not limited to portable garage shelters, may be issued on a temporary basis for a period not to exceed three (3) years.</p>

4.4 Corner and Double Fronting Lots or Parcels

Figure 3. Siting and setbacks in Residential Districts.



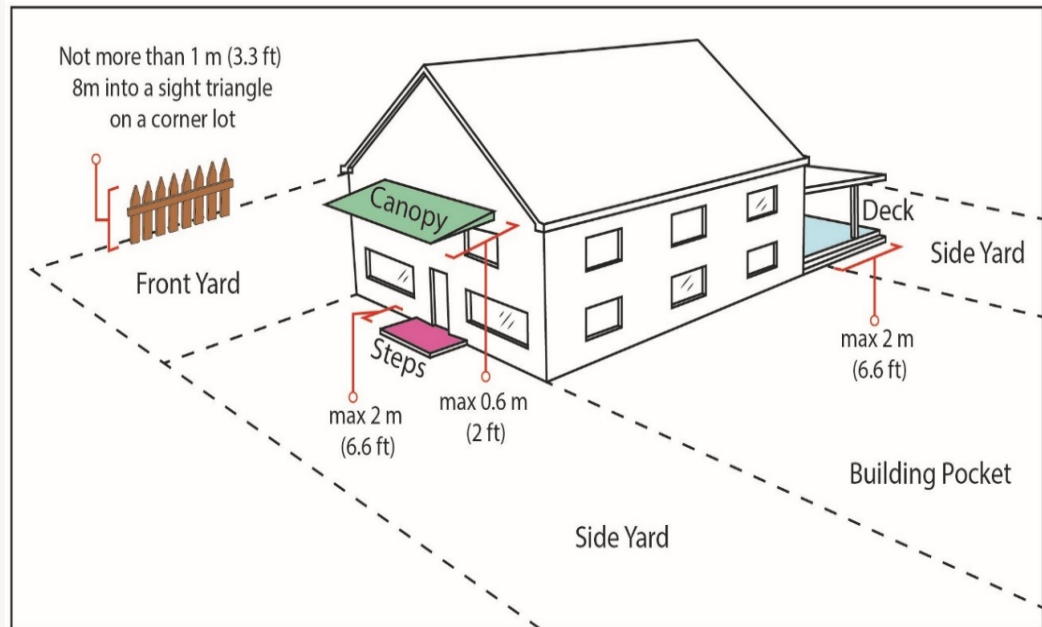
4.4 CORNER AND DOUBLE FRONTING LOTS OR PARCELS

- (1) Within all Districts, the following regulations shall apply:
- (a) In the case of double fronting Lots, the Front Yard shall be that portion of the Lot abutting the road on which the Front Yards of adjacent Lots face. If adjacent Lots have Front Yards facing both roads, Front Yards shall be considered to be on both roads and the Lot may thus have no Rear Yard.
 - (b) Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may require that a development on a corner Lot or on a double fronting Lot provide two minimum required Front Yards, after having regard to the orientation of adjacent Lots and to the location of accesses to the development.
 - (c) Notwithstanding any other provision of this Bylaw to the contrary, where a second minimum Front Yard is not required on a corner Lot, the minimum required Side Yard on the side adjacent to the road shall not be less than the minimum Side Yard for the Designated District.
 - (d) Except as provided in **Section 4.9**, where a second minimum Front Yard is not required on a corner Lot, no feature, structure, or portion of a building more than 0.5 m (1.6 ft) in height shall be located or project into a required Yard. **(See Figure 4.)**

4.4 Corner and Double Fronting Lots or Parcels

- (2) In all Districts, the following regulations shall apply regarding site line protection on corner Lots or Parcels:
- (a) On corner sites within all Districts, at the intersection of roads, lanes, and at intersections of driveways and roads, no feature, structure, or portion of a building more than 1.0 m (3.2 ft.) in height shall be erected, placed or maintained within the Corner Site Line Protection areas or its setbacks, as shown in Figure 1 and
 - (b) **Figure 3**, as applicable.
 - (c) Notwithstanding any other provision of this Bylaw to the contrary, no sign shall be located within the Corner Site Line Protection areas or its setbacks, as shown in Figure 1 and
 - (d) **Figure 3**, as applicable.
- (3) In all Districts, the following regulations shall apply regarding Lots or Parcels adjacent to a water body:
- (a) Lots or Parcels of land adjacent to a water body shall be considered double-fronting Lots or Parcels and are subject to the provisions in this Section, in addition to all other provisions of this Bylaw for the Designated District for each Lot or Parcel.
 - (b) The front Lot Line for Lots or Parcels of land adjacent to a water body, whether there is or not separation by means of an environmental reserve or conservation buffer or easement shall be located along the Lot or Parcel property or boundary line abutting the main access road to the subject Lot or Parcel.
 - (c) Location of Accessory Buildings on Lots or Parcels of land adjacent to a water body shall conform to the regulations established in **Section 4.2** or **Section 4.3** of this Bylaw, subject to the designated land use District for each Lot or Parcel.

Figure 4. Permitted Encroachments within Side Yards on a Corner Site.



4.5 DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS STANDARDS AND REGULATIONS

- (1) The purpose of this Section is to provide the County with controls to ensure higher quality performance of site development, building, and servicing as well as good and compatible design, character, and appearance of buildings located in Lots and Parcels of land throughout the County.
- (2) The provisions of this Section apply to the Development of all Buildings within the County of Vermilion River.
- (3) The County will encourage high-quality, sustainable development in design, construction, and systems, which incorporate environmental considerations.
- (4) The exterior finish on all buildings shall be of a permanent material, and be of a character and quality satisfactory to the Development Authority. In this regard, the siding, shingling, painting, etc. of a building shall be completed within two (2) years of Development Permit approval.
- (5) Development proposals within the County shall be designed in a pattern of interconnecting streets, defined by buildings, street furniture, landscaping, pedestrian ways and sidewalks, as applicable. The layout should be suited to existing topography and other natural features of the area to minimize cut-and-fill and grading throughout the site.
- (6) The following design guidelines and architectural controls apply to development proposals for lands located within County boundaries. The Development Authority, at its sole discretion, may require that design guidelines be registered on the title for each Lot or Parcel through an instrument, such as a restrictive covenant.

(a) Building massing and siting

- (i) Building massing and siting should reflect careful consideration of the Lot or Parcel characteristics, relationship, and orientation. Building mass, siting and style may be modified on a case-by-case basis to enhance the streetscape. Setbacks may be adjusted accordingly.
- (ii) There is intent to provide an overall site composition of sloped roofs, which allow for an expression of uniqueness for individual residences and the internal functions of each house. Houses within the same street or cul-de-sac are to have a consistency of apparent volume.
- (iii) The siting of Dwelling Units shall reflect the attributes of topography, views, exposures, and the need for privacy. House siting should be examined to ensure proper drainage and compatibility with siting on adjacent Lots or Parcels.

(b) Setbacks and Separation Space

- (i) Maximum setbacks for front yards on all other Lots or Parcels may be imposed to ensure compatibility with siting on adjacent Lots or Parcels.

(c) Elevations

- (ii) Front elevation and high-visibility rear elevation treatments should avoid large expanses of flat, vertical wall through the use of such architectural elements as trim boards on window frames, arched elements, decorative panels, balconies, bay windows, projections, etc.
- (iii) A maximum of two feet (2) of parged concrete will be permitted on all elevations of the home. Variation in grade and basement design may require the exterior cladding material be lowered or extended to within 2' of ground level.

(d) Grading

- (i) The Development Authority, at its sole discretion, may require that the Applicant or Developer obtain a grading certificate from the County for each Lot or Parcel as a condition of Development or Subdivision.
- (ii) Grade variations should be absorbed within the building mass, to minimize steeper slopes and contrast between Lots or Parcels.
- (iii) Front entry steps are to be a maximum of three risers per set. Where the grade elevation calls for more than three risers, the run must be split. Exceptions to this requirements may be granted in consideration of the unique design and/or topography.
- (iv) Any gap between the ground level and the floor level of any Development shall be finished with high-quality skirting within 30 days of placement on a Property. All

4.5 Design, Character and Appearance of Buildings standards and Regulations

finished materials shall either be parged, factory fabricated, or of equivalent quality and be pre-finished or painted so that the design and construction compliments and is compatible with the dwelling;

- (v) All Property shall provide for a maximum of two (2) off-street parking spaces and shall ensure that sufficient setbacks are provided for the parking area to park Vehicles entirely on-site, without overhanging any property lines.

(e) Driveways and Garages

- (i) Driveways and front walks are to be one of the following:

1. cast in place concrete, including plain and stamped, or colored concrete;
2. paver stones; or
3. field stones.
4. asphalt driveways and sidewalks are not allowed.
5. garages shall be constructed in a style that complements the house.
6. unless otherwise approved by the Development Authority, garages are to be located on the Property in conformity with the Land Use Bylaw of the County of Vermilion River.

(f) Colours

- (i) exterior colours shall all be in keeping with the image and character of the neighbourhood.

- (7) The Development Authority may consider the following when reviewing development proposals in all districts:

- (a) the design, character, and appearance of a proposed building or building(s) must be compatible with buildings on the subject Lot or Parcel and other buildings existing in the vicinity, unless the building is setting an improved standard of design and character for the Land Use District or a particular location therein.
- (b) the design of the building must be consistent with the purpose of the land use District in which it is located; and/or
- (c) the building shall comply with any provisions of any statutory plan, which sets out specific guidelines as to the design, character, appearance, or building materials to be used within a District or area;

- (8) The arrangement, location, and orientation of all buildings, main and accessory, in all districts shall be as required by the Development Authority.

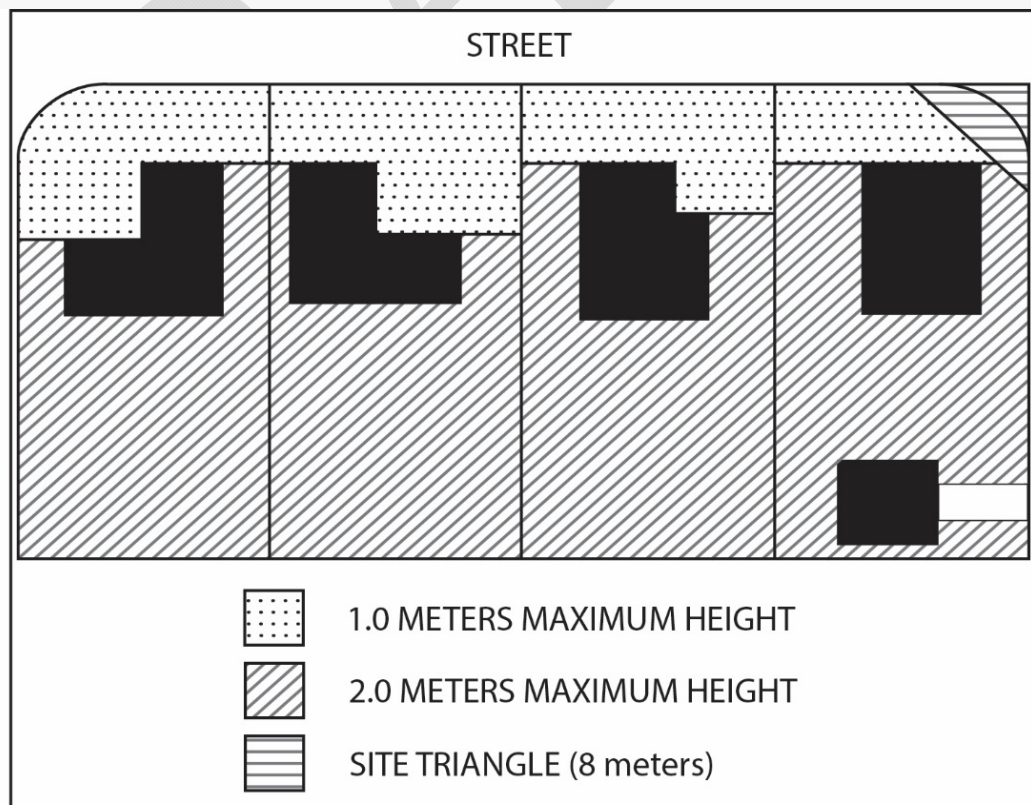
4.5 Design, Character and Appearance of Buildings standards and Regulations

- (9) The Development Authority shall encourage buildings to be sited and constructed following best practices to maximize passive solar energy gain.
- (10) The Subdivision Authority or the Development Authority, where it desires to achieve a higher standard of design and appearance in a specific Site Development Plan, Area Structure Plan, Subdivision, or Development, may require the Developer to provide detailed architectural control guidelines and to register said guidelines in the form of a restrictive covenant (RC) in title for each individual Lot or Parcel as a condition of subdivision or development approval in order to ensure ongoing conformance with the established architectural control guidelines.
- (11) Specifically with respect to Non-Residential or Direct Control Districts, other than a Direct Control District within the boundary of an Intermunicipal Development Plan, the Development Authority or Council, as the case may be, may impose conditions in relation to property appearance if, in the opinion of the Development Authority or Council:
 - (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; and/or
 - (b) there is a likelihood that undesirable impacts may be generated on the site, and cause conflicts with other Lots or businesses within or adjacent to the development.
- (12) In determining the conditions to be imposed pursuant to **Sub-section (10) above**, the Development Authority or Council, as the case may be, may consider, but will not be limited to considering the following:
 - (a) Additional separation space may be required between incompatible uses.
 - (b) Trees, shrubs, opaque fences, walls, and berms can be used to buffer or screen uses having negative impact.
 - (c) Architectural elements such as arches, columns, or gables along with appropriate exterior finishing materials and colours can reduce the perceived mass and impact of rooflines and facades of large buildings where walls are in excess of 33.0 m (100 ft) in length.
 - (d) Waste collection areas may need to be screened using berms, landscaping, or solid fencing or any combination of the foregoing. Similarly, mechanical equipment (including rooftop mechanical equipment) shall be screened from view.
 - (e) Alternative access locations.
 - (f) Applying dust control methods to the subject property and/or adjacent roads.
 - (g) Any additional measures that at their discretion are considered relevant to mitigate impacts on adjacent or sensitive uses in proximity to the proposed development.
- (13) Fences, Walls, and Hedges

4.5 Design, Character and Appearance of Buildings standards and Regulations

- (a) Notwithstanding any regulation respecting required yards to the contrary in this Bylaw, a fence or hedge may be constructed along a boundary line of a Lot or Parcel, except as established for the Corner Site Line Protection areas or its setbacks, as shown in Figure 1 and
- (b) **Figure 3**, as applicable.
- (c) No fence, wall, hedge or any combination thereof located within any Residential District shall be constructed higher than listed below, when measured from the average ground level at 0.3 m (1 ft.) back from the Lot Line, on whichever side of the fence the ground level is lower than:
 - (i) 2.0 m (6.6 ft.) for the portion of the fence, wall, or hedge that extends from the foremost portion of the Main Building into the Rear Yard setback, as depicted in **Figure 5**;
 - (ii) 1 m (3.3 ft.) for the portion of the fence, wall, or hedge that extends from the foremost portion of the Main Building into the Front Yard setback, as depicted in **Figure 5**;
 - (iii) 1 m (3.3 ft.) for that portion of the fence, wall, or hedge that extends into an 8 m (26.25 ft.) sight triangle on a corner Lot or Parcel with two or more intersecting roads, as depicted in **Figure 5**.

Figure 5. Fencing Regulations.



- (d) All apartment or row housing developments shall provide, to the satisfaction of the Development Authority, a wall, hedge or wooden fence of not less than 1.22 m (4.0 ft.) nor more than 2.0 m (6.6 ft.) in height, along any side or rear lines adjacent to any residential use.
- (e) All drive-in businesses, car washing establishments, service stations and gas bars shall provide, to the satisfaction of the Development Authority, solid fences of not less than 1.22 m (4.0 ft.) in height nor more than 2.0 m (6.6 ft.) in height, along any side or rear property lines adjacent to any Residential District.
- (f) All other commercial developments shall provide, to the satisfaction of the Development Authority, a wooden fence of not more 2.0 m (6.6 ft.) in height along any side or rear lines adjacent to any Residential District.
- (g) Neither razor wire nor barbed wire shall be allowed within Residential Districts.
- (h) Razor wire shall not be used in the municipality without a Development Permit having been issued to allow its use.
- (i) Other than in the Agricultural (A) and Controlled Urban Development (CUD) Districts, barbed wire shall be used as a fencing material only if a Development Permit has been issued to allow its use.
- (j) In all Districts outside of the Hamlets, all fences, walls and hedges, other than game fencing and corrals on Parcels over 32 ha (80 ac.), shall be not less than 15.24 m (50.0 ft.) from the centre line of adjacent roads.

(14) Crime Prevention Through Environmental Design

- (a) During the review of a Development Permit application, the Development Authority may consider the following Crime Prevention Through Environmental Design (CPTED) principles, and make recommendations for the proposed development:
 - (i) the reduction of concealment opportunities;
 - (ii) the provision of lighting to minimize unlit areas;
 - (iii) the placement of house and/or windows to maximize informal surveillance;
 - (iv) easily-identified street addresses;
 - (v) the placing of landscaping elements to provide sufficient sightlines;
 - (vi) designing the layout in a manner that encourages safe and accessible pedestrian movement; and
 - (vii) clearly defining entrance and exit routes.

(15) Dark Skies

- (a) All exterior lighting and all fixtures shall be shielded and oriented as to direct ALL light below the horizon.
- (b) All residential, commercial, industrial, recreational, and institutional users of exterior night-time illumination are encouraged to extinguish luminaires when not required.
- (c) Further to the regulations set out in the Land Use Bylaw, ALL new signage within the County requiring night-time illumination shall be illuminated only from the top of the sign, and only with full cut-off fixtures, oriented such that ALL light will be directed downward and below the horizon.
- (d) Illumination of existing non-compliant outdoor signage after approved business hours is prohibited unless the luminaire is retrofitted to be fully shielded and oriented as to direct ALL light below the horizon.
- (e) Curfews
 - (i) all existing sources of exterior illumination, including but not limited to residential, commercial, industrial, recreational, institutional, and signage for the purposes of advertising/entertainment that do NOT comply with pertinent sections of this bylaw shall be turned off by:
 - 1. 11:00 pm between April 1st and September 30th.
 - 2. 9:00 pm between October 1st and March 31st.
 - (ii) when enforcing **Sub-paragraph (i) above**, the municipality may take into account any practical considerations, including business hours of operation seasonal nighttime differences, and so on.
 - (iii) unless approved business hours surpass the prescribed curfew times, existing signage installed prior to the passing of this Bylaw that is used for advertising/entertainment purposes and that does NOT comply with the above regulation shall be required to extinguish artificial illumination by:
 - 1. 11:00 pm between April 1st and September 30th.
 - 2. 9:00 pm between October 1st and March 31st.
- (f) The use of laser light sources for outdoor advertising and/or entertainment purposes is prohibited.
- (g) The operation of searchlights for advertising and/or entertainment purposes is prohibited.
- (h) The use of drop lens cobra head light fixtures for street lighting purposes is prohibited. Only flat lens streetlight fixtures are permitted.

4.6 Development adjacent to Roadways regulations

- (i) No luminaire in a Residential District shall be oriented such that the light it emits trespasses beyond the Property line on which the luminaire is located.
- (j) Where commercial or industrial properties border residential properties, the amount of light that falls off the property does not exceed 0.5 foot-candle (lm/ft²) at the commercial or industrial property line.
- (k) No luminaire that produces glare due to its bulb type, power, and/or orientation, shall be permitted.
- (l) Non-conforming Luminaires
 - (i) all luminaires and illuminated signs lawfully in place prior to the date of the adoption of this bylaw shall be grandfathered. Until said luminaries are to be moved, repaired, or replaced for any reason, at that time the grandfathered luminaire shall be required to meet the provisions set out in this bylaw.
 - (ii) should grandfathered luminaires currently in place cause glare and/or light trespass, the owner is to rectify the situation at their earliest convenience. Should the owner choose not to do so, a remedial order may be issued.
 - (iii) the County is committed to developing a program that will provide orientation to Property owners with retrofitting their existing non-compliant luminaires.

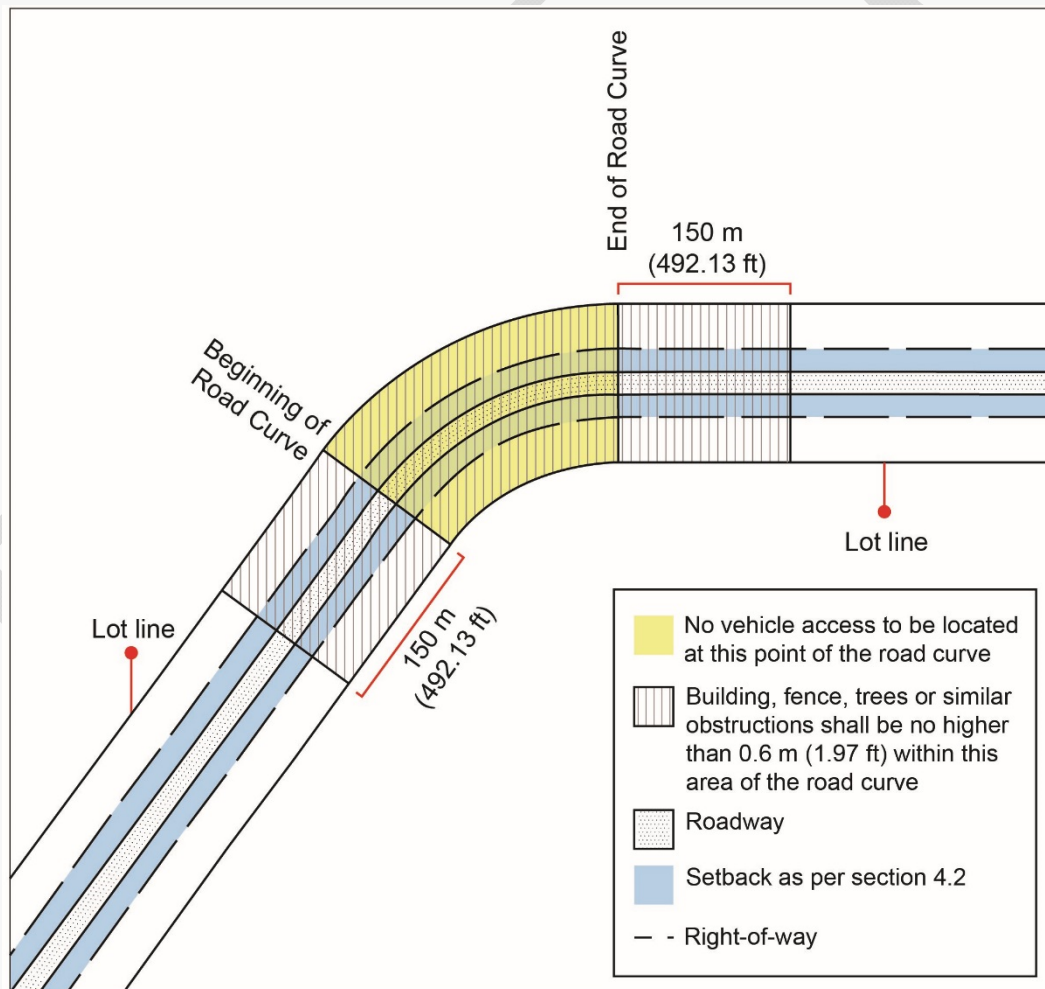
4.6 DEVELOPMENT ADJACENT TO ROADWAYS REGULATIONS

- (1) Development Permit applications for lands within 800 m (1/2 mile) of the centerline of a provincial highway or a provincial highway and a public road intersection shall be issued subject to approval by Alberta Transportation, as required pursuant to Provincial legislation and regulation.
 - (a) Site Development Plan or Area Structure Plans applications for lands within 1,600 m (1.6 km/1 mile) of a provincial highway or a provincial highway and a public road intersection are subject to approval by Alberta Transportation, as required pursuant to Provincial legislation and regulation.
- (2) On a Lot or Parcel located at the intersection of County roadways, no development shall be permitted within the areas illustrated in Figure 1.
- (3) On a Lot or Parcel located in the inside of a road curve, no development shall be permitted within the areas illustrated in **Figure 6**.
- (4) Development shall be located so that access or egress to a roadway is beyond 150 m (492 ft.) of the beginning or end of a road curve with greater than twenty (20) degrees curvature, as illustrated in **Figure 6**; or, at the intersection of two (2) roads, such that the minimum distances shown on Figure 1 and **Table 1** are provided.
- (5) Ingress to or egress from County roadways shall not be permitted where it would be:

4.6 Development adjacent to Roadways regulations

- (a) less than 150 m (492 ft.) from an existing approach on the same side of the road;
- (b) less than 150 m (492 ft.) from a bridge;
- (c) less than 150 m (492 ft.) from an at-grade railway crossing;
- (d) at a point where the gradient of the road is in excess of three percent (3%), when the existing surveyed road has been constructed to collector road standards; and in the case of an existing surveyed road not constructed to collector road standards, ingress to or egress will be permitted only if construction to collector road standards is expected within two (2) years and the grade will be less than three percent (3%).
- (e) exceeding the maximum number of ingress/egress points along a County roadway established in the County Standards for the proposed location.

Figure 6. Building and Access Setbacks Requirements near Road Curves.



- (6) The planting of trees adjacent to collector and rural roads shall be in accordance with the requirements of Figure 1, **Figure 6**, and **Table 1**.

4.7 Landscaping

- (7) Where a County roadway intersects a provincial highway, Provincial regulations shall apply to development adjacent to the County roadway, where it intersects.

4.7 LANDSCAPING

- (1) In all land use districts, except for the purpose of and in connection with agricultural operations within the Agriculture (A) District, no person shall commence or continue the removal of topsoil without first obtaining an approved Development Permit.
- (2) Development Permit applications for landscaping shall be accompanied by a Lot or Parcel grading plan, drainage plan and, if applicable, indicate any existing or proposed retaining wall construction.
- (3) The Developer shall provide upon occupancy of the development, a minimum topsoil coverage of 15.2 cm (6 in.) and the affected area shall be landscaped to meet County Standards, to the satisfaction of the Development Authority.
- (4) In all districts, 90% of all areas of a Parcel not covered by buildings, parking or vehicular maneuvering areas shall be landscaped to the satisfaction of the Development Authority.
- (5) In the case of car washing establishments, service stations and gas bars, landscaping shall be provided and maintained to the satisfaction of the Development Authority. Solid fences shall be provided at least 1.5 m (4.9 ft.) in height and no higher than 2.1 m (6.9ft.) adjacent to residential areas.
- (6) In all residential areas, all off-street parking shall include a landscaped area. A wall, hedge, or wooden fence of not less than 1.2 m (3.9 ft.) in height and not more than 2.1 m (6.9 ft.) in height, shall be provided along the side property lines and pursuant to the provisions under **Section 4.5**, all to the satisfaction of the Development Authority.
- (7) In any residential land use district, acceptable landscaping for the Front Yard shall include manicured lawns, rock gardens, xeriscapes, vegetable gardens and ornamental plants, or a combination thereof, pursuant to County Standards.
- (8) In any Non-Residential Land Use District, off-street parking lanes shall be landscaped by the planting of trees and/or shrubs in the amount of at least one tree and/or shrub for every 185.8 sq. m (2000 sq. ft.) of parking space area. The trees and/or shrubbery shall be of a type and size approved by the Development Authority. Trees/shrubbery required shall be located within the parking area in locations where visibility for the safe movement of persons and traffic is not impaired.
- (9) All required landscaping and planting must be carried out to the satisfaction of the Development Authority and within 1 year (weather permitting) of occupancy or commencement of operation of the proposed development.
- (10) As a condition of a Development Permit, the Development Authority may require that the Developer provide a financial guarantee, in a form acceptable to the County of Vermilion River,

4.8 Parking and Loading Regulations

up to the value of the estimated cost of the proposed landscaping/planting to ensure that such landscaping/planting is carried out with reasonable diligence.

- (11) One of the responsibilities of landowners and/or occupants in the County of Vermilion River, including Hamlets, is the landscaping of all boulevards, buffer strips, utility Lots, walkways, medians, and public service land from the property line to the curb.

4.8 PARKING AND LOADING REGULATIONS

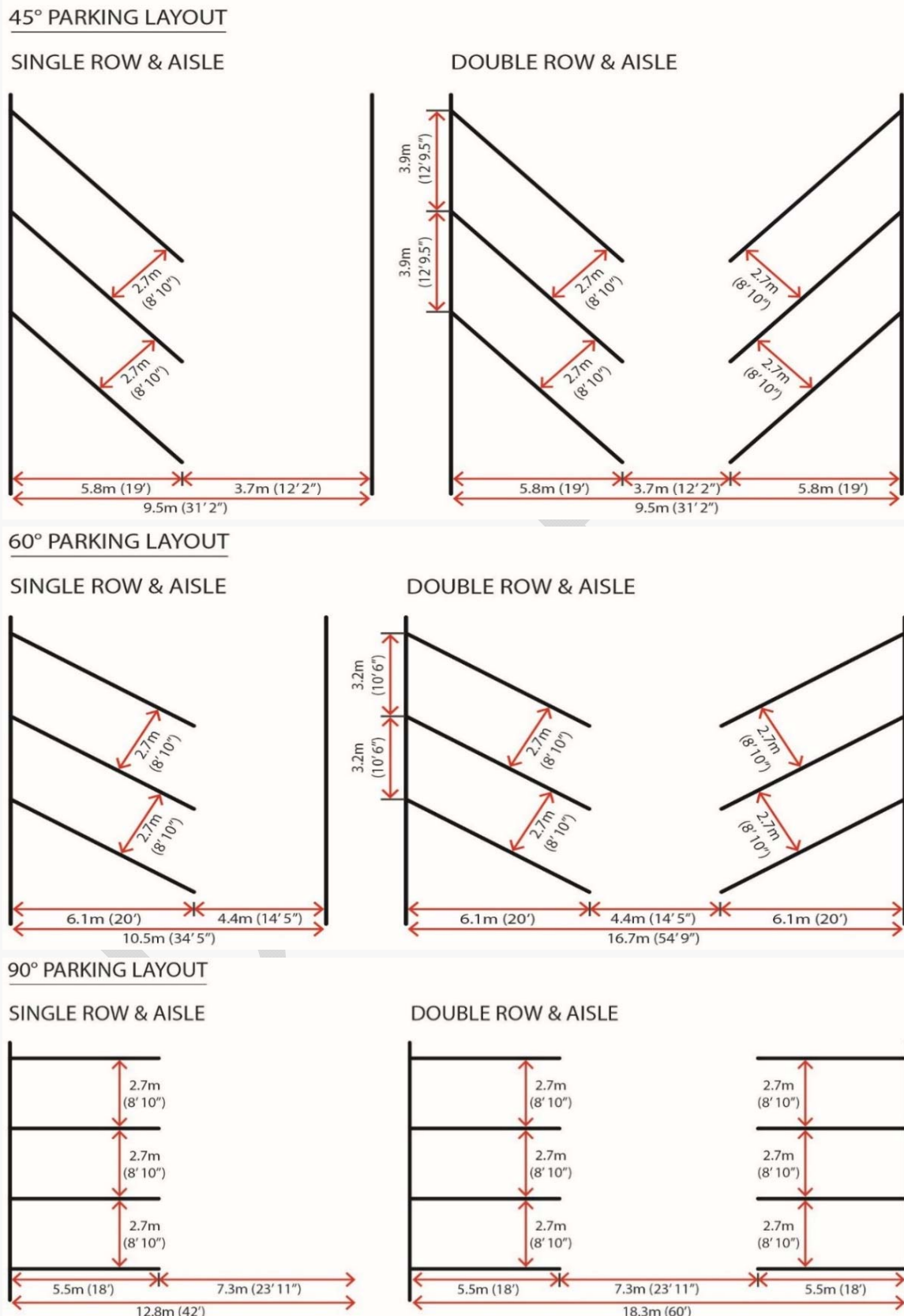
- (1) All parking areas shall conform to the minimum parking standards set out in this Section and County Standards.
- (2) Impact Mitigation
- (a) In all Districts, all parking areas shall provide storm water treatment for parking lot runoff using bioretention areas, filter strips, and/or other practices that can be integrated into required landscaping areas and traffic islands.
- (b) In all Districts, all parking areas shall provide adequate landscaping and buffering, pursuant to **Sections 4.7** and **Section 4.21** of this Bylaw, to the satisfaction of the Development authority.
- (3) Access and Approaches
- (a) In all Districts, vehicular entrances and exits onto roads shall only be permitted at locations approved by the Development Authority and in conformity with all relevant County specifications or policies. Permits shall be obtained from Alberta Transportation for all approaches onto Highways.
- (b) Sight line calculations shall be in accordance with the Roads and Transportation Association of Canada methods for determining crossing sight distances for roadways.
- (i) Sight line protection distances and setbacks shall meet the minimum requirements, as applicable within this Bylaw.
- (4) All off-street parking areas:
- (a) shall be designed to the satisfaction of the Development Authority with regard to the dimensions, and layout of parking stalls and maneuvering aisles taking into consideration the specifications contained in **this Section** and **Table 2**; and
- (b) shall have adequate street access, curbs, and curb cuts (where required) located according to County Standards to the satisfaction of the Development Authority. The use of enclosed drainage curb and gutter systems is discouraged in favor of vegetated swales, where feasible.
- (c) shall be graded, drained, compacted, and surfaced according to County Standards to the satisfaction of the Development Authority.

4.8 Parking and Loading Regulations

- (d) In all Districts, an off-street parking space shall be provided in accordance with the minimum requirements of each use as determined by the Development Authority.

4.8 Parking and Loading Regulations

Figure 7. Parking Lot Layout Design and Dimensions.



4.8 Parking and Loading Regulations

(5) Required Number of Off-Street Parking Spaces

- (a) All developed Lots or Parcels are required to provide a minimum number of parking stalls based on the use of the Lot or Parcel. In determining the parking requirement for a Lot or Parcel, the Development Authority may consider:
- (i) if a specific use is not mentioned below, the requirement shall be the same as for a similar use, at the discretion of the Development Authority; and
 - (ii) if a Parcel consists of multiple uses, the required parking shall be the sum of the requirements for each use, unless it is demonstrated to the satisfaction of the Development Authority that a shared parking facility with a reduced number of spaces will be sufficient.
- (b) parking requirements may be reduced at the discretion of the Development Authority by providing for combined or shared parking provided that a legal agreement is entered into between the users or land owners, and further that the parking arrangements are acceptable to the Development Authority.
- (c) Other than as noted below, no parking space may be located within a required Front Yard.
- (d) The minimum number of parking stalls for any development shall be as follows:

Table 2. Parking and Loading Requirements

EXISTING OR PROPOSED USE	REQUIRED PARKING	ADDITIONAL REQUIREMENTS
Residential Uses		
Single-Family Detached (Single-Unit Custom Or Move-In, Manufactured Home Community)	2 spaces per unit	
Single-Family Attached (Row Housing, Duplex, Fourplex)	1.5 spaces per unit	
Single-Family Semi-Detached (Secondary & Accessory Dwellings, Stacked Housing)	1 space per unit	

4.8 Parking and Loading Regulations

Multi-Family <i>(Apartment, Cohousing, Multi-Unit, or Similar)</i>	2 spaces per 3 units	
Special Residential Uses	0.3 parking spaces per sleeping room, plus 1 parking space per employee on largest shift.	
Visitors	1 space per 7 units	
Hotel or Motel	1.0 parking space for each sleeping room up to 250 rooms; 0.75 parking spaces for each sleeping room from 251 rooms to 500 rooms; 0.50 parking spaces for each sleeping room in excess of 500 rooms.	
Non-Residential Uses		Off-Loading Required
Industrial		<p>1.0 space per under five thousand square feet.</p> <p>2.0 spaces per over five thousand square feet up to twenty-five thousand square feet.</p> <p>1.0 additional space per each twenty-five thousand square feet or fraction thereof.</p>
Multi-tenant or multi-building	2.5 spaces per one thousand square feet of GFA* of office space; and 1.0 space per five thousand square feet of GFA of warehouse space.	
Mini-Warehouse Facilities	1.0 space for every 40 storage units or bays.	

4.8 Parking and Loading Regulations

Commercial		1.0 space per up to thirty thousand square feet. 1.0 additional space per each thirty thousand square feet or fraction thereof.
Office <i>(Professional & Public Services)</i>	2.5 spaces for every one thousand square feet of GFA or 2.75 for every one thousand square feet of UFA**.	
Retail Store (Free Standing) <i>(Supermarket, Home Goods, Discount Store, Auto Parts, Building Materials, Office Supplies, Electronics)</i>	4.0 spaces for every one thousand square feet of GFA.	
Shopping Centre (Neighborhood) <i>(25,001-100,000 GFA)</i>	4.0 spaces for every one thousand square feet of GFA.	
Shopping Centre (Community) <i>(100,001-399,999 GFA)</i>	4.0 spaces for every one thousand square feet of GFA.	
Shopping Centre (Regional) <i>(400,000-1,000,000 GFA)</i>	5.0 spaces for every one thousand square feet of GFA.	
Restaurant <i>(including outdoor decks, patio and/or seating areas, Drive-in)</i>	8.0 spaces for every one thousand square feet of GFA.	
Bar, Club or Lounge <i>(including outdoor decks, patio and/or seating areas)</i>	10.0 spaces for every one thousand square feet of GFA.	
Auto Sales & Repair	5.0 spaces for every one thousand square feet of GFA.	

4.8 Parking and Loading Regulations

Car Wash (automated)	2.5 spaces for each bay or stall for stacking space. <i>(Others 1.0 space per stall.)</i>	
Service Station	3.0 spaces for each service stall and 1.0 space for each employee on duty during largest shift.	
Services		
Hospital	2.2 spaces for each bed proposed to be constructed.	
Clinic (Medical Complex)	2.7 spaces for every one thousand square feet of GFA.	
Funeral Home or Mortuary	0.5 spaces for every chapel.	
Veterinary Clinic	5.0 spaces for every one thousand square feet of UFA.	
Nursery School or Day Care Centre	1.0 space for every employee on duty during the largest shift plus 1.0 space for every 10 children in attendance when the facility is operating at maximum capacity.	
Elementary School	1.5 spaces per 30-person classroom.	
Junior High School	3.5 spaces per 30-person classroom.	
Senior High School	9.5 spaces per 30-person classroom.	

4.8 Parking and Loading Regulations

College or University or Trade School	1.0 space for every three employees plus 1.0 space for every 10 students residing on campus and 1.0 space for every 5 students not residing on campus.	
Public Assembly <i>(Theatre, Auditorium, Hall, Sports Complex, Church, Cultural or Recreational)</i>	1.0 space for every five fixed seats in auditorium or sanctuary or, if there are no fixed seats, 1.0 space for every 40 square feet of GFA in the main auditorium or sanctuary.	
Library	1.2 spaces for every one thousand square feet of GFA.	
Special Uses		
Home Occupation <i>Major, Minor</i>		At the discretion of the Development Authority
Other Uses Not Listed		At the discretion of the Development Authority

*GFA=gross floor area **UFA=usable floor area

(6) Off-Street Loading Facilities

- (a) Off-street loading spaces shall be required for all non-residential developments and apartments.
- (b) A loading space shall be designed and located so Vehicles using it can park and maneuver within the Parcel.
- (c) A loading space shall be at least 4.0 m (13.12 ft.) wide, 8.0 m (26.24 ft.) long, and 4.3 m (14.10 ft.) high.
- (d) A loading area shall be graded, drained, compacted, and surfaced to the satisfaction of the Development Authority.
- (e) Loading spaces shall be provided in accordance with the requirements in **Table 2**.

(7) Shared Parking Facilities

- (a) In Districts other than a Residential District, and subject to approval by the Development Authority, required parking for any development(s) may be provided on a Lot or Parcel other than the development(s) site in accordance with the following:

4.9 Projections into Yards

- (i) the parking, in the opinion of the Development Authority, must be suitable, easily accessible and within a reasonable distance of the associated development(s).
- (ii) future use of the Lot or Parcel must be ensured to the satisfaction of the Development Authority. This may be done by a restrictive covenant registered on the title, a suitable bond posted by the Developer(s), or by any other legal method.
- (iii) at the option of the Development Authority, in lieu of off-street parking, a Developer shall pay the County to provide equivalent public parking. The Development Authority shall determine the amount of money in lieu of parking, based on current market values, and the money shall be used to provide off-street public parking.

4.9 PROJECTIONS INTO YARDS

- (1) Except as provided in this Section, and except for fences as noted in **Sub-section 4.5(13)** of this Bylaw, no feature, structure, or portion of a building shall be located or project into a required yard.
- (2) The following features may project into a required Front Yard:
 - (a) eaves, gutters, sills, bay windows, canopies, chimneys, and fire escapes may project a maximum of 0.6 m (2 ft.);
 - (b) steps, unenclosed decks, and balconies may project a maximum of 2 m (6.6 ft.).
- (3) The following features may project into a required Side Yard:
 - (a) eaves, gutters, and sills may project a maximum of 0.6 m (2 ft.);
 - (b) in Side Yards not required for vehicular access, bay windows, chimneys, decks, fire escapes, and steps may project a maximum of 0.6 m (2 ft.).
- (4) The following features may project in to a required Rear Yard:
 - (a) eaves, gutters, sills, bay windows, fire escapes, unenclosed balconies, and chimneys may project a maximum of 1.5 m (5 ft.).
- (5) Notwithstanding any provision of this Section, no projections shall be permitted into a Yard required to be used as a parking space, Vehicle loading and unloading space, driveway, or any maneuvering space for a Vehicle.
- (6) Notwithstanding any provision of this Section, exterior finishes such as siding, brick, stone, and parging may project a maximum of 150 mm (6 in.) into a required yard.

4.10 PROTECTION FROM HAZARD EXPOSURE REGULATIONS

- (1) The location of any anhydrous ammonia (AA) or liquefied petroleum gas (LPG) tank with a water capacity exceeding 9082 l (2000 gal.) shall be in accordance with the requirements of the Development Authority, but in no case, be less than a minimum distance of 122 m (400 ft.) from assembly, institutional, commercial or residential buildings.
 - (a) AA or LPG containers with a water capacity of less than 9082 l (2000 gal.) shall be located in accordance with regulations under the Safety Codes Act.
- (2) Flammable liquids tanks at bulk plants or service stations shall be located in accordance with regulations under the Safety Codes Act.
- (3) Setbacks from pipelines and other utility corridors shall be at the discretion of the Development Authority and be in accordance with the appropriate Provincial legislation or regulations.
- (4) Setbacks from the Landfill and Composting (LC) District
 - (a) Notwithstanding any other regulation in this Bylaw to the contrary, no school, hospital, food establishment or residence shall be located within 800 m (2625 ft.) of land within the Landfill and Composting (LC) District.
- (5) Sour Gas Facilities
 - (a) No development shall be allowed within 100 m (328 ft.) of a Level 1 sour gas facility (consisting of a well) as determined by Alberta Energy Resources Conservation Board (ERCB).
 - (b) In the case of a Level 2 sour gas facility as determined by the ERCB:
 - (i) no permanent dwelling shall be allowed within 100 m (328 ft.) of the sour gas facility; and
 - (ii) no institutional use shall be allowed within 500 m (1640 ft.) of the sour gas facility.
 - (c) In the case of Level 3 sour gas facility as determined by the ERCB:
 - (i) no permanent dwelling shall be allowed within 100 m (328 ft.) of the sour gas facility;
 - (ii) no residential development with a density of more than eight (8) dwelling units per quarter section shall be allowed within 500 m (1640 ft.) of the sour gas facility; and
 - (iii) no institutional use shall be allowed within 1500 m (4921 ft.) of the sour gas facility.
- (6) Pipeline and Utilities Corridor Setbacks

4.11 Objects Prohibited or Restricted in Yards

- (a) Any development involving pipeline and/or power line rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation and regulations. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial legislation and regulations and any regulations established by the Alberta Energy Regulator and Alberta Utilities Commission.

4.11 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

- (1) No person shall keep or permit to be kept in any part of any Yard located within a Residential District:
 - (a) any dismantled or wrecked Vehicle for more than fourteen (14) consecutive days;
 - (b) any objects or belongings that, in the opinion of the Development Authority, are unsightly or detrimentally may affect the health, safety, repose, amenities, use, value, or enjoyment of the surrounding lands, in reasonable proximity to the Property or Premises, or is otherwise detrimental to the surrounding area, or presents an 'unsightly condition' as defined by the Municipal Government Act.
 - (c) any Refuse, excavation, storage, or piling up of materials resulting from the Development of a Property, other than that reasonably necessary to complete the Development, and when applicable in connection with a valid Development Permit issued under this Bylaw and subject to the conditions outlined therein.
- (2) No surplus Building Materials, Garbage, or Refuse of any kind shall be dumped or stored on any Property except for clay and top soil for the purpose of completing the rough grading and landscaping of the Property, and when applicable in connection with a valid Development Permit issued under this Bylaw and subject to the conditions outlined therein.
- (3) No person shall keep or maintain a recreational Vehicle in a Front Yard except that a recreational Vehicle may be maintained in a Front Yard on a hard surfaced (concrete, gravel, or asphalt) driveway or concrete pad.
- (4) No person shall keep or permit to be kept in any part of any Yard any more than one (1) Vehicle, loaded or unloaded, of a gross Vehicle weight in excess of 4,800.0 kg (10,560 lbs) for longer than is reasonably necessary to load or unload the Vehicle.
- (5) No person shall keep or permit to be kept in a Yard adjacent to a Dwelling, either:
 - (a) a propane tank that is larger than 68.2 kg (150 lbs.);
 - (b) more than four (4) propane tanks; or
 - (c) any number of propane tanks with a total capacity, which may exceed 68.2 kg (150 lbs.);
 - (d) without first obtaining a Development Permit.
- (6) Notwithstanding Sub-section (4) above, on Lots in a Residential District, which are:

4.12 Uses in the Agricultural (A) District Regulations

- (a) greater than 1.2 ha (3 ac.) in area; and
 - (b) where the proponent can prove to the satisfaction of the Development Authority that the location and use of the propane tanks meets acceptable fire code and safety standards;
 - (c) the Development Authority may, at its sole discretion, allow more than four (4) propane tanks or any number of propane tanks with a capacity, which may exceed 68.2 kg (150 lbs.) to be located on a Lot.
- (7) Notwithstanding **Sub-section (5) above**, in Non-Residential Districts, where the applicant for a Development Permit can prove to the satisfaction of the Development Authority that the location and use of the proposed propane tanks meets acceptable fire code and safety standards as well as emergency response requirements, the Development Authority may, at its sole discretion, allow more than four (4) propane tanks or any number of propane tanks with a total capacity, which may exceed 68.2 kg (150 lbs.) to be located either:
 - (a) within an individual Lot; or
 - (b) within each recreational Vehicle stall located in an approved Campground, Recreational Vehicle Park, or Recreational Vehicle Campground whether Seasonal or a Work Camp.
- (8) All Development Permit applications to allow more than four (4) propane tanks, or any number of propane tanks with a total capacity, which may exceed 68.2 kg (150 lbs.), to be located within individual stalls, in approved Campground, Recreational Vehicle Park, or Recreational Vehicle Campground whether Seasonal or a Work Camp, will be required to include an Emergency Response Plan, prepared by the Developer, at no cost to the municipality. The Emergency Response Plan will be circulated to the municipality's Fire Department for approval prior to issuance of a Development Permit.
- (9) Development Permits issued for more than four (4) propane tanks or any number of propane tanks with a total capacity, which may exceed 68.2 kg (150 lbs.) will only be granted for a period of one (1) year. If the proponent wishes to extend the development period, a new Development Permit application must be submitted annually, at least thirty (30) days before the expiration date of the Development Permit for the current period.

4.12 USES IN THE AGRICULTURAL (A) DISTRICT REGULATIONS

- (1) Commercial
 - (a) A Development Permit for a commercial use within the Agricultural (A) District may be issued if, in the opinion of the Development Authority:
 - (i) it directly serves the agricultural community; and/or
 - (ii) it will not conflict with surrounding land uses.

4.13 Uses in Residential Districts Regulations

- (b) All site regulations and development requirements, including any requirement for buffers, shall meet the regulations of the designated District and be based upon the type of use(s) within the development proposed at the discretion of the Development Authority.
 - (c) At the time of the Development Permit application, the proponent of a commercial development shall identify all municipal servicing costs associated with the proposed development.
- (2) Industrial
 - (a) The Development Authority may request advisory comment from various departments within the Provincial and Federal Government and/or from the Health Authority, when considering an application for the establishment of a Rural Industrial Use or an Industrial Use in the Agricultural (A) District.
 - (b) All site regulations and development requirements, including any requirement for buffers, shall meet the regulations of the designated District and be based upon the type of use(s) within the development proposed at the discretion of the Development Authority.
 - (c) A Development Permit for an industrial use in the Agricultural (A) District may only be issued if, in the opinion of the Development Authority, the applicant can satisfy the Development Authority with respect to any concerns about:
 - (i) the type and level of emissions that may be emitted into the atmosphere by the proposed development;
 - (ii) servicing requirements and provisions for meeting them; and
 - (iii) any costs associated with providing new or upgraded municipal services associated with the proposed development.
- (3) Residential
 - (a) The Development Authority may request advisory comment from various departments within the Provincial and Federal Government and/or from the Health Authority, when considering an application for the establishment of a Discretionary Residential Use in the Agricultural (A) District.
 - (b) All site regulations and development requirements, including any requirement for buffers, shall meet the regulations of the designated District and be based upon the type of use(s) within the development proposed at the discretion of the Development Authority.

4.13 USES IN RESIDENTIAL DISTRICTS REGULATIONS

- (1) Residential Uses
 - (a) In all Residential Districts, residential development shall not be allowed on land having significant Development Constraints. The following list of development criteria shall be used in determining the suitability of land for seasonal and permanent residential development:

4.13 Uses in Residential Districts Regulations

- (i) groundwater of sufficient quantity and quality shall be available to support the proposed development. No development shall be permitted in areas where, in the opinion of the Development Authority, reserves of potable water are inadequate.
 - (ii) development shall be prohibited on slopes in excess of 15%, unless a geotechnical report providing assurance of slope stability that was prepared by an engineer registered to practice in the province of Alberta is submitted.
 - (b) Multi-Lot Development for Country Residential Use shall be prohibited:
 - (i) on sites where adequate year-round access is not available by either a paved or graveled all-weather road that meets County Standards.
 - (ii) on sites where necessary services are not provided. Services are to be provided at the sole expense of the Developer.
 - (iii) within 30.5 m (100.0 ft.) of a lake, the North Saskatchewan River, or the Battle River. If the Developer disputes the required setback, the Developer shall provide the Development Authority with a biophysical study, which indicates that an alternative setback area is appropriate for the subject site. The Development Authority will then carefully consider the additional information and make a determination regarding the most appropriate setback area for the site.
 - (c) All development shall be located on Lots large enough to support on-site water supply and sewage disposal systems. All development shall be required to install sewage disposal systems, which have been approved by the authority having jurisdiction.
 - (d) Any proposed facilities, such as change houses, sewage disposal, garbage disposal, and on-site water supply, shall be required to have approval from authorities having jurisdiction, and shall be sufficient size and quality to handle anticipated use.
 - (e) The clearing of vegetation shall be minimized and occur only after obtaining a Development Permit.
 - (f) Any person who proposes to alter the bed or shoreline of a lake must first receive appropriate approvals from provincial authorities. Under provincial law, most development on the bed or shoreline of a lake (up to the high-water mark) is required to obtain a License of Occupation from provincial authorities prior to construction. Improvements not requiring a license include minor bank stabilization, erection of a small, removable, seasonal, domestic pier, or placement of a removable boatlift on the lake bed during the summer months. Shoreline alterations involving such things as depositing soil materials within the high water level of a lake will generally not be permitted.
 - (g) Further information may be obtained from appropriate provincial government agencies.
 - (h) Where there is an approved Site Development Plan or Area Structure Plan, requirements and / or regulations in that Plan will apply.
- (2) Additional or Accessory Buildings
- (a) No additional or accessory buildings shall be constructed on a Property unless:

4.13 Uses in Residential Districts Regulations

- (i) It is in compliance with the Land Use Bylaw of the County of Vermilion River in force at the time;
 - (ii) the additional or accessory building is constructed and pre-finished or painted so that the design and construction compliments and is compatible with the principal building;
 - (iii) the roofline of any additional or accessory building does not exceed the height of the principal building;
 - (iv) no additional or accessory building setbacks exceed those of the principal building.
- (b) No custom, manufactured, or modular home of any type or kind shall be placed on a Property unless the custom, manufactured, or modular home meets the following requirements:
 - (i) Any custom, manufactured, or modular home shall meet all CSA and Alberta Building Standards (ABS) standards and requirements, and contain and have affixed CSA and ABS label numbers;
 - (ii) Roof types shall be limited to roofs of a peak design with a suitable material that meets all Alberta Building Code standards and requirements;
 - (iii) Dwellings shall be placed on a CSA Z240. 10.1 standard foundation, an engineer approved foundation, or a basement which meets Alberta Safety Codes standards.
- (3) Parking of Commercial or Heavy Vehicles
 - (a) No Person shall Park or permit any Commercial Vehicle and/or Heavy Vehicle to be Parked, with or without a Trailer attached thereon, on any Highway, Road, or Roadway.
 - (b) Notwithstanding **Subsection (a) above**, a Person may park or permit a Commercial Vehicle and/or Heavy Vehicle to park, with or without a Trailer attached thereon, upon any Highway, Road, or Roadway for the purpose of delivery or pickup of goods, merchandise, or a commodity during the Day-Time.
- (4) Urban Agriculture
 - (a) Provisions under this **Section** shall be in accordance with federal and provincial legislation provisions, where applicable. Should any provision under this **Section** is found to conflict with provisions under federal or provincial legislation, the provisions under highest level of regulation shall apply.
 - (b) Urban Agriculture activities within a designated Residential District, where permitted, are subject to a Development Permit being issued under the Land Use Bylaw in force at the time.
 - (c) Horses

4.13 Uses in Residential Districts Regulations

- (i) The provisions under this Section do not apply to lots or parcels of more than five (5) acres within areas designated as Non-Residential Districts under the Land Use Bylaw in force at the time.
 - (ii) Keeping or maintaining horses on Property or Premises is not permitted on lots or parcels less than one (1) acre within a designated Residential District, including Country Residential Uses.
 - (iii) Keeping or maintaining horses on Property or Premises on lots or parcels between one (1) and five (5) acres, inclusive, within a designated Residential District, including Country Residential Districts, shall not exceed one (1).
 - (iv) The Owner or Occupant of a Property in a Country Residential District where horses are permitted under the Land Use Bylaw in force at the time, shall keep them adequately fenced so as to prevent them from escaping into neighbouring Property or Public Places.
 - (v) The Owner, Rider, or Person responsible for any horse that defecates in a Public Place within a Residential District; or upon Property or upon Premises other than that owned or occupied by the Owner, Rider, or Person responsible for the horse, shall be subject to the provisions under **Section 1.14** of this Bylaw; such action does not constitute an offence PROVIDED THAT the Owner, Rider, or Person having control of the horse removes the droppings as soon as possible.
 - (vi) No person shall tether or otherwise leave out any horse for the purpose of depasturing or grazing on a Public Place.
- (d) Community Gardens
- (i) Keeping or maintaining a community garden on Property Premises within a Residential District is the requirements outlined herein and a Development Permit being issued under the Land Use Bylaw in force at the time.
 - (ii) On-site sales may be permitted in Residential Districts one day a week subject to a Development Permit being issued.
 - (iii) Where a Development Permit has been issued, on-site sales are subject to the following:
 - 1. Onsite sales are limited to the sale of unprocessed, non-value-added products grown on site; and
 - 2. All sales must be conducted in compliance with laws regulating onsite sales of products grown in the community garden.
 - (iv) The community garden site shall be designed and maintained to effectively handle all drainage on site.

4.13 Uses in Residential Districts Regulations

- (v) A minimum one (1) meter (3.5 ft.), clearly marked entrance path shall be provided from the public right-of-way to the garden.
 - (vi) A permanent sign including, but not limited to, the name and contact information of the Person responsible for the garden shall be posted at the primary entry path adjacent to the public right-of-way. The sign shall comply with the requirements of the Land Use Bylaw in force at the time.
 - (vii) Refuse storage areas shall be provided and screened to enclose all refuse generated from the garden. Refuse areas shall be located as close as practicable to the center of the property. Refuse shall be removed from the site at least once a week.
 - (viii) Storage areas for tools, fertilizers, equipment, and other material shall be enclosed and located as close as possible to the center of the property.
 - (ix) The following best practice standards shall be used for garden operations:
 - 1. Composting: May be performed onsite. Composting materials shall only be those materials generated onsite. Composting areas shall be located as close as possible to the center of the property.
 - 2. Water use: Water rates shall apply to community gardens. Mulch shall be applied to exposed soils in planting areas. Soil amendments shall include water retaining matter. Water shall be applied only to the base of plants. All hoses shall be equipped with a trigger nozzle. Watering of plants shall comply with the watering schedule for the community where the community garden is located.
 - (x) Hours of operation shall be limited to the hours between sunrise and sunset as set forth by the National Research Council Canada.
- (e) Fowl, Rabbits, and Racing or Homing or Fancy Pigeons
- (i) Keeping or maintaining fowl, rabbits, racing, homing or fancy pigeons on Property or Premises within a Residential District, with or without a community garden in accordance with **Subsection 4.13(2)(d)** of this bylaw, is subject to the requirements outlined herein, including **Subsection 4.13(2)(e)(iii) below**, and a Development Permit being issued under the Land Use Bylaw in force at the time.
 - (ii) No Owner or Occupant of a Property in a Country Residential District shall, at any given time, keep or maintain more than:
 - 1. Twenty-five fowl and rabbits; or
 - 2. 100 pigeons; or
 - 3. Any combination of (1) and (2) that exceeds 100.

4.13 Uses in Residential Districts Regulations

- (iii) No Owner or Occupant of a Property in a Residential District shall keep Fowl that by noise, odour, flies, insects, or vermin causes or is likely to cause a Nuisance or create a danger to public health.
- (iv) No Owner or Occupant of a Property in a Residential District shall keep or allow to be kept or to remain on any Premises any Fowl except in a coop or otherwise confined within the Property.
- (v) All Fowl must have access to a properly constructed aviary or coop covered with a rainproof roof and provided with a floor of concrete, wood, or earth.
- (vi) All food for fowl, rabbits, or racing, homing, or fancy pigeons shall be stored in containers, which offer protection against rodents.
- (vii) All fowl, rabbit, or racing, homing, or fancy pigeon droppings and food scraps shall be properly disposed of at least once a week or more frequently if, in the opinion of the Designated Officer, it is necessary to prevent an unsanitary condition.
- (viii) Any person who keeps pigeons shall be is a member in good standing of either the Canadian Racing Pigeon Club or the Canadian Pigeon Fanciers Association, and shall have his birds banded with a seamless Club or Association band on their leg.
- (ix) The Owner or Occupant of a Property in a Country Residential District may bring any number of chickens in temporarily for the purpose of mob grazing.
- (x) Keeping or maintaining chickens on Property or Premises designated Parks and Recreation (PR) within a Residential District, with or without a community garden in accordance with **Subsection 4.13(2)(d)** of this bylaw, is subject to a Development Permit being issued under the Land Use Bylaw in force at the time and the following requirements :
 - 1. No rooster shall be permitted on Property or Premises within a Residential District.
 - 2. The number of chickens permitted and the location of the chicken coop are as follows:
 - a. up to five (5) chickens may be kept on a premises, provided that the coop is located outside of all required setbacks as established by the Land Use Bylaw in force at the time;
 - b. up to fifteen (15) chickens may be kept on a premises, provided that the coop is located outside of all required setbacks, as established by Land Use Bylaw in force at the time, or 5 meters (15 ft.) from the property line, whichever is greater; and

4.13 Uses in Residential Districts Regulations

- c. up to twenty-five (25) chickens may be kept on a premises, provided that the coop and the enclosure are a minimum of 15 meters (50 ft.) from any structure used for residential purposes.
 - 3. All chickens shall be housed in coop that is designed to be:
 - a. predator proof;
 - b. thoroughly ventilated;
 - c. watertight;
 - d. easily accessed and cleaned; and
 - e. a minimum of six square feet (6 sq. ft.) of area per chicken.
 - 4. Direct access from the coop to an outdoor enclosure shall be provided with the outdoor enclosure designed to be:
 - a. predator proof;
 - b. easily accessed and cleaned;
 - c. fenced to contain the chickens; and
 - d. a minimum of ten square feet (10 sq. ft.) of ground area per chicken.
 - 5. Nothing contained in this section shall be deemed or construed to prohibit the keeping of fowl, rabbits, or racing or homing or fancy pigeons:
 - a. in a coop, box, or run located and kept within a schoolhouse, museum, or zoo for the purpose of study or observation; or
 - b. in a coop, box, or run located and kept within a physician's office or laboratory, for medical research, medical treatment, or scientific purposes.
- (xi) The Owner or Occupant of a Property in a Residential District may sell eggs laid by the chickens permitted under this Section from the residence for which the permit has been issued, provided the permittee complies with all other applicable laws. The sale of such eggs is not considered a commercial use or a home occupation. Chickens in Residential Districts may not be kept for any type of commercial purposes, including sale or breeding.
- (f) Hogs, Pigs, and Swine
- (i) No person shall bring or maintain any hogs, pigs, or other swine within a Residential District designated under the Land Use Bylaw in force at the time.

4.13 Uses in Residential Districts Regulations

(ii) Micro (Teacup) and potbellied pigs may be permitted in Residential Districts, provided that the animal is appropriately cared for, and that keeping the animal does not pose any environmental concerns or nuisances in the neighbourhood.

(iii) No Owner or Occupant of a Property in a Residential District shall, at any given time, keep or maintain more than:

1. Two (2) micro (Teacup) pigs.
2. One (1) potbellied pig.

(g) Goats and Sheep

(i) Keeping or maintaining goats and sheep on Property Premises within a Residential District, with or without a community garden in accordance with Subsection 9.15.2(a), is subject to a Development Permit being issued under the Land Use Bylaw in force at the time and the requirements outlined herein.

(ii) The Owner or Occupant of a Property in a Country Residential District may bring any number of goats in temporarily for the purpose of performing brush management.

(iii) The keeping of miniature goats or sheep on Property Premises within a Residential District, with or without a community garden in accordance with **Subsection 4.13(2)(d)** of this bylaw, is subject to a Development Permit being issued under the Land Use Bylaw in force at the time and shall be consistent with the following requirements:

1. Miniature goats are those goats commonly known as Pygmy, Dwarf, and Miniature Goats.
2. All miniature goats shall be dehorned.
3. Male miniature goats shall be neutered.
4. The Owner or Occupant of a Property in a Country Residential District shall keep no more than, and no less than, two (2) miniature goats on the Premises, except that offspring may be kept onsite for up to twelve (12) weeks from birth.
5. Miniature goats shall be housed in a shed designed to be:
 - a. predator proof;
 - b. thoroughly ventilated;
 - c. easily accessed and cleaned;
 - d. watertight and draft free;

4.13 Uses in Residential Districts Regulations

- e. a minimum of ten (10) square feet of interior space; and
 - f. located outside of all required setbacks as established by the Land Use Bylaw in force at the time.
- 6. The Owner or Occupant of a Property in a Country Residential District shall keep no more than, and no less than, two (2) sheep on the Premises, except that offspring may be kept onsite for up to twelve (12) weeks from birth.
- 7. Direct access from the shed to an outdoor enclosure shall be provided with the outdoor enclosure designed to be:
 - a. secured with a minimum 1.5 meter (5 ft.) tall fence;
 - b. a minimum area of thirty seven (37) square meters (400 sq. ft.);
 - c. secured from the outside in a manner that prevents the miniature goats from escaping;
 - d. free of objects that would enable the goats to climb out of the enclosure; and
 - e. easily accessed and cleaned.
- 8. Goat's or sheep's milk, goat's or sheep's cheese, and other goat or sheep related food products shall be for personal consumption only; sale of such products is prohibited.

(h) Beekeeping

- (i) Keeping or maintaining bees on Property Premises within a Residential District, with or without a community garden in accordance with Subsection 9.15.2(a), is subject to a Development Permit being issued under the Land Use Bylaw in force at the time, the requirements outlined herein, and the *Bee Act*.
- (ii) Beekeepers must register with the Provincial Apiculturist in accordance with the *Bee Regulation*.
- (iii) In all areas within the District, any person keeping bees or permitting bees to be kept on their Premises shall ensure that no Nuisance is caused to other persons by those bees.
- (iv) The Owner or Occupant of a Property with an apiary located on Premises other than where he resides, shall identify such apiary by a sign prominently displayed on the entrance side of the apiary stating, in black letters not less than one inch in height on a background of contrasting color, the name of the owner or person in possession of the apiary, his address and telephone number, or, if he has no telephone, a statement to that effect.

4.13 Uses in Residential Districts Regulations

- (v) An apiary consisting of three or more beehives shall be located no closer than forty (40) meters (131 ft.) from any boundary, roadside, Public Place, or right-of-way.
- (vi) An apiary consisting of two or fewer beehives may be maintained in accordance with the following:
 - 1. the apiary shall be located outside of all required setbacks as established by Chapter 13, Article 1 of this Code, or fifteen feet from the property line and 20 feet from all public rights-of-way, whichever is greater;
 - 2. a minimum 1.8 meters (6 ft.) tall barrier shall surround the beehive leaving sufficient space to properly maintain the beehive except that the barrier shall not be required when the beehive is elevated at least eight feet above grade;
 - 3. the beehive is not visible from the public right-of-way;
 - 4. the beehive is in a location that is secured from unauthorized access;
 - 5. the opening of the beehive faces the most distant property line;
 - 6. the opening of the beehive faces away from entrances and walkways on the premises to the extent possible while ensuring that the entrance faces the most distant property line;
 - 7. the beehive structure is a pale color; and
 - 8. the beehive is requeened at least once every two years.
- (vii) Location of apiaries within a Residential District area of less than two-thousand (2,000) square meters (21,528 sq. ft.) must comply with the following:
 - 1. hives that are shielded by a fence or suitably dense vegetation not less than 1.8 meters (6 ft.) high may be located no closer than 3 meters (10 ft.) from a sidewalk, trail, or path;
 - 2. hives that are shielded by a building, or a fence or suitably dense vegetation not less than 1.8 meters (6 ft.) high may be located no closer than 10 meters (31 ft.) from a neighbour's principal building;
 - 3. a shielding plan shall be provided to ensure that the bees' flight path is made to go a minimum of 1.8 meters (6 ft.) high over the adjacent Property, sidewalk, trail, path, or Road.
- (viii) Location of apiaries within a Residential District area of two-thousand (2,000) square meters (21,528 sq. ft.) or greater may be subject to suitable shielding to cause the bees to fly over a building, or fence, or suitably dense vegetation, or a

4.14 Uses in Non-Residential Districts Regulations

combination thereof, not less than 1.8 meters (6 ft.) high across other Residential Parcel adjacent to the hive site.

(5) Non-Residential Uses

- (a) In all Residential Districts, The Development Authority may request advisory comment from various departments within the Provincial and Federal Government and/or from the Health Authority, when considering an application for the establishment of a non-residential use in a Residential District.
- (b) All site regulations and development requirements, including any requirement for buffers, shall meet the regulations of the designated District and be based upon the type of use(s) within the development proposed at the discretion of the Development Authority.
- (c) Where there is an approved Site Development Plan or Area Structure Plan, requirements and / or regulations in that Plan will apply.

4.14 USES IN NON-RESIDENTIAL DISTRICTS REGULATIONS

- (1) In addition to other applicable provisions in this Bylaw, the standards, requirements, and prohibitions contained in this part shall apply to Property and Development located within areas designated as Non-Residential Districts under this Bylaw; including Overlay Districts.
- (2) Residential Parcels and Residential Uses within Non-Residential Districts designated under this Bylaw, are subject to the Standards outlined in **Section 4.13** of this Bylaw.
- (3) Exceptions
 - (a) This Section shall not apply to:
 - (i) any person performing work of an emergency nature for the preservation or protection of life, health or property, but the onus shall be on the person performing the work to show that that the work was of an emergency nature;
 - (ii) any act of maintenance or repair being carried out by employees or contractors of or on behalf of the County.
 - (iii) any act of emergency maintenance or repair being carried out by employees or contractors of a private utility;
 - (iv) the operation of emergency equipment for any emergency Vehicle;
 - (v) a Peace Officer engaged in performing his duty;
 - (vi) the use of Motorized Garden Tools in Residential Districts where the tool is used during the Day-time;
 - (vii) work on a Road, Roadway, or on a public utility carried out by the owner or operator of the public utility, or its contractors;

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- (viii) agricultural operations within the County; or
 - (ix) any activity within the sole purview of the Government of Canada or the Province of Alberta.
- (b) The provisions in this **Section** shall not be interpreted to prevent legitimate work diligently carried out in accordance with a development permit issued by the Development Authority such as: commercial, industrial, construction, demolition, renovation, landscaping, clean-up, storage, or other related activities from being carried out on, or in relation to a Property.
- (4) The standards, requirements, and prohibitions contained in this **Section** shall apply to:
 - (a) Non-residential Premises;
 - (b) vacant lots;
 - (c) buildings, structures, and improvements; and
 - (d) activities.
- (5) No Person, Partnership, Firm, Company, or Corporation Owner or Occupant of a Property located in a Non-Residential District shall allow a Building, Structure, or Development owned or occupied by him to become a safety hazard through the presence of excavations, structures, materials, or any other hazard or condition posing a risk to public safety.
 - (a) No Person, Partnership, Firm, Company, or Corporation Owner or Occupant of a Property located in a Non-Residential District shall allow an excavation, drain, ditches, or other depression in the ground to become or remain a danger to public safety.
- (6) Every Partnership, Firm, Company, or Corporation Owner or Occupant of a Property shall ensure the following are maintained in Reasonable State of Repair:
 - (a) foundations;
 - (b) exterior walls;
 - (c) roofs, and eaves;
 - (d) windows, including frames, shutters, and awnings;
 - (e) doors, including frames and awnings;
 - (f) steps and sidewalks;
 - (g) fences;
 - (h) all fixtures, improvements, renovations, or additions to any Building, Structure, or Development on the Property or Premises, including, but not limited to:
 - (i) exterior stairs;

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- (ii) parking areas;
- (iii) signage;
- (iv) lighting;
- (v) docks; or
- (vi) other similar structures or features.

(7) Noise

- (a) In the operation of or carrying on of an industrial or construction activity, no Person, Owner, Occupant, Firm, Company, or Corporation shall use, operate or allow to be used or operate any tools, machinery, or equipment so as to create noise or a disturbance, which may be heard in a Residential District during those hours designated as Night-Time hours.
- (b) No liquor or gambling establishment shall permit any noise to emanate from the Premises of such drinking establishment that disturbs the order and enjoyment of the community outside the Premises of the drinking establishment.
- (c) No Person shall load or unload a Truck or Concrete Mixer in a Residential District or within one-hundred and fifty (150) meters (492 ft.) of a Residential District during the Night-Time.
- (d) Notwithstanding **Subsection (c) above**, a Person may, at any time, unload a Motor Vehicle containing:
 - (i) fresh fruit, produce, and perishable merchandise including milk, milk products, and baked goods; or
 - (ii) daily or weekly newspapers being delivered.
- (e) Nothing in this **Section** shall prevent the continual operation or carrying on of an Industrial Activity where the activity is one which:
 - (i) is a permitted use; or
 - (ii) is an approved discretionary use.
- (f) In the operation or carrying on of an Industrial Activity, the Person operating or carrying on that activity shall make no more noise than is necessary in the normal method of performing or carrying on that activity.

(8) Idling

- (a) Any Person, Owner, or Occupant who owns, occupies, or controls a Truck must not, at any time, allow it to idle for longer than twenty (20) minutes when it is stationary in a Residential District or within one-hundred and fifty meters (150m) of a Residential District. This time restriction will not apply when the temperature outside is -15°C or colder.
- (b) Notwithstanding **Subsection (a) above**, its limitations shall not apply to the following:

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- (i) motor Vehicles licensed to provide for hire transportation services to the public;
 - (ii) Vehicles transporting medically fragile people;
 - (iii) fire, police, medical services or other similar emergency motor Vehicles while engaged in operational activities;
 - (iv) motor Vehicles assisting in emergency activities;
 - (v) motor Vehicles in which the engine is used to operate auxiliary equipment that is essential to the basic function of the Vehicle;
 - (vi) motor Vehicles containing equipment that must be operated inside or in association with the Vehicle;
 - (vii) motor Vehicles idling in compliance with the manufacturer's written directions concerning proper Vehicle performance and proper Vehicle safety;
 - (viii) armoured motor Vehicles in the course of being loaded or unloaded;
 - (ix) motor Vehicles using heating or refrigeration systems powered by the Vehicle engine for the welfare or preservation of perishable cargo;
 - (x) motor Vehicles in which proper ventilation system function is required to clear interior window surfaces of accumulated condensation, but only for the minimum period of time to allow safe visibility;
 - (xi) motor Vehicles idling where required for the purpose of servicing or repairing the Vehicle; or
 - (xii) motor Vehicles operating solely on electric power or those idling without the use of an internal combustion engine.
- (9) Fowl, Rabbits, and Racing or Homing or Fancy Pigeons
- (a) Keeping or maintaining fowl, rabbits, racing, homing or fancy pigeons on Property or Premises within a Non-Residential District is subject to the requirements outlined herein, and a Development Permit being issued under the Land Use Bylaw in force at the time.
 - (b) No Owner or Occupant of a Property in a Non-Residential District shall, at any given time, keep or maintain more than the number of fowl, rabbits, or racing or homing or fancy pigeons than that approved for in a Development Permit issued.
 - (c) No fowl or rabbits shall be kept or maintained within fifteen (15) meters (50 ft.) of any building used for Residential Uses, unless it is indicated otherwise on a Development Permit being issued under the Land Use Bylaw in force at the time.
 - (d) The Owner or Occupant of a Residential Parcel in a Non-Residential District may bring any chickens in temporarily for the purpose of mob grazing.

4.15 Uses on Lands Adjacent to Highways Regulations

- (e) The Owner or Occupant of a Residential Parcel in a Non-Residential District may bring any number of chickens in temporarily on Premises where the fowl, rabbits, or racing, homing, or fancy pigeons are sold in the ordinary and customary course of business, and are not raised, bred, or grown on such premises.
- (10) Beekeeping
 - (a) Keeping or maintaining bees on Property Premises within a Non-Residential District is subject to a development permit being issued under the Land Use Bylaw in force at the time and the Bee Act.
 - (b) Beekeepers must register with the Provincial Apiculturist in accordance with the *Bee Regulation*.

4.15 USES ON LANDS ADJACENT TO HIGHWAYS REGULATIONS

- (1) Notwithstanding any other provision of this Bylaw to the contrary, permitted or discretionary uses for lands adjacent to roadways such as gravel pits and storage-type businesses, or uses that would normally include extensive outdoor storage areas (for example, auto wreckers or pipe storage yards) will be very carefully regulated on lands adjacent to roadways.
- (2) Land adjacent to highways shall not only be developed and maintained in an aesthetically pleasing and safe manner but also buildings rather than storage areas or yards shall occupy the roadway frontage areas on such land. In addition, the land shall meet the buffering and landscaping requirements established in the County Standards and this Bylaw by means of berming or solid fencing, so as to screen the visibility of the use from the roadway.
- (3) To that end, and provided that all other provisions of this Bylaw are satisfied, developments adjacent to highways consisting of buildings and storage areas to the rear, away from the arterial road, will generally be acceptable and, subject to the discretion of the Development Authority, may be approved. However, the Development Authority will generally not approve developments with pits or storage areas adjacent to or visible from highways.

4.16 RESIDENTIAL CONSERVATION AND NON-RESIDENTIAL CLUSTER REQUIREMENTS AND REGULATIONS

- (1) The application requirements in this Section apply to all Residential Conservation or Non-Residential Cluster Developments within all Designated Districts.
- (2) Residential Conservation or Non-Residential Cluster Developments requires preparation and approval of a Site Development Plan (SDP) or Area Structure Plan (ASP) for Development of more than (4) lots; where there is an approved Plan, an amendment of the existing Plan may be required, including, at the discretion of the Development Authority, redistricting to a Designated District, if applicable.
 - (a) A professional planner registered to practice in the province of Alberta shall prepare all SDPs and ASPs applications and amendments.

4.16 Residential Conservation and Non-Residential Cluster Requirements and Regulations

- (b) The County of Vermilion River must approve any changes to the Site Development Plan (SDP) or Area Structure Plan (ASP).
- (3) Residential Conservation and Non-Residential Cluster Developments will require preparing a Land Suitability Analysis (LSA), which provides information about the environmental features of the site both in map form and with some text, describing the features of the map (or maps).
- (4) The site design of the Residential Conservation or Non-Residential Cluster Development must reflect the findings of the LSA and be designed to ensure that the development has a Low Net Environmental Impact and meets the open space requirements as defined in this Bylaw.
 - (a) The LSA shall illustrate:
 - (i) Primary Conservation areas;
 - (ii) Secondary Conservation areas;
 - (iii) Low priority Conservation areas; and
 - (iv) Open Space areas;
 - (b) The Land Suitability Analysis may be used to determine primary, secondary, and low priority conservation areas if the Developer applies for Density Bonus.
 - (c) To determine Primary, Secondary and Low Priority Conservation areas, the LSA shall include, at a minimum, the following information:
 - (i) site and property boundaries, including the location and percentage of open space in the development;
 - (ii) all streams, rivers, lakes, wetlands and other hydrogeological features (including seasonal water flows and ponding areas) within and adjacent to the site;
 - (iii) topographic contours of no less than 3.0 m (9.8 ft.) intervals;
 - (iv) all environmentally sensitive areas identified by Alberta Environment and Sustainable Resource Development;
 - (v) general vegetation characteristics;
 - (vi) soil drainage;
 - (vii) soils information including farmland assessment information and soil suitability for private sewage disposal;
 - (viii) existing roads and road structures; and
 - (ix) potential connections of open space, green spaces, and trails.

4.16 Residential Conservation and Non-Residential Cluster Requirements and Regulations

- (5) The following are considered Primary Conservation areas, and must be included within Open Space areas:
- (a) the 1:100-year floodplain;
 - (b) water features and buffer zones that meet the minimum ER width requirements identified in the Sustainable Resource Development Guidelines for Minimum Environmental Reserve/Easement Width **(see Error! Reference source not found., Section 4.21)**;
 - (c) slopes greater than 15%;
 - (d) populations of endangered or threatened species, or habitat for such species;
 - (e) hazard lands and the environmental reserve modifier areas identified in the Sustainable Resource Development Guidelines for Minimum Environmental Reserve/Easement Width **(see Error! Reference source not found., Section 4.21)**;
 - (f) Environmentally Sensitive Areas (ESAs), as identified by Alberta Environment and Sustainable Resource Development; and
 - (g) Heritage resources such as municipally, provincially, and nationally identified heritage sites as well as archaeological sites, cemeteries, burial grounds and other historically significant sites.
- (6) The following are considered Secondary Conservation areas, and may be included within open space areas:
- (a) existing healthy, native forests of at least 0.4 ha (10.0 ac) contiguous area;
 - (b) other significant natural features and scenic view sheds such as water bodies, ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads or public properties;
 - (c) agricultural lands with a farmland assessment ration of 55% or great of at least 2.0 ha (5.0 ac) contiguous area; and
 - (d) existing trails that connect neighbouring areas.
- (7) All remaining lands will be considered Low Priority Conservation areas. These areas are not required to be included within the Open Space areas.
- (8) At least 80% of the gross developable area shall be left as open space in Residential Conservation Developments and 40% for Non-Residential Cluster Developments.
- (a) at the discretion of the Development Authority and the Subdivision Authority, this percentage may be reduced based on the results of the biophysical analysis submitted with the application, and may require a request for a Variance subject to the provisions of **Section 2.13** of this Bylaw.

4.16 Residential Conservation and Non-Residential Cluster Requirements and Regulations

- (b) the open space requirement cannot be reduced for applications that do not submit a biophysical analysis for consideration by the Development Authority and the Subdivision Authority.
 - (c) Fulfillment of the biophysical analysis requirement does not guarantee a granting of the reduction in the open space requirements for an application.
- (9) The following uses are suitable for Open Space areas:
 - (a) conservation of natural, archaeological, or historical resources;
 - (b) conservation of meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented uses;
 - (c) walking or bicycle trails, provided they are constructed of porous paving and pervious materials;
 - (d) passive recreation such as open fields;
 - (e) active recreation;
 - (f) agriculture, horticulture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within Primary Conservation areas;
 - (g) Low-Impact Development infrastructure (structural and non-structural) that allows for filtered groundwater;
 - (h) sewage disposal fields comprised of single or multiple septic tanks;
 - (i) enclosed sewage treatment facilities; and
 - (j) easements for drainage, access, and underground utility lines.
- (10) Private recreation facilities shall be encouraged within the Residential Conservation Development area.
- (11) Public recreation facilities (facilities open to the public), which are compatible with the environment and with nearby uses and developments, shall be encouraged to develop within open space areas.
- (12) The value of not developable open space areas will be reduced for assessment and municipal taxation purposes.
- (13) Though the form of ownership of the individual units may be the normal fee simple ownership, other forms, including such as co-operatives, bare land condominiums, rental accommodation, societies, joint ownerships, shall be considered. The form of ownership, and the implications of the form of ownership for the management and maintenance of any services and utilities,

4.16 Residential Conservation and Non-Residential Cluster Requirements and Regulations

shall be identified in the Area Structure Plan (ASP) or Site Development Plan (SDP) for a particular development.

- (14) An Area Structure Plan (ASP) or Site Development Plan (SDP) for Residential Conservation Development shall include an Open Space Management Plan. The open space can be managed in a number of ways, including, but not limited to:
- (a) municipal ownership (in Municipal and/or Environmental Reserve Parcels);
 - (b) as common unit (or units) within a bare land condominium plan; or
 - (c) as a commonly owned unit, provided that a conservation easement is placed on the lands.
 - (d) The Open Space Management Plan will:
 - (i) clearly indicate that the responsibility for maintaining the Open Space and any facilities (e. g., water treatment facilities, recreation facilities and trail networks) located thereon shall be borne by the owner, including provisions for ongoing maintenance and contributions to long-term capital improvements.
 - (ii) provide a strategy for the enforcement of the Plan.
 - (iii) The Plan will also indicate:
 - 1. how funding for the maintenance and management shall be collected, including any legal instrumentation of such responsibilities and funding.
 - 2. how, if the maintenance and/or management of the Open Space areas become neglected and/or, if funding provisions cannot be enforced, the County shall assume responsibility for maintenance and management of the Open Space areas.
 - 3. how the County will invoice the landowners within the development County for the costs of such maintenance and management, including administrative costs, interest, and penalties.
 - 4. how the landowners within the development will reimburse the County for the costs of such maintenance and management, including administrative costs, interest, and penalties.
- (15) Notwithstanding **Sub-section (14) above**, in the event that the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, the County may assume the responsibility for maintenance, enter into the premises to take corrective action, and invoice the cost to the previously responsible party. The County may also invoice for administrative costs and penalties associated with the maintenance.
- (16) The Development Authority may require the open space be protected or preserved by having a legally binding instrument, such as a Conservation or Environmental Easement, recorded

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with the deed. The form of protection and the organization or entity to which the instrument will be registered shall be identified in the Area Structure Plan (ASP) or Site Development Plan (SDP) for a particular development. The instrument will be registered to one of the following:

- (a) a land trust or conservation oriented non-profit organization with the legal authority to accept such easements. The organization shall be bona fide in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer to the County in the event that the organization becomes unable to carry out its functions; or
 - (b) a government entity with an interest in pursuing goals compatible with the purposes of this Section. If the entity accepting the easements is not the County of Vermilion River, then a third right of enforcement favouring the County shall be included in the easement.
- (17) The instrument for permanent protection shall include clear restriction on the use of open space. These restrictions shall include all restrictions included in this Section as well as any further restrictions the applicant chooses to place on the use of the open space.
- (18) Regarding Residential Conservation Developments
- (a) The following list of development criteria shall be used in determining the suitability of land for seasonal or permanent Residential Conservation Development:
 - (b) Groundwater of sufficient quantity and quality shall be available to support the proposed development. No development shall be permitted in areas where, in the opinion of the Development Authority, reserves of potable water are inadequate.
 - (c) Development shall be prohibited:
 - (i) on land having critical Development Constraints.
 - (ii) on slopes in excess of 15% or unstable slopes subject to soil slippage or other mass movement.
 - (iii) in areas characterized by wetlands, swamps, muskeg, or saturated soils.
 - (iv) in areas subject to periodic flooding or on soils which become saturated due to flooding.
 - (v) on soils which have extremely fast percolation rates (2 min./1 inch or faster) and/or would promote the possibility of groundwater contamination.
 - (vi) on sites where adequate year-round access is not available by paved roads in good condition, developed to current County standards.
 - (vii) on sites where necessary services are not provided at the sole expense of the Developer.
 - (viii) within 30.0 m (100 ft.) of a lake.

4.16 Residential Conservation and Non-Residential Cluster Requirements and Regulations

- (d) The natural topography and vegetation of the development area shall be conserved wherever possible.
- (e) No development shall be permitted on Reserve lands, if the development does not serve the interests of the general public.

(19) Design Standards

- (a) Developments shall adjoin neighbouring developed areas or previously cleared and/or disturbed areas.
- (b) Developments will be directed to lands that are identified to be of lesser environmental significance, such as those areas that may be identified as low priority conservation areas.
- (c) Wildlife corridors or connections between all conservation areas shall be maintained wherever possible.
- (d) The natural landscape and topography shall be considered and incorporated into the overall design of the development.
- (e) All development shall be required to maintain a buffer of sufficient size and composition to act as a noise and visual barrier from adjacent incompatible uses.
- (f) Spaces for day use, hiking trails, overnight camping, and similar activities shall be suitably organized and clearly marked. Adequate lake access, boat launching, and parking facilities shall be provided where applicable.
- (g) The clearing of vegetation shall be minimized to lessen the impact of the Developments on sensitive riparian areas and encourage biodiversity.

(20) Recreational Amenities

- (a) Developments shall include a minimum of one minor amenity for the first one to 20 dwelling units, and one additional minor amenity for each additional 20 units.
- (b) Developments shall include one major amenity when unit count reaches 40 dwelling units, and shall provide one additional major amenity for each 40 additional units.
- (c) The amenities shall be cumulative, such that for 30 dwelling units one minor and no major amenities shall be required, and for 65 dwelling units three minor amenities and one major amenity shall be required. The Development Authority, at his sole discretion, may authorize alternative amenities to those listed in
- (d)
- (e)

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- (f) Table 3, as determined appropriate given the character of a particular Development at the request of the applicant.

Table 3. Contribution of Amenities Examples.

Minor Amenity	Major Amenity
Open turf playfield (20,000 sq. ft. min.)	Tot lot or play structure
Community garden	Covered picnic area
Interpretive trail signage	Community building
Outdoor art	Public plaza or courtyard
Street furniture	Fenced tennis court
Fountain/water feature	Soccer, baseball, football or softball field
Sand volleyball court	Large water feature
Half basketball court	Trails in natural areas
Picnic area	

(21) Servicing Infrastructure

- (a) All new developments shall provide and pay for infrastructure and servicing improvements, as well as the extension of services to facilitate the development.

4.16 Residential Conservation and Non-Residential Cluster Requirements and Regulations

- (b) Transportation, communication, and public utility uses shall be considered discretionary. Such uses shall only be developed in such a manner as shall not adversely affect the environment, surface, or ground water quality, or existing developments.
- (c) All development shall be required to install sewage disposal systems, which have been approved by the authority having jurisdiction.
- (d) Internal road access shall be provided to each residential Lot or Parcel, though the roads may be private in accordance with County Standards.
- (e) The County will require hard surfaced roads to be developed to current County standards.
- (f) Any proposed facilities such as change houses, sewage disposal, garbage disposal, and on-site water supply shall be required to have approval from authorities having jurisdiction, and shall be of sufficient size and quality to handle anticipated use.

(22) Density Bonus

- (a) The Subdivision Authority and the Development Authority on a site-by-site basis shall determine density bonusing allowances.
- (b) Density bonuses shall be provided for use of superior design standards, additional recreational amenities, and provision of 100 percent of the required Inclusionary Housing contribution. At the discretion of the Development Authority, up to a total of 20 percent increase above the base density may be granted. Density bonuses shall be rounded down to the nearest whole number.
- (c) At the discretion of the Development Authority, up to 10 percent increase in density may be allowed for use of superior neighborhood design. "Superior neighborhood design" shall include a minimum of five of the elements listed below:
 - (i) Identifiable neighborhood centre such as a town square, village green, uniquely designed crossroads, or intersection;
 - (ii) Strong pedestrian interconnection, meaning that pedestrian paths, sidewalks and other travel ways provide demonstrably more connectivity for pedestrian and non-motorized travel than the road network provides for motorized travel;
 - (iii) Alley access to more than 75 percent of homes and garage access required to be provided from the alley;
 - (iv) Any front-loaded homes required to have garages set back a minimum of 10 feet from the front facade of the residence;
 - (v) Prominent front entries utilizing covered front porches combined with front yard setbacks not exceeding 15 feet for more than 75 percent of the homes;

4.16 Residential Conservation and Non-Residential Cluster Requirements and Regulations

- (vi) A strongly evident grid street network with minimal use of curvilinear streets and cul-de-sacs;
 - (vii) Dedicated public or quasi-public recreation areas including play structures or other public amenities located within 1,000 feet of 90 percent of dwelling units;
 - (viii) A mix of housing types including three or more of the following: Detached, Semi-Detached, and Attached Single-Family Dwellings; Row and Stacked Row Housing; Secondary Dwelling Units; Duplex; Fourplex; and Cohousing or Cohousing Inspired clusters;
 - (ix) A small neighborhood commercial area (retail and services) designed to provide convenience needs with a clearly pedestrian, non-vehicular design, with no specific retail or service requirements, but permitted to include elements such as a coffee shop, neighborhood market, neighborhood pub, cafe, and service shops;
 - (x) Any other neo-traditional design element determined by the Development Authority to enhance the quality and character of the neighbourhood;
 - (xi) Application of LID (low-impact development) or other environmentally protective techniques for infrastructure development, which exceed County and provincial standards.
- (d) A 10 percent increase in density shall be allowed for use of superior building design. "Superior building design" shall include a minimum of three of the elements listed below or designed to achieve LEED® silver or higher standards or other innovative and sustainable development techniques for buildings as defined and regulated through enforceable homeowners' association (HOA) community rules contained in the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) or registered in each individual Lot or Parcel in the form of a restrictive covenant (RC) in title:
- (i) Use of a consistent and recognizable architectural style typical of a rural farming community as defined in the ASP or SDP, and regulated through enforceable CC&Rs or RCs;
 - (ii) Use of solar or wind power, geothermal systems, rainwater capture and reuse, or other substantial sustainable building system features;
 - (iii) Minimum of 80 percent of household fixtures being water-efficient fixtures;
 - (iv) Drought-tolerant landscaping and/or significant retention of native vegetation on individual building Lots or Parcels;
 - (v) Use of passive solar construction or other construction technique to reduce energy use.
- (e) A 10 percent increase in density shall be allowed for clustering of structures that increases the open space in a residential PUD above what is required in this Section. Critical areas

4.16 Residential Conservation and Non-Residential Cluster Requirements and Regulations

and buffers shall be included in the overall open space considered for this density bonus at the discretion of the Development Authority.

- (i) A 50 percent (50%) to 74 percent (74%) increase in open space shall provide a five percent increase in residential density.
- (ii) A 75 percent (75%) or greater increase in open space shall provide a 10 percent increase in residential density.

(23) Base density is the starting point for determining density bonuses in all Residential Conservation Developments. Minimum base density shall be either:

- (a) low density, with a maximum density 1.54 dwellings per net ha (0.6 dwellings per net ac). The minimum Lot area is 0.3 ha (0.74 ac.) and the maximum Lot area is 4.04 ha (10.0 ac.); or
- (b) high-density, with a maximum density 2.47 dwellings per net ha (1.0 dwelling per net ac.). The minimum Lot area shall be at the discretion of the Development Authority and the maximum Lot area shall normally be 0.2 ha (0.5 ac.). In order to qualify for this type of residential development the design of the development must conform to the requirements for density bonus outlined in this Section.

(24) The Subdivision Authority and the Development Authority on a site-by-site basis shall determine the maximum density for all Residential Conservation Developments. The maximum residential density shall be based on:

- (a) The land suitability assessment (LSA) undertaken for the site; having regard for site conditions, environmental considerations and impacts, and other factors that may be considered in the design of the proposal;
- (b) The maximum number of allowed Dwelling Units will normally be determined by dividing net developable area of the site by the minimum Residential Parcel size for the Designated District;
- (c) The net developable area shall be the total gross area of the site, less the area of:
 - (i) water bodies over 500.0 sq. m (5382.0 sq. ft.) in area or greater;
 - (ii) anticipated rights-of-way for roads and utilities;
 - (iii) Conservation Reserve, Environmental Reserve, and/or Environmental Reserve Easement areas (if applicable); and
 - (iv) Municipal Reserve areas (if applicable);
- (d) The suitability and availability of municipal services and infrastructure necessary to support the proposal; and

4.17 Residential Use Multi-Unit Developments

- (e) The compatibility of the proposed density with that of the surrounding area and the character of the existing community (if applicable).
- (25) Regarding Water Bodies
- (a) Any person who proposes to alter the bed or shoreline of a water body must first receive appropriate approvals from Provincial authorities. Under Provincial law, most development on the bed or shoreline of a water body (up to the high water mark) is required to obtain a License of Occupation from Provincial authorities prior to construction.
 - (b) Improvements not requiring a license include minor bank stabilization, erection of a small, removable, seasonal, domestic pier, or placement of a removable boatlift on a lake bed during the summer months.
 - (c) Shoreline alterations involving such things as depositing soil materials within the high water level of a lake will generally not be permitted.
- (26) Further information may be obtained from appropriate Provincial government agencies.

4.17 RESIDENTIAL USE MULTI-UNIT DEVELOPMENTS

- (1) The following application requirements apply to all multi-unit developments for Residential Use within all Designated Districts:
- (a) A Development Permit application for a multi-unit development for Residential Use shall not be approved until the subject land has been redesignated, at the discretion of the Development Authority, to the appropriate Designated District in this Bylaw.
 - (b) Before any Development Permit application for Residential Multi-Unit Development can be considered by the Development Authority, the applicant must submit:
 - (i) design plans and working drawings including elevations, which have been done or endorsed by a registered architect;
 - (ii) site plans showing the proposed:
 1. location and position of structures on the site, including any “For Rent” or addressing signs;
 2. location and number of parking spaces, exits, accesses and drives from public roads;
 3. location of an access to refuse storage areas and incinerators and the fencing and landscaping of such facilities;
 4. landscaping plan of the entire site which shall show intended surfacing for drives and parking areas; and

4.17 Residential Use Multi-Unit Developments

5. number and type of units for inclusionary housing contribution.
 6. location of open space conservation areas.
- (2) The plans identified above will append the application and, once approved, shall become conditions of approval. At his sole discretion, the Development Authority may require a performance bond from the Developer.
- (3) Regarding Manufactured Home Communities, in addition to the requirements in **Sub-section (1) above**, the following application requirements shall apply:
- (a) Site Plan
- (i) All Development Permit applications for a Manufactured Home Community, in addition to the requirements of **Section 2.8** of this Bylaw, must include a site plan showing the following:
 1. location and dimensions of stalls;
 2. internal roadway systems;
 3. parking and storage areas;
 4. recreation areas;
 5. the location of water supply and sewage disposal facilities, and garbage collection areas;
 6. existing topography, vegetation and watercourses;
 7. common areas and facilities; and
 8. uses of land on surrounding properties.
- (b) Parking and Storage
- (i) a minimum of one (1) Parking Space shall be provided on each Manufactured Home stall.
 - (ii) each Manufacture Home Park shall provide a visitors' parking area. One (1) space must be provided in this area for every two (2) Manufactured Home stalls.
 - (iii) a central area with 14 m² (150 sq. ft.) of space for each Manufactured Home must be provided for the storage of Recreational Vehicles, boats, Off-Highway Vehicles, etc.
 - (iv) Individual Manufactured Home owners may construct storage sheds on their stalls for outdoor equipment, tools, etc., and may require a request for a Variance subject to the provisions of Section 2.12 of this Bylaw.

4.18 Secondary Suites and Secondary Dwelling Units

(c) Garbage and Recycling

- (i) The Manufactured Home Community operator must provide a central collection area for garbage and recycling within the park. In addition, the operator is responsible for regularly transferring the garbage and recycling from the park to a waste disposal site. The location of the central collection area must be clearly indicated on the site plan.

(d) Internal Roadways and Pedestrian Access Ways

- (i) Internal roadways shall be provided in the Manufactured Home Community to allow access to individual homes and other facilities and shall meet County Standards.
 - 1. a minimum right-of-way of 9 m (30 ft.) is required.
 - 2. roadways shall be well drained and maintained to the satisfaction of the Development Authority.
 - 3. safe, convenient, all-season pedestrian access ways of at least 1 m (3.3 ft.) in width must be provided between homes, on roadways and to facilities.

(e) Recreation Areas

- (i) A minimum of ten percent (10%) of the gross Lot area must be developed for safe playgrounds or other Recreational Uses.

(f) Landscaping

- (i) All areas not occupied by Manufactured Homes and their additions, internal roads, footpaths, driveways, permanent buildings, and any other developed facilities, shall be fully landscaped to the satisfaction of the Development Authority.
- (ii) Screen fences or walls shall be erected where deemed necessary by the Development Authority around laundry yards, refuse collection points, and playgrounds.

(g) Lighting

- (i) In Residential Districts, street lighting shall meet County Standards for Residential Use.

4.18 SECONDARY SUITES AND SECONDARY DWELLING UNITS

- (1) The intent of this section is to:

4.18 Secondary Suites and Secondary Dwelling Units

- (a) Provide for the incremental development of the next density level within Residential Districts;
 - (b) Maintain the character of single-family neighborhoods;
 - (c) Ensure that new units are in harmony with developed neighborhoods; and
 - (d) Allow Secondary Suites and Secondary Dwelling Units as a Subordinate Use to Single-Unit Dwellings, consistent with provincial regulations.
- (2) The regulations in this Section shall apply, but are not limited to the Development of Secondary Suites and Secondary Dwelling Units, and similar uses, including Building Conversion and Dwelling Conversion for Residential Uses.
- (3) A Development Permit is required before construction of any use, or similar use, within this Section, in all Districts.
- (4) Within all Districts, in addition to any Designated District requirements, for all uses and similar uses under this Section, the following regulations shall apply:
 - (a) Construction on a Use listed in this Section, or a similar use, cannot start until construction of the Main Building for the Main Use has commenced, subject to the issuance of a valid Development Permit.
 - (b) Issuance of a Use and Occupancy Permit for a use listed in this Section, or a similar use, cannot take place until a Use and Occupancy Permit for the Main Building for the Main Use has been issued, subject to **Section 2.17** of this Bylaw.
 - (c) The Development Authority shall review the design of the Secondary Suite or Secondary Dwelling Unit to ensure that the structure is compatible with the Main Dwelling and the neighborhood.
 - (d) Minimum Lot Sizes.
 - (i) Shall not exceed the minimum Lot size for the Designated District.
- (5) Surveillance Suites
 - (a) The issuance of a Development Permit for a Surveillance Suite, as defined in this Bylaw, shall be in accordance with the following criteria and regulations:
 - (i) A Development Permit for a Surveillance Suite will only be issued where, in the opinion of the Development Authority, the Surveillance Suite is clearly compatible with and subordinate to the Main Use on site. Moreover, the placement of a Surveillance Suite shall be compatible with all existing Main Uses on adjacent properties and shall not interfere with future Main Uses of adjacent properties.

4.18 Secondary Suites and Secondary Dwelling Units

- (ii) Where a Surveillance Suite is allowed in accordance with this Bylaw, the Development Authority may issue a Development Permit for one Surveillance Suite per Main Use, Lot, or Parcel.
- (iii) Detached Surveillance Suites shall be sited in accordance with siting regulations specified in the Designated District within which the subject Lot or Parcel is located or in accordance with the following requirements, whichever are more stringent:
 - 1. a minimum of 1.8 m (6.0 ft.) from any buildings; and
 - 2. a minimum of 1.8 m (6.0 ft.) from the rear and side property lines; and
 - 3. no closer than the front line of the main building to the front Property Line.
- (iv) The maximum floor area of any non-basement Surveillance Suite, as defined in this Bylaw, shall be 46.6 m² (500.0 sq. ft.).
- (v) The quality of exterior treatment and design of any Surveillance Suite shall be to the satisfaction of the Development Authority, who shall ensure that the design, character and appearance of any Surveillance Suite is compatible with the development(s)/use(s) with which the suite is associated as well as all development(s)/use(s) on adjacent properties.

(6) Accessory Living Quarters

- (a) A maximum of one (1) Accessory Living Quarters shall be permitted for each Single-Detached Dwelling.
- (b) Accessory Living Quarters are prohibited from being constructed within a Multi-Family or Apartment Dwelling.
- (c) Accessory Living Quarters shall be a Subordinate Use to a Residential or Country Residential Use, as defined in this Bylaw, and therefore limited to a site occupied by a Single-Detached Dwelling.
- (d) The floor area of the Accessory Living Quarters shall not exceed 30 percent of the existing living area of the primary dwelling unit or 80 m² (861.1 sq. ft.) in floor area on a residential lot, whichever is less.
- (e) The minimum floor area for Accessory Living Quarters is 30.0 m² (322.9 sq. ft.).
- (f) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the Accessory Living Quarters.

(7) Garage Suites and Backyard Cottages

- (a) A maximum of one (1) Garage Suite or Backyard Cottage shall be permitted for each Single-Detached Dwelling.

4.18 Secondary Suites and Secondary Dwelling Units

- (b) A Garage Suite or a Backyard Cottage shall be a Secondary Suite containing a Subordinate Use to a Residential or Country Residential Use, as defined in this Bylaw, and therefore limited to a site occupied by a Single-Detached Dwelling, and shall not exceed 80.0 m² (860.0 sq. ft.).
- (c) The minimum floor area for a Garage Suite or Backyard Cottage, whether above or at-grade, is 30.0 m² (322.9 sq. ft.).
- (d) The maximum height for Garage Suites or Backyard Cottages, provided that the maximum height of the Accessory Building containing the Subordinate Use is not higher than the height of the Main Building, shall be:
 - (i) at grade: 4.5 m (14.8 ft.)
 - (ii) above grade: 5.5 m (18.0 ft.) for suites with a flat roof, and 7.3 m (24.0 ft.) for suites with a sloped roof.
- (e) Shared mechanical rooms and common areas shall be excluded from the floor area calculation for a Garage Suite or Backyard Cottage.
- (f) A minimum of three (3) on-site parking spaces shall be required for Lots or Parcels with approved Garage Suite or Backyard Cottage Development. Tandem parking may be permitted at the discretion of the Development Authority.

(8) Manufactured Homes

- (a) Before a Development Permit can be issued for a Manufactured Home, the Development Authority shall normally receive verification that the home fully complies with both the CSA Z240 MH National Manufactured Home Standard and the Alberta Building Code (ABC). If the CSA Z240 sticker or the Alberta Municipal Affairs sticker verifying compliance to the ABC is missing, the Development Authority may require an inspection by an Alberta Safety Codes Officer.
- (b) Should an inspection by an Alberta Safety Codes officer be required, and should the inspection indicate that upgrades to the Manufactured Home are necessary to bring the home into compliance with the CSA Z240 standard or the ABC, all required upgrades shall be made before the issuance of a Development Permit.
- (c) In addition to the requirements of Sub-section (a) and (b) above, a Manufactured Home must meet the following aesthetic regulations:
 - (i) the height of the main floor above grade shall be consistent with the height of the main floor of dwellings in the immediate and general area.
 - (ii) the roof pitch shall be consistent with the roof pitch of dwellings in the immediate and general area.

4.18 Secondary Suites and Secondary Dwelling Units

- (iii) exterior finishing materials used on the roof and exterior walls shall be in good condition and consistent with the materials used on dwellings in the immediate and general area.
 - (iv) minimum roof overhang or eaves should be consistent with the overhang or eaves of dwellings in the immediate or general area.
 - (v) the design of each manufactured home shall ensure the side or end facing the street on which the home fronts contains a prominently placed front door, and windows in quantity and size that are consistent with dwellings in the immediate area.
- (d) A Manufactured Home shall be placed on a permanent foundation or base that complies with the Alberta Building Code unless the Manufactured Home is designed to be supported on longitudinal floor beams, in which case an alternate skirted foundation system as described in CSA Z240.10.1 may be employed.
 - (i) the permanent foundation or base or the skirting material utilized on an alternative skirting foundation should be parged in order create the same finished appearance customarily found on concrete basements of Single-Detached Dwellings in the immediate and general area.
 - (ii) the manufactured home is to be attached by means of bolting or otherwise to the foundation or base.
- (e) All accessory structures, such as patios, porches, additions and skirting, shall be:
 - (i) factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the Manufactured Homes, and
 - (ii) considered as part of the main building; and
 - (iii) erected only after obtaining a Development Permit.
- (f) The floor area of porches and additions shall be proportionate to the floor area of the Manufactured Home unit and the Development Authority, at his sole discretion, shall determine this relationship.
- (g) No Accessory Building or any Use or Parking Space shall be located in the Front Yard of a Manufactured Home use, whether located within a Manufactured Home Community or any Residential District.
- (h) Any furniture, belongings, or seasonally used equipment shall be stored in adequate covered storage or properly screened either individually on the Lot or Parcel or communally, and covered storage shall conform to the Alberta Building Codes (ABC) standards.

4.19 Servicing Requirements

- (i) The following regulations also apply to Manufactured Home uses located in Multi-Lot Developments for Residential and Country Residential Uses, including Manufactured Home Communities:
 - (i) the hitch and wheels are to be removed from the Manufactured Home.
 - (ii) all Manufactured Homes shall be placed on a permanent foundation or base, as per Sub-section 4.10.8(b) above.
 - (iii) the Property is to be grassed and landscaped within one (1) year from the date of issue of the Development Permit.
 - (iv) minimum Lot area and width may be less in the case of existing registered substandard Lots, at the discretion of the Development Authority.
- (j) Any required aesthetic upgrades to the Manufactured Home must be completed before the issuance of the Development Permit. The completion of foundation or skirting material must be completed within thirty (30) days of the placement of the Manufactured Home on a Lot or Parcel.

4.19 SERVICING REQUIREMENTS

- (1) All Development within the County shall be provided, at no cost to the County, with sanitary facilities to the satisfaction of all Provincial legislation or regulations.
- (2) Where any on-site services or improvements, or any off-site local improvements are required to service a proposed development, a Developer shall not begin the work nor commence the development until the Development Authority is satisfied that such services or improvements will be undertaken according to the standards and specifications of the County. In order to satisfy the Development Authority, the Developer will be required to enter into a development agreement with the County as a condition of Development Permit approval.
- (3) A development permit shall not be issued for residential, commercial, industrial or recreational uses unless the Development Authority is satisfied that water supplies of sufficient quality and quantity are or will be made available to support the proposed development.
 - (a) No Development Permit shall be considered valid for a development to be serviced by private sewer and water systems until the systems have been approved by the appropriate agency.
 - (b) All future development areas must be serviced to the satisfaction of the Development Authority.
- (4) All infrastructure improvement costs associated with the development will be borne by the proponent of the development.
- (5) When feasible, the County may support the use of reclaimed water to the maximum extent possible in order to supplement existing surface and ground water supplies to help meet water needs. The primary condition on the use of reclaimed water is protection of public health.

1.1

- (a) Reclaimed water systems will constitute a Variance and shall comply with the requirements in **Section 2.13** of this Bylaw.
 - (i) In order to apply for a Variance, an alternative solution proposal shall demonstrate an equivalent or greater level of performance as required by the most current Provincial Standards adopted or as amended.
- (b) Reclaimed Water Systems shall be designed, constructed, and installed in accordance with the most current Provincial Standards adopted or as amended.

4.20 SIGN REGULATIONS

- (1) No sign, unless exempted under **Section 2.7** of this Bylaw, shall be allowed unless a Development Permit has been issued.
- (2) Notwithstanding any other provision of this Bylaw to the contrary, except as otherwise indicated in **this Section**, off-site signs shall be considered to be an Accessory and Discretionary Use in all Non-Residential Districts, and in the Urban Growth Area (UGA) Overlay.
- (3) In addition to the other regulations of this Bylaw, the following additional regulations shall apply to signs:
 - (a) Limitations
 - (i) Except as provided in **Section 2.7** of this Bylaw, no person shall erect, relocate or structurally alter or enlarge any sign, including an election sign, unless he has complied with the requirements of this Section and any other relevant provisions of this Bylaw, and has been issued a Development Permit in respect thereof.
 - (ii) The Development Authority may issue a Development Permit for a sign as part of the Development Permit for the use or the building to which the sign pertains, provided the Development Permit application indicates that there is to be a sign and provided further that all information requirements for a Development Permit application for a sign are met to the satisfaction of the Development Authority.
 - (iii) Provisions for election signs and property for sale or rent signs are provided in **Section 2.7** of this Bylaw.
- (4) Development Permit Application Requirements for Signs
 - (a) In addition to the requirements of **Part 2** of this Bylaw, a Development Permit application for a sign shall include the following information:
 - (i) Alberta Transportation Roadside Development approval for signs near primary highways, including flood lighted and/or digital signs.
 - (ii) written consent from the property owner,

4.20 Sign Regulations

- (iii) two copies of colour drawings, drawn to scale, showing the sign, any structural supports, and the dimensions, thickness, area, and colours, of the sign,
- (iv) any animation, moving copy, or other moving features of the sign, if applicable,
- (v) method of illumination, if applicable,
- (vi) mounting details,
- (vii) the location and size of all other existing and proposed signs on the building façade or site,
- (viii) mounting heights and clearances to grade, and
- (ix) the amount of projection of the sign from a building, if any.

- (b) All Development Permit applications for signs shall follow the process outlined in **Part 2** of this Bylaw and be subject to appeal, if applicable, in accordance with **Part 1** of this Bylaw.

(5) General Sign Regulations

- (a) A sign shall not be erected, operated, used, or maintained if, in the opinion of the Development Authority:
 - (i) its position, size, shape, colour, format or illumination obstructs the view of, or may be confused with, an official traffic sign, signal or device or other official sign, or otherwise poses a potential hazard to traffic,
 - 1. it displays lights, which may be mistaken for the flashing lights customarily associated with danger or with those used by police, fire, or other emergency Vehicles; or
 - 2. it would be situated within the area regulated by **Section 4.4** of this Bylaw.
- (b) A sign shall be integrated with the building on which it is to be located and compatible with the general architectural lines and forms of the nearby buildings or of adjoining developments.
- (c) Where possible, signs shall not cover architectural details such as arches, sills, mouldings, cornices and transom windows.
- (d) A sign or sign structure shall be set back a minimum of 0.5 m (1.6 ft.) from any property boundary and no part of a sign may encroach onto an adjacent Lot or a road or lane.
- (e) Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 18.0 m² (193.6 sq. ft.).
- (f) At the discretion of the Development Authority a maximum of five (5) signs may be allowed on a Lot, including temporary signs and portable signs.

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(g) Signs will not be allowed on fences in Residential Districts or Commercial Districts.

(6) Care and Maintenance of Signs

(a) All signs shall be maintained in good and safe structural condition and shall be periodically repainted, refurbished, repaired, or resurfaced, as to maintain a good appearance to the satisfaction of the Development Authority.

(b) Where the Development Authority determines that a sign is abandoned or in an overall state of disrepair they may, by notice in writing to the owner of the land on which the sign is located and, if it is indicated on the sign, the owner or operator of the sign, order the owner of the land and the owner or operator of the sign to:

(i) remove the sign and all related structure components within what the Development Authority deems to be a reasonable amount of time, or

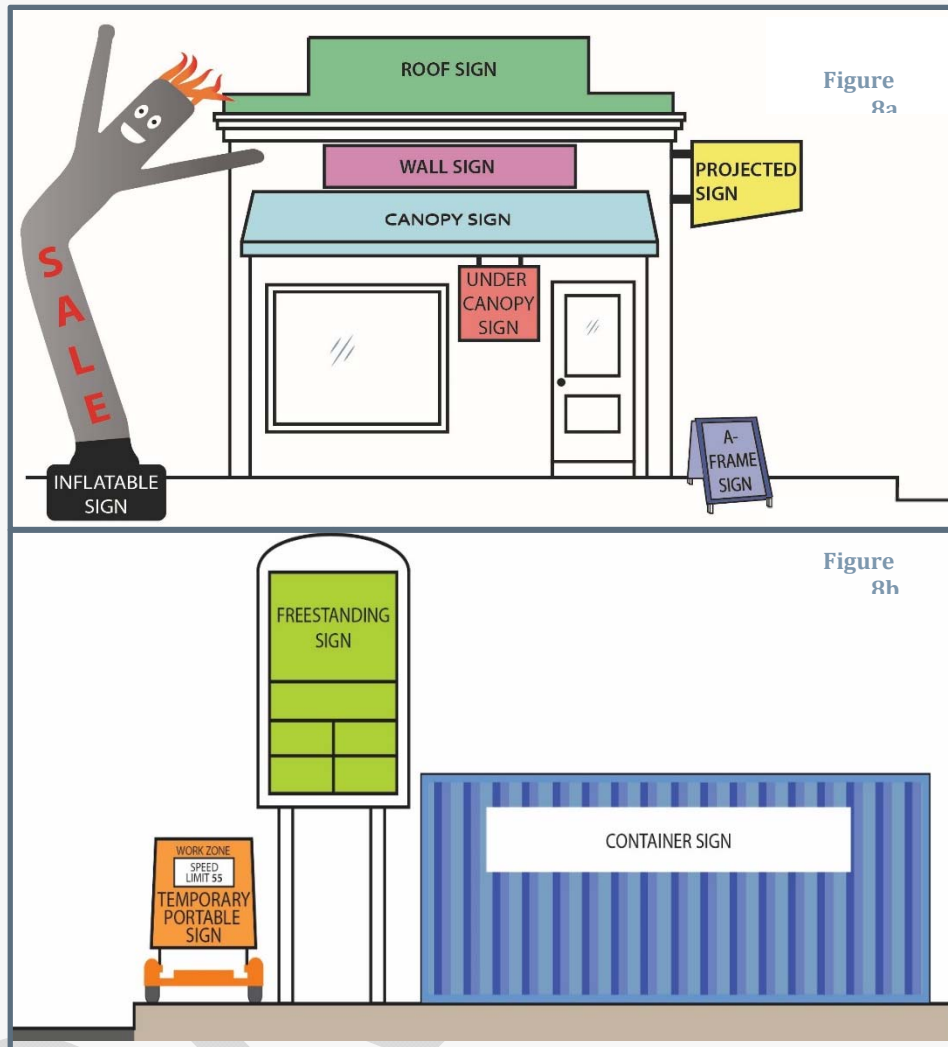
(ii) take such measures as they may specify in the notice to alter and/or refurbish and/or repair the sign.

(c) Failure to remove the sign or to comply with the measures specified in the notice described in **Sub-section (b) above**, may result in the issuance of a violation ticket as described in this Bylaw.

(d) The notice described in **Sub-section (b) above**, shall be considered to be a stop order for the purposes of this Bylaw.

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Figure 8a-8b. Types of Signs.



(7) Signs Regulations

TYPE	ELEMENT	REGULATIONS	ADDITIONAL PROVISIONS
A-Frame Signs (see Figure 8a)	General	Notwithstanding any other provision of this Bylaw to the contrary, A-frame signs shall be allowed only in Commercial Districts. A-frame signs are not to be used in conjunction with projecting signs at grade level.	No more than one (1) A-frame sign shall be allowed per business frontage.

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	Location	<p>No A-frame sign shall be located on a sidewalk in such a manner so as to obstruct pedestrian flow.</p> <p>The area around an A-frame sign shall be kept clean. All vegetation shall be cleared away to a distance of at least 1.5 m (4.9 ft.) around the A-frame sign.</p>	
	Area	<p>The maximum area of each A-frame sign face, which is located on a sidewalk shall be 0.7 m² (7.5 sq. ft.). Figure 8 illustrates area and height requirements for A-frame signs.</p> <p>The maximum area of each A-frame sign face located in another location, approved by the Development Authority, shall be 1.5 m² (16.0 sq. ft.)</p>	Where the back of an A-frame sign is visible, it shall be suitably painted or otherwise covered to present a neat and clean appearance. Angle iron shall not be open to public view unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.
	Height	<p>The maximum height of an A-frame sign, which is located on a sidewalk shall be 1.0 m (3.3 ft.)</p> <p>The maximum height of an A-frame sign placed in other locations shall be 1.8 m (6 ft.), measured perpendicular distance from the ground to the highest point of the sign when set up.</p>	
Canopy Signs			
(see Figure 8a)	General	<p>These regulations apply where a canopy is constructed solely as a support structure for a sign.</p> <p>All canopy signs shall be erected in such a manner that</p>	Each tenant of a building shall be allowed one (1) under-canopy sign of no more than 0.5 m ² (5.4 sq. ft.) in area.

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		the structural support elements are designed to appear as an integral part of the overall sign design and concealed, such that no angle iron bracing, guy wires, or similar support elements are visible from a road or lane.	
	Area	The maximum area of all canopy signs on one face of a canopy shall not exceed 50% of the area of the face of the canopy.	
	Height	The bottom of the canopy shall be not less than 2.5 m (8.2 ft.) above grade.	Unless otherwise approved by the Development Authority, the vertical dimension of the canopy shall not exceed 1.5 m (4.9 ft.)
	Clearance	No part of the canopy shall project over a road or lane. Signs suspended under a canopy shall have a vertical clearance of a minimum of 2.5 m (8.2 ft.) from grade.	
Freestanding Signs			
(see Figure 8b)	General	<p>(a) One (1) freestanding sign per business frontage may be erected on a site having a minimum business frontage of 15.0 m (49.2 ft.) at road level.</p> <p>(b) Notwithstanding Sub-section (a) above, a maximum of one (1) freestanding sign may be allowed per site except:</p> <p>(i) where a Lot or Parcel is considered by the Development Authority to be a double fronting Lot or Parcel, each frontage</p>	Additional signs may be allowed at the discretion of the Development Authority.

4.20 Sign Regulations

		may have a freestanding sign, provided that the freestanding signs are at least 90.0 m (295.3 ft.) apart.	
	Area	The total sign area of all freestanding signs on a site shall not exceed 0.3 m ² (3.2 sq. ft.) in area for each lineal metre of frontage, to a maximum of 8.4 m ² (90 sq. ft.)	
	Height	The maximum height of a freestanding sign shall be 7.0 m (23.0 ft.).	
	Separation	Where a freestanding sign and a projecting sign are located along the same frontage of a site, a minimum distance of 10.0 m (32.8 ft.) shall be maintained between the signs.	
	Setbacks	Any support structure for a freestanding sign shall be set back a minimum of 0.3 m (1.0 ft.) from any site line and no part of the freestanding sign itself shall encroach onto or overhang an adjacent site, road or lane.	
Portable Signs			
(see Figure 8b)	General	<p>(a) No more than one (1) portable sign shall be located on a site.</p> <p>(b) Notwithstanding Subsection (a) above, one (1) portable sign may be allowed for each business in a multiple-occupancy development provided that no portable sign is</p>	Notwithstanding any other provision of this Bylaw to the contrary, portable signs shall not be allowed in any Residential District.

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		located closer than 15.0 m (49.2 ft.) to another portable sign.	
	Area	All portable signs shall be double-faced.	
	Height	All portable signs shall exceed a height of 2.5 m (8.2 ft.) above grade.	
	Location	Portable signs shall not be placed on a site so as to conflict with or take up space for parking, loading, or walkways.	
	Setbacks	Any support structure for a portable sign shall be set back a minimum of 0.5 m (1.6 ft.) from any site line and no part of a portable sign shall encroach onto or overhang an adjacent site, road or lane.	
Projecting Signs			
(see Figure 8a)			
	General	No more than one (1) projecting sign of 0.5 m ² (5.4 ft ² in size shall be allowed for each frontage of a commercial or industrial use.	
	Appearance	All projecting signs shall be erected in such a manner that the structural support elements are designed to appear as an integral part of the overall sign design and concealed such that no angle iron bracing, guy wires, or similar support elements are visible from a road.	
	Clearance	No projecting sign shall project over another site, a road, or a lane.	

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		A projecting sign shall have a vertical clearance of a minimum of 3.05 m (10 ft.) from grade.	
Roof Signs (see Figure 8a)			
	General	Roof signs must be manufactured and erected in such a way that they appear as an architectural feature and they shall be finished in such a manner that the visual appearance from all sides makes them appear to be part of the building itself.	
	Appearance	No supporting structure for a roof sign shall be visible to the public unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.	
	Setbacks	All roof signs shall be set back a minimum of 1.0 m (3.3 ft.) from the edge of the building on which the roof sign is located.	
Wall Signs (see Figure 8a)			
	General	<p>The portion of a wall that can be used for or that can be covered by a wall sign on the front of a building shall be the space defined by the following lower and upper limits:</p> <p>(a) in the case of a sign proposed above the first storey:</p> <p>(i) the lower limit shall be the lower limit of the lintel or the window head of the first storey, but in no case lower than 2.4</p>	

4.20 Sign Regulations

		<p>m (7.9 ft.) above grade; and</p> <p>(ii) the upper limit shall be the window sill of the second storey or, in the absence of any windows on the second storey, 0.8 m (31.5 inches) above the floor elevation of the second storey.</p> <p>(b) in the case of a sign proposed on a one-storey building, the upper limit of the portion shall be either:</p> <p>(i) the roofline of a flat-roofed building, or, where there is an existing majority of wall signs that exceed the roofline, the upper limit of such existing wall signs, or</p> <p>(ii) a maximum of 0.8 m (31.5 inches) above the line of the eaves, if there is a parapet wall, provided that the sign does not project above the upper edge of the parapet, or</p> <p>(iii) the line of the eaves.</p>	
	Location	<p>Notwithstanding the General Provisions above, a wall sign may be located:</p> <p>(a) below the area defined in General Provisions Sub-section (a) above, provided:</p> <p>(i) the sign consists of individual letters, symbols, or logos</p>	<p>A wall sign may be allowed on the side wall of a building facing a road where a development is located on a corner site provided that the sign is integrated with the other signage on the building and is of the same height and width.</p>

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		<p>that are directly attached to the building face,</p> <p>(ii) the sign states no more than the name of the building or the principal tenant of the building, and</p> <p>(iii) the sign area does not exceed 20% of the building face below the area defined in General Provisions Sub-section (a) above.</p> <p>(b) between the second storey window lintel and the third storey window sill, or, in the case of a two-storey building, between the second storey window lintel and the roof or parapet, provided:</p> <p>(i) the sign states no more than the name of the building or the principal tenant of the building, and</p> <p>(ii) the sign area does not exceed 2.5 m² (26.9 sq. ft.), or</p> <p>(c) above the third storey window sill, provided:</p> <p>(i) the sign states no more than the name of the building or principal tenant of the building, and</p> <p>(ii) there is no more than one (1) sign per building face above the third storey.</p>	<p>Any other location for a wall sign shall be at the discretion of the Development Authority, who shall have consideration for the aesthetic quality and compatibility of the proposed wall sign with adjacent developments.</p>
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Inflatable Signs			
(see Figure 8a)	General	One (1) small inflatable sign can be placed on an approved temporary sign location, and does not require a Development Permit, provided it is, no larger than 5.5 m ² (59.2 sq. ft.) Larger inflatable signs require that a Development Permit be applied for, and approval obtained before installation.	One (1) inflatable sign may be located on a site and must be tethered or anchored so that it is touching the ground surface to which it is anchored.
	Height	The maximum height of an inflatable sign shall be the allowed height of a freestanding sign for the site.	
	Location	An inflatable sign can only be located on a site twice in a calendar year and not for longer than 30 consecutive days.	Inflatable signs cannot be located on the roof of a structure.
Signs in or adjacent to Residential Districts			
	General	Except as provided below, no sign shall be permitted in Residential Districts except for places of worship, schools or other public institutions.	When, in the opinion of the Development Authority, a proposed sign in any District adjacent to a Residential District might be objectionable to a resident in the Residential District, the Development Authority may impose such other requirements as they deem necessary, to protect the amenities of the Residential District.
	Home Occupations	An approved major home occupation may display a sign, not larger than 0.2 m ²	

4.20 Sign Regulations

		(2 sq. ft.) in the window of the dwelling.	
	Bed and Breakfast	An approved bed and breakfast may display a sign, not larger than 0.2 m ² (2.0 sq. ft.). If outside, the sign shall be placed in a location that is satisfactory to the Development Authority. Alternatively, the sign may be displayed from inside a window of the dwelling.	
	Multi-Unit or Multi-Lot Developments	One (1) freestanding sign per site may be allowed for the purpose of identifying the name of a multi-family dwelling, a manufactured home community, a neighbourhood, or a subdivision, provided: <ul style="list-style-type: none"> (a) the sign area does not exceed 5.0 m² (53.8 sq. ft.), (b) the height of the sign does not exceed 2.0 m (6.6 ft.), and (c) the sign is not internally illuminated, though it may be lit from the front. (d) Name or number signs shall have a surface area of no more than 0.3 m² (3.0 sq. ft.). 	
	Lighting	When an illuminated sign is located in a District adjacent to a Residential District, the illumination from that sign shall be deflected away from the Residential District.	
Signs Relating to Institutional Uses			

4.21 Site Conditions and Buffering Requirements

	General	In any District where a place of worship or a school or another Institutional Use is allowed, one (1) sign of not more than 5.0 m ² (53.8 sq. ft.) in area shall be allowed to be erected on the site occupied by the place of worship, school, or other institutional use.	
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4.21 SITE CONDITIONS AND BUFFERING REQUIREMENTS

(1) Grading and Drainage

- (a) At the discretion of the Development Authority, the proponent for a development may be required to submit a site drainage plan and/or elevation plan indicating pre- and post-development flows to ensure that finished grades on the site prevent drainage from development to adjacent sites, except where drainage conforms to an approved area structure plan or site development plan storm water management plan.
- (b) If any development is damaged or threatened with damage from flooding from a water body, a river, creek or watercourse, the landowner will be entirely responsible for any damage and for any works necessary for protecting the development from damage.
- (c) If any development is damaged or threatened with damage from erosion or the effects of erosion, or from flooding or the effects of flooding, whether or not a Development Permit has been issued in respect of the development, the landowner will be entirely responsible for any damage and for any works necessary for protecting the development from damage.
- (d) The Development Authority will not approve a Development Permit application for the development or placement of permanent buildings within the 1:100-year floodway of any lake, river, creek, watercourse, or water body.
- (e) Development shall not be permitted on steep slopes (in excess of 15%), on unstable slopes or land characterized by soil instability, or on lands exhibiting evidence of poor drainage or flooding unless it can be demonstrated to the satisfaction of the Development Authority that unique site requirements warrant otherwise by providing a geotechnical report prepared by a professional engineer registered in the Province of Alberta.

(2) Buffering and Setbacks

- (a) Accessory buildings for non-residential uses in residential areas must be screened by a solid or opaque fence of not less than 1.8 m (6.0 ft.) in height adjacent to residential property, or otherwise screened by landscaping or other architectural features, to the satisfaction of the Development Authority.

4.21 Site Conditions and Buffering Requirements

- (b) The Development Authority may prescribe setback and/or buffering requirements for uses, which may be physically or visually incompatible with nearby land uses.
- (c) At the sole discretion of the Development Authority, buffering in the form of additional setback, fencing, berming, landscaping or the like shall be required as a condition of any non-residential development in proximity to residential uses.
- (d) The Development Authority, at his sole discretion, shall require provision of screening for uses, which involve the outdoor storage of goods, machinery, Vehicles, building materials, waste materials, and other similar materials or uses, as deemed necessary to mitigate potential impacts to adjacent development or sensitive uses.
- (e) In considering the approval of an application, the Development Authority may require the retention of trees or additional planting of such type and extent as considered necessary for the purpose of ensuring buffering, erosion and/or dust control.
- (f) The Development Authority shall determine the location of any shelterbelts.

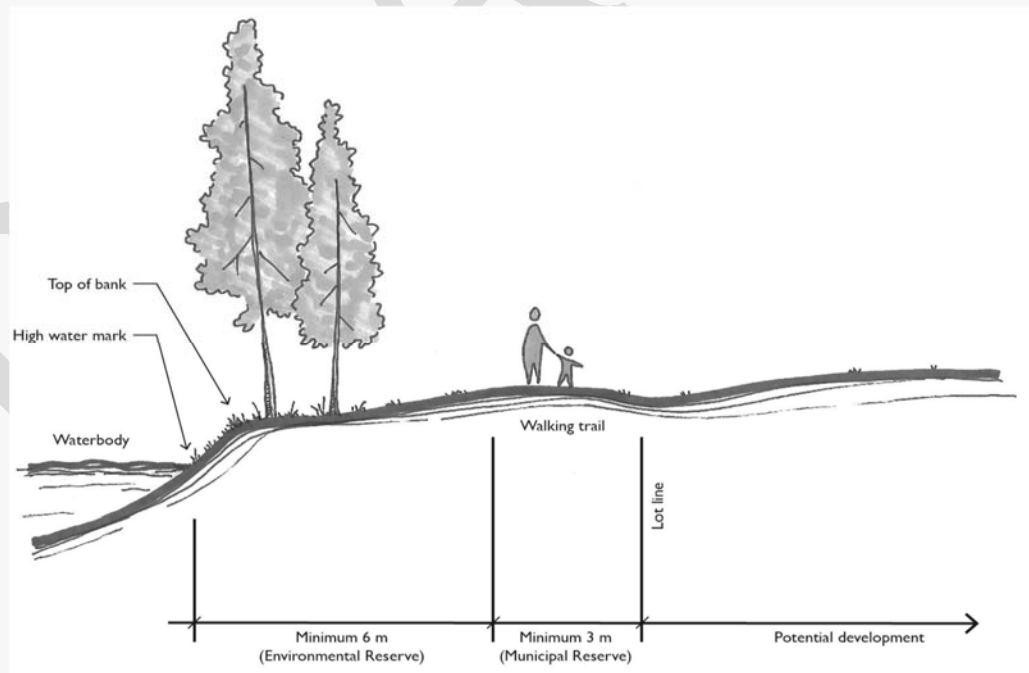
(3) Reserves

- (a) The County will require Environmental Reserves, an Environmental Reserve Easement or a combination thereof adjacent to bodies of water and lands containing significant environmental features.
- (b) The amount of Reserves/Easement lands shall be at the discretion of the County and the Subdivision Authority who will normally base environmental reserve and environmental reserve easement requirements on the following:
 - (i) The Guidelines for Environmental Reserves and Environmental Reserve Easements established by Sustainable Resource Development (**see Table 4**); or
 - (ii) If the reserve/easement amount is disputed by the proponent of a development or subdivision then the Developer may provide the County and the Subdivision Authority with a biophysical, engineering and/or geotechnical study, which indicates that an alternative reserve/easement amount is appropriate for the subject site. If the report from the engineer indicates that a lesser reserve/easement would be suitable and/or provides mitigation recommendations, which if followed would allow for a lesser reserve/easement area, then the Approving Authority may, at their sole discretion, approve a subdivision with a lesser reserve/easement area.

4.21 Site Conditions and Buffering Requirements

- (c) Notwithstanding **Sub-section (a) above**, additional reserves/easements may be required by the County based on the recommendations of any engineering and/or geotechnical study provided for the subject site.
- (d) No buildings of any kind shall be allowed within required setback areas.
- (e) Notwithstanding **Sub-section (d) above**, the width of the required development setback shall be at the sole discretion of the Development Authority who will normally base setback requirements on the following:
 - (i) The Guidelines for Environmental Reserves and Environmental Reserve Easements established by Sustainable Resource Development (**see Table 4**); or
 - (ii) If this setback amount is disputed by the proponent of a development then the Developer may provide the approving Authority with a biophysical, engineering and/or geotechnical study, which indicates that an alternative setback amount is appropriate for the subject site. If the report from the engineer indicates that a lesser setback would be suitable and/or provides mitigation recommendations, which if followed would allow for a lesser setback, then the Approving Authority may, at their sole discretion, approve the development with a lesser reserve/easement area.

Figure 9. Setbacks from Watercourses and Water Bodies.



- (f) At the discretion of the Development Authority, the applicant for a development may be required to submit as part of a Development Permit application an assessment, prepared by a registered professional engineer practicing in Alberta, indicating the stability of the soils

4.21 Site Conditions and Buffering Requirements

and slopes for the proposed development and how sufficient stability for the development can be ensured in order to determine the appropriate setback distance and/or site-specific building requirements.

- (i) If the report from the engineer indicates that a lesser setback would be suitable and/or provides mitigation recommendations that, if followed, would allow for a lesser setback then the Development Authority may, at their sole discretion, approve a development with a lesser setback.
- (ii) If the development is approved with the lesser setback, the Development Authority may require, as a condition of the approval of the permit, that the Developer constructs those works or abide by those conditions necessary to ensure the stability of the soils and slopes as determined in the assessment.
- (g) Applicants seeking development approval must consider locations of abandoned wells, including setback areas. The County of Vermilion River requires a minimum setback of 100 meters from all abandoned wells for residential and public facility developments. All other development classifications will be required to use the lease area as the setback guidelines. Any reclaimed wells require a 10-meter setback from the well location. Access to reclaimed wells must be provided at all times in accordance with provincial regulations and preserve an unobstructed square, 20 ft x30 ft, footprint.

(4) Historical and Archaeological Sites

- (a) Historical sites or archaeological sites identified pursuant to Provincial legislation shall be protected in accordance with guidelines established by the Province.
- (b) Applications for Development or subdivision on Lots or Parcels designated historical resources requires approval under the Historical Resources Act.

(5) Sustainable Resource Development Recommended Guidelines for Minimum Environmental Reserve/Easement Widths.

- (a) In reference to Section 664 of the Municipal Government Act, recommended Environmental Reserve/Easement Widths where a boundary to a proposed subdivision is a water body or watercourse are shown on Table 4.

4.21 Site Conditions and Buffering Requirements

Table 4. Sustainable Resource Development Recommended Guidelines for Minimum Environmental Reserve/Easement Widths.

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

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

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

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

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

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

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

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

Hazardous Lands	ER Modifier	Notes
Floodplain	<ul style="list-style-type: none"> The width of the 1:100 year flood line or 30m from the natural boundary of a watercourse or lake, whichever is less. The width of meander belt for watercourses that tend to meander or entire floodplain if it is highly constrained within a confined valley. 	<ul style="list-style-type: none"> Residential development within a floodplain is discouraged. Development within flood fringe area should only be considered if flood proofing undertaken to reduce risk of flood damage. Flood risk mapping or delineation of the 1:100 year flood line generally defines the extent of expected flood occurrence (see Alberta Environment policy and guidelines). The width of a meander belt is determined by multiplying bankfull width by 20 for each reach, and is split equally on either side of creek along axis of meander belt.
Erosion prone areas	Provide for a toe erosion allowance.	Consider highly erosive soils and annual recession rates.
Gully, ravine, coulee, or valley escarpments	Provide for a stable slope allowance. Apply construction and building setbacks from this line.	Boundary of stable slope allowance measured from top of crest of plateau (terrace), valley slope or tableland.
Steep Slopes ($> 15\%$)	3X escarpment height or as recommended by a geotechnical report on slope stability, rate of erosion, etc.	

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Sustainable Resource Development standard recommendations to municipal subdivision referrals. PUBLISHER Sustainable Resource Development (2001-2006, 2006-2013) 3



PART 5.0 SPECIAL PROVISIONS

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5.1 APPLICABILITY

- (1) The provisions under this Part apply within all land use districts except where directed otherwise.

5.2 ABATTOIRS

- (1) Abattoirs Facilities for which an approval, a registration, or an authorization is required pursuant to the Agricultural Operations Act are not regulated by this Bylaw rather by that Act and by the relevant agency pursuant to that Act. Please refer to the Agricultural Operations Act and the Regulations under the Agricultural Operations Act for these developments.
- (2) Front setbacks for Manure Storage Facilities shall be as required by the established Right-Of-Way in **Sections 4.2** of this Bylaw. All front setbacks are measured from the roadway centerline.
- (3) Other setbacks shall be as required by the Designated District. Side and Rear setbacks are measured from Lot or Parcel lines, accordingly.

5.3 ALTERNATIVE ENERGY SYSTEMS

- (1) In addition to all other applicable General and Land Use District Regulations, the following provisions shall apply to Alternative Energy Systems developed within all Land Use Districts in the County of Vermilion River.
- (2) Permit required.
 - (a) Alternative Energy Systems (AES) shall require a Development Permit to be issued. An application for an AES shall include the following information where applicable:
 - (i) The manufacturers specifications indicating;
 1. the SWES rated output in kilowatts,
 2. safety features and sound characteristics,
 3. type of material used in tower, blade, and/or rotor construction,
 4. CSA or ULC approval, if applicable.
 - (ii) Potential for electromagnetic interference;
 - (iii) Nature and function of over-speed controls which are provided;
 - (iv) Specifications on the foundation and/or anchor design, including location and anchoring of any guy wires;

5.3 Alternative Energy Systems

- (v) Information demonstrating that the system will be used primarily to reduce on-site consumption of non-renewable energy sources such as electricity; natural gas, propane, or similar;
 - (vi) A site plan indication the location of existing buildings, improvements, roads, lanes, and public utilities both on the applicant's property and all adjacent properties.
- (3) Use.
 - (a) Ground mounted solar collectors shall be regarded as Accessory Buildings for the purposes of this Bylaw and shall be regulated as such.
- (4) Land Use.
 - (a) Alternative Energy Systems are a Discretionary Use in all Land Use Districts within the County of Vermilion River.
- (5) Location.
 - (a) No aboveground portion of any component of any alternative energy system shall be located in a Front Yard.
 - (b) Regarding Solar Energy Collection Systems:
 - (i) Solar Collectors whether ground or roof mounted shall require a Development Permit to be issued.
 - (ii) Solar Collectors may be installed on the roof of any building or may be ground mounted in a Rear or Side Yard.
 - 1. If a roof mounted solar collector requires raising of the top of the collector panel for solar alignment, the raised portion of the collector panel shall not project above the highest roofline by more than 0.3 metres (1 ft). Projections beyond 0.3 metres (1 ft) shall require application for a Variance.
 - (iii) Any accessory structure or vegetation on an abutting Lot or Parcel shall not be located so as to block the Solar Collector's access to solar energy. The portion of a solar collector that is protected is the portion which:
 - 1. is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical 12-foot obstruction located on the Lot Line; and
 - 2. has an area not greater than one-half of the heated floor area of the structure, or the largest of the structures, to be served.
 - (iv) **Sub-section (iii) above**, does not apply to structure or vegetation existing in an abutting Lot or Parcel at the time of installation of the Solar Energy Collection

5.3 Alternative Energy Systems

System, or the effective date of this Bylaw, whichever is later. Said subsection controls any structure erected on, or vegetation planted in, abutting Lots or Parcels after the installation of the Solar Energy Collection System.

- (c) Notwithstanding Sub-sections (a) and (b) above, the County shall not be responsible for protecting access to solar energy on private land.
- (6) Operation
 - (a) Any alternative energy system shall be operated and shielded so as to prevent any electromagnetic interference. Any system found in violation of this policy shall be required to cease operation until such time as the problem is resolved.
- (7) Signage
 - (a) Brand names or advertising associated with any alternative energy system or the system's installation shall not be visible from any public area, including lanes, streets, and highways.
- (8) Screening.
 - (a) All alternative energy system shall be located and screened, to the extent possible, by land forms, natural vegetation, or other landscaping means consistent with the County's General Municipal Servicing Standards, Section H, and the applicable County's Land Use Bylaw regulations to minimize its visual impact on adjacent development and public areas. Towers and other supporting structure shall be painted a single, neutral, non-reflective, non-glossy color (e. g., earth tones, grey, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments.
- (9) Reclamation.
 - (a) Upon abandonment or termination of any alternative energy system's use, the entire facility and all components associated with the system, including towers or support structures, shall be removed and the site restored to its pre-construction condition.
- (10) Compliance.
 - (a) All plumbing, reservoirs, pumps, and other equipment associated with solar or geo-thermal heating or cooling systems shall require plumbing, electrical, and building permits as required under the Safety Codes Act and must meet all applicable provincial plumbing, electrical, and building code regulations and any other municipal requirements.
- (11) Other Agencies.
 - (a) No Alternative Energy System that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of the letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control

5.3 Alternative Energy Systems

grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.

(12) Installation.

- (a) All alternative energy system shall follow best installation practices to ensure quality and safety of installations.

(13) Geothermal systems

- (a) shall be Closed Loop systems. Open Loop systems (pump & dump) are not allowed.
- (b) must comply with CSA-C448 and subsequent amendments. Exceptions may be allowed, at the discretion of the Development Authority, provided that documented proof be provided that shows that the exception meets or exceeds the CSA-C448 standard.
- (c) installations must be stamped by a qualified Professional Engineer registered under the "Engineering, Geological, or Geophysical Professions Act" of the Province of Alberta or have the system and installer certified by the Canadian GeoExchange Coalition (CGC) or other future governing body having jurisdiction within the Province of Alberta.
- (d) Heat-transfer fluids used within a geothermal system shall be of the most environmentally friendly type available at the time of installation such as propylene glycol. In no case may an ethylene glycol based fluid be used nor shall any flammable or combustible agent such as methanol, ethanol, natural gas, or propane be used.

(14) Wind Conversion Systems (WECS), Large

- (a) In addition to the requirements set forth in **Part 2** of this Bylaw, all applications for a Development Permit for a WECS shall be accompanied by:
 - (i) at the discretion of the Development Authority, a public participation summary pursuant to Section 2.133.
 - (ii) if applicable, a business registration form;
 - (iii) a fully dimensioned and scaled site plan showing and labeling the information including the location of overhead utilities on or abutting the subject site, contours of the land, and access roads;
 - (iv) a visual representation including scale elevations, photographs and/or digital information of the proposed WECS showing total height, tower height, rotor diameter, colour, and the landscape;
 - (v) the manufacturer's specifications for the wind energy conversion system, including:
 - 1. the system's rated output in kilowatts,

2. safety features and sound characteristics, and
 3. type of material used in tower, place, and/or rotor construction.
- (vi) an analysis of the potential for noise at:
1. the site of the installation,
 2. the boundary of the Lot containing the development, and
 3. any habitable dwelling within 2.0 km (1.2 miles) of the subject site;
- (vii) any impacts to the local road system including required approaches from public roads having regard to County standards; and
- (viii) a preliminary reclamation/decommissioning plan.
- (b) When making an application for a Development Permit for a WECS, the Developer shall provide to the Development Authority appropriate reports and/or approvals from the following:
- (i) Safety Codes Council
 - (ii) Transport Canada
 - (iii) NavCanada
 - (iv) Alberta Culture and Community Spirit
 - (v) Alberta Electrical Systems Operator
 - (vi) Alberta Energy & Utilities Board
 - (vii) Alberta Environment and Sustainable Resource Development
 - (viii) Alberta Health
 - (ix) Alberta Tourism, Parks and Recreation
 - (x) Alberta Transportation
- (c) Prior to making a decision on an application for a Development Permit for a WECS, the Development Authority shall consider input from:
- (i) any adjacent municipality should the proposed development be located within 2 km (1.2 miles) of the municipality; and
 - (ii) landowners within 2 km (1.2 miles) of the proposed development.

- (d) In order to obtain input from landowners, the Development Authority shall hold a public meeting after advertising it in accordance with the requirements for Public Hearings in this Bylaw.
- (e) Should a WEC discontinue producing power for a minimum of two (2) years, the WECS operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the WECS be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw, and subject to the enforcement provisions of Section 5.1 of this Bylaw.
- (f) A WECS shall comply with all the setbacks related to roads and highways that govern the principal use in the District in which it is located.
- (g) Where, in the opinion of the Development Authority, the setbacks referred to in **Sub-section (f) above**, are not sufficient to reduce the impact of a WECS from a road or highway, the Development Authority may increase the required setback.
- (h) A WECS shall be located not less than four (4) times the total height of the WECS from a dwelling on another Parcel of land.
- (i) A WECS shall be located so that the horizontal distance measured at grade from the outside of the rotor arc to any Lot boundary other than a road or highway is at least 7.5 m (24.6 ft.).
- (j) In the case of WECS, setbacks may be amended from the minimum setback requirements in the Land Use District in which the WECS is located depending upon the number of WECS in a group and the proximity of the WECS to any existing dwelling.
- (k) The minimum vertical blade clearance from grade shall be 7.4 m (24.3 ft.) for a WECS employing a horizontal axis rotor unless otherwise required by the Development Authority.
- (l) To ensure public safety, the Development Authority may require that:
 - (i) a secure fence not less than 1.8 m (5.9 ft.) in height with a lockable gate surround a WECS tower if the tower is climbable or subject to vandalism that could threaten tower integrity;
 - (ii) no ladder or permanent tower access device be located less than 3.7 m (12.1 ft.) from grade;
 - (iii) a locked device be installed on the tower to preclude access to the top of the tower; and
 - (iv) such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate.
- (v) The use of tubular towers, with locked door access, may, at the sole discretion of the Development Authority, make unnecessary the above requirements.

5.3 Alternative Energy Systems

- (m) All power lines on the site of a WECS to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.
- (n) Unless otherwise required by the Development Authority, a WECS shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a WECS to the sole requirements of the Development Authority.
- (o) No lettering, advertising or other symbol shall appear on the towers or blades. On other parts of the WECS, the only lettering or symbol allowed will be the manufacturer's and/or owner's identification or symbol and then, only upon the approval of and at the sole discretion of the Development Authority.
- (p) The Development Authority may approve a WECS on a case-by-case basis having regard for:
 - (i) information provided in the application;
 - (ii) the proximity of the proposed development to other land uses;
 - (iii) the cumulative effect of all WECS approved or proposed in the area;
 - (iv) underlying utilities; and
 - (v) information received from the circulation of the application and from the public.
- (q) A letter of credit may be required to address the decommissioning and reclamation of sites should a location be taken out of service. The amount of security and term will be reviewed on a case-by-case basis to determine reclamation costs.

(15) Wind Conversion Systems, Micro

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

(16) Wind Conversion Systems, Small

- (a) Small wind energy conversion systems shall only be allowed as accessory developments.

- (b) For property sizes between 0.1 ha (0.25 ac.) and 0.2 ha (0.5 ac.) the wind turbine tower height shall be limited to 25.0 m (82.0 ft.). For property sizes of 0.2 ha (0.5 ac.) or more, there is no limitation on wind turbine tower height, subject to the setback requirements below, and provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or any distributor of the system.
- (c) The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure, including guy wire anchors, may extend closer than 3.0 m (9.8 ft.) to the property boundaries of the installation site. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of 2.0 m (6.6 ft.) above the guy wire anchors. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.
- (d) The mean value of the sound pressure level from small wind energy systems shall not exceed more than 6 decibels (dBA) above background sound, as measured at the exterior of the closest neighbouring inhabited dwelling (at the time of installation or during operation), for wind speeds below 10 m per second (22 mph) and except during short-term events such as utility outages and/or severe wind storms.
- (e) Development Permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, footings, anchoring method and drawn to scale. An engineering analysis of the wind turbine tower showing compliance with the International Building Code and certified by a licensed professional mechanical, structural, or civil engineer shall also be submitted. Documentation of this analysis supplied by the manufacturer shall be accepted.
- (f) Small wind energy systems must comply with applicable air traffic safety regulations. A statement on compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Small wind turbine towers shall not be artificially lit except as required by Nav Canada.
- (g) Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to existing electrical codes. This information is frequently supplied by the manufacturer.
- (h) No small wind energy system that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.
- (i) One Small Wind Energy System is allowed per single detached dwelling on a lot.

- (j) A letter of credit may be required to address the decommissioning and reclamation of sites should a location be taken out of service. The amount of security and term will be reviewed on a case-by-case basis to determine reclamation costs.

5.4 AUTO WRECKERS AND SALVAGE YARDS

- (1) Notwithstanding any other provisions of this Bylaw, Auto Wreckers and Salvage Yards shall be screened from adjacent properties by a solid perimeter fence of at least 2.0 m (6.5 ft.) in height, and not more than 5.0 (16.25 ft.), with no material piled higher than the height of the perimeter fence, and a setback of 1.5 m (5 ft), which shall be maintained free of obstructions at all times.
 - (a) the perimeter fence shall not be located in the required Front Yard.
 - (i) the required Front Yard shall be used for no other purpose than landscaping and necessary access driveways to the site.
 - (b) all landscaping shall meet County Standards to the satisfaction of the Development Authority.
 - (c) Storage of debris, equipment, and other materials shall not be permitted in the perimeter setback.
- (2) As a condition of approval for an Auto Wrecker and Salvage Yard, the Development Authority may impose restrictions on:
 - (a) hours of operation;
 - (b) siting of machinery and facilities; and/or
 - (c) any other feature of the development, so as to mitigate the impact noise on adjacent properties and developments.
- (3) No Auto Wrecker or Salvage Yard facility, including the storage and stockpiling of Vehicles, Refuse, or any materials, shall be located so as to cause contamination of adjacent properties or environmental features or natural resources, such as water bodies or agricultural lands.

5.5 CAMPGROUNDS AND CAMPSITES

- (1) Where a campground proposal will ultimately exceed sixty (60) campsites and/or cabins and is located on a Parcel greater than 8.0 ha (19.8 ac), a development concept plan for the development of the entire tract of land shall be submitted and approved by the Development Authority prior to submitting a Development Permit application for any specific development. The development concept plan shall include detailed plans and specifications (i.e. servicing, traffic, environmental considerations, etc.) for the initial stage, as well as any subsequent stages of development.

5.5 Campgrounds and Campsites

- (2) A minimum of 10% of the gross Lot area of the campground shall be set aside for a common recreation area and shall be developed and maintained as a park, playground or other useable open space. No portion of any other use and/or facility shall be included in this area.
- (3) Campsite and visitor parking spaces shall be provided within a campground area, subject to **Section 4.8** of this Bylaw to the satisfaction of the Development Authority.
- (4) All campgrounds shall be provided with safe and convenient vehicular access and all roadways within a campground shall be of a surface and standard acceptable to a Development Officer for the purposes of accommodating emergency, fire and maintenance Vehicles.
- (5) Within a campground development, the roadway system will be sensitive to the topography and site characteristics of the site and shall be “signed” to avoid confusion.
- (6) All campsites shall be accessible by means of an access at least 3.0 m (9.8 ft.) in width where the access is for one-way traffic, or at least 6.0 m (19.7 ft.) in width where the access is for two-way traffic.
- (7) Trees and natural vegetative cover shall not be removed without an approved Development Permit or development concept plan. The Development Authority may prevent the removal of trees or shrubs adjacent to environmentally sensitive areas.
- (8) Any adjoining residential area(s) shall be screened by a solid fence or year-round vegetation with a minimum height of 2.0 m (6.6 ft.), to the satisfaction of the Development Authority.
- (9) Fires shall only be permitted in facilities which have been provided for such purpose or where open fires are allowed by the County’s fire department.
- (10) Fireplaces, fire pits, charcoal and other barbeque equipment, wood burning stoves, or any other cooking facilities shall be located, constructed, maintained and used to minimize fire hazard and smoke nuisance in the campground and the neighbouring properties.
- (11) Fire extinguishers capable of dealing with electrical and wood fires shall be kept in all service buildings.
- (12) A suitable access and egress shall be provided so that every campground may be readily serviced in emergency situations. Twenty-four (24) hour emergency communication service (e.g. telephones) shall be provided.
- (13) Pedestrian walkways having a width of not less than 1.2 m (3.9 ft.) shall be provided from campground stalls to all service buildings, facilities, refuse collection areas and recreation areas. The walkways shall be well drained, well lighted, and the surface shall be constructed to a standard to the satisfaction of the Development Authority.
- (14) The storage, collection and disposal of solid waste in campgrounds shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, or accident or fire hazards. Individual or grouped refuse containers must be screened to the satisfaction of the Development Authority.

5.5 Campgrounds and Campsites

- (15) Campgrounds with less than sixty (60) campsites and no permanent cabins shall be required to provide sewage disposal and water service facilities to the satisfaction of the Development Authority.
- (16) Campgrounds with more than sixty (60) campsites and with permanent cabins shall provide on-site services as follows:
 - (a) A water supply system shall be provided for each campsite designed to accommodate the campground user occupying a self-contained recreational Vehicle or a cabin and shall be connected to a community water supply system. The water system for a campground shall be constructed to the satisfaction of the County Engineer and the Development Authority in accordance with all applicable Provincial and County regulations.
 - (b) Alternatively, a campground may provide one or more easily accessible supply outlets for filling potable water storage tanks. The water supply outlets shall be located within 100.0 m (328.1 ft.) of the campsites. The water supply outlets shall be constructed to the satisfaction of the County Engineer and the Development Authority in accordance with all applicable Provincial and County regulations.
 - (c) An adequate and safe sewage disposal system shall be provided in a campground for each campsite designed to accommodate the campground user occupying a self-contained Vehicle or cabin and shall be connected to a community sewage system and/or sanitary dumping station, to the satisfaction of the Development Authority. The sewage disposal system in a campground shall be constructed to the satisfaction of the County Engineer and the Development Authority, and shall comply with all applicable Provincial and County regulations, and shall be maintained to the standards of the regulatory approvals.
 - (d) A campground shall be provided with sanitary dumping stations in the ratio of one for every one hundred recreational Vehicle spaces or fractional part thereof. The sanitary dumping stations shall be designed and maintained to County regulations and standards to the satisfaction of the County Engineer and the Development Authority. Each station shall provide a water outlet, with the necessary appurtenances connected to the water supply system to permit periodic wash down of the immediate adjacent areas. A sign shall be posted near the water outlet indicating that this water is for flushing and cleaning purposes only. Sanitary stations shall be separated from any campsite or cabin by a distance of not less than 20.0 m (65.6 ft.).
 - (e) In no case shall less than one (1) toilet and lavatory be provided for each sex for every ten (10) campsites.
- (17) Campgrounds, containing campsites, cabins, hotels and/or motels are considered temporary occupancies, and consequently, the maximum occupancy is two hundred and forty (240) days per calendar year.
- (18) The minimum size for a tenting campsite shall be:
 - (a) 7.5 m (24.6 ft.) in width;

5.6 Confined Feeding Operations and Manure Storage Facilities

- (b) 18.3 m (60.0 ft.) in depth; and
 - (c) 213 m² (2292.7 sq. ft.) in area.
- (19) The minimum size for a recreation Vehicle/travel Trailer or cabin campsite shall be:
 - (a) 10.0 m (32.8 ft.) in width
 - (b) 25.0 m (82 ft.) in depth; and
 - (c) 250 m² (2691 sq. ft.) in area.
- (20) A recreational Vehicle/travel Trailer on a campsite shall be separated a minimum of 3.0 m (9.8 ft.) from:
 - (a) another recreational Vehicle/travel Trailer on an adjacent site;
 - (b) other structures; and
 - (c) an interior roadway.
- (21) All campsites shall be required to provide an acceptable form of ground cover to prevent erosion.

5.6 CONFINED FEEDING OPERATIONS AND MANURE STORAGE FACILITIES

- (1) Confined Feeding Operations and Manure Storage Facilities for which an approval, a registration, or an authorization is required pursuant to the Agricultural Operations Act are not regulated by this Bylaw rather by that Act and by the Natural Resources Conservation Board pursuant to that Act. Please refer to the Agricultural Operations Act and the Regulations under the Agricultural Operations Act for these developments.
- (2) Front setbacks for Manure Storage Facilities shall be as required by the established Right-Of-Way in **Sections 4.2** of this Bylaw. All front setbacks are measured from the roadway centerline.
- (3) Other setbacks shall be as required by the Designated District. Side and Rear setbacks are measured from Lot or Parcel lines, accordingly.

5.7 COMPOST FACILITIES AND LANDFILLS

- (1) All relevant provincial authorizations shall be in place prior to commencement of operation.
- (2) Hours of public access and hours of operation for heavy machinery shall be restricted to between 7:00 a.m. and 11:00 p.m.
- (3) Litter catchment fences, satisfactory to the Development Authority, shall be placed immediately downwind (from the generally prevailing winds) of any working face to capture litter.

5.8 Day Use and Picnic Areas

- (4) Perimeter fencing, consisting of a continuous chain-link fence or similar material with appropriate gate or gates and satisfactory to the Development Authority, shall be placed around the working area for security purposes. Any gates shall be closed and locked when the compost facility or landfill is not open to the public.
- (5) 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.
- (6) If the working area would be visible from a road, there must be a visual buffer satisfactory to the Development Authority between the road and the working area to reduce visibility. The buffer may consist of a soil berm and/or a tree shelterbelt, and may be either natural or constructed.
- (7) The site shall be manned when open to the public.
- (8) The applicant shall submit a reclamation and closure plan on terms acceptable to the Development Authority.
- (9) 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 security for the above, and for compliance with the conditions of the Development Permit.
- (10) Landfills
 - (a) In addition to the requirements of **this Section**, the developer of a landfill shall ensure that waste deposited in the working area is promptly compacted and covered to minimize odour and to minimize wind blowing litter.
- (11) Redistricting
 - (a) In addition to the other requirements of this Bylaw, prior to Council approving an amendment to this Bylaw changing land within the County to the LC 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.

5.8 DAY USE AND PICNIC AREAS

- (1) A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the site. Exact numbers of such facilities shall be at the discretion of the Development Authority.
- (2) Day use and picnic facilities shall be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage.

5.9 Dwelling and Building Conversion Standards

- (3) Where the day use area directly adjoins a residential development, adequate screening or fencing, to the satisfaction of the Development Authority, will be required between the uses.
- (4) Parking areas should be physically separated from the rest of the day use or picnic areas by landscaping or natural vegetation buffers.

5.9 DWELLING AND BUILDING CONVERSION STANDARDS

- (1) The standards in this Section shall apply to the Conversion of Dwellings and Buildings located within all Districts.
- (2) All Dwelling and Building Conversion activities of existing buildings, including those listed in **Section 5.24**, being used or to be used for Non-Residential Use(s) or buildings being used or to be used for Residential Use(s) require that a Development Permit be issued for Discretionary Use, in accordance to the requirements of this Bylaw.
- (3) A Use and Occupancy Permit, subject to the provisions in **Section 2.17** of this Bylaw, is required prior to occupancy of a Building Conversion.
- (4) Building Conversion for Residential Uses
 - (a) Dwelling and Building Conversions for Residential Use shall meet all applicable requirements for Residential Construction in accordance to the Alberta Building Code and the Safety Codes Act regulations.
 - (b) Building Conversion of an existing Dwelling or Non-Residential Use building to accommodate not more than three (3) households, provided that the exterior design of structure is not changed from the character of a Single-Family Dwelling and further provided that each Dwelling Unit resulting from such conversion, shall comply with all applicable Residential Use regulations for the designated District in which the Building Conversion Lot or Parcel is located, except where the building is non-conforming with respect to one or more of the minimum requirements in this Bylaw.
 - (c) The gross floor area of the building shall not be increased more than five (5) percent over that which existed prior to the Building Conversion.

5.10 HOME OCCUPATIONS

- (1) The following regulations shall apply to Home Occupation, Major and Home Occupation, Minor Uses, as defined within this Bylaw, within all Districts.
- (2) All Development Permits issued for home occupations shall be revocable at any time by the Development Authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.
- (3) A permit issued for a home occupation is valid for one year or longer as determined by the Development Authority.

5.10 Home Occupations

- (a) It is the obligation of the Developer to seek renewal of a Development Permit prior to the expiry of the time period for which the initial permit was issued. The Development Authority shall consider the renewal on its merits.
- (4) A stop order may be issued at any time if, in the opinion of the Development Authority, the operator of the home occupation has violated any provision of this Bylaw or conditions of the approval of the Development Permit.
- (5) General Regulations
 - (a) All home occupations shall comply with the following requirements:
 - (i) When a Development Permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.
 - (ii) Home Occupations shall not involve:
 - 1. activities that use or store hazardous material in quantities exceeding those found in a normal household; or
 - 2. any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment or value of neighbouring properties.
 - (iii) Home Occupations shall not generate offensive noise, vibrations, smoke, dust, odour, heat, glare, electrical, or radio disturbances, which are detectable beyond the boundary of the Lot or Parcel on which the Home Occupation is located.
 - (iv) Notwithstanding the provisions under **Section 4.20** of this Bylaw, advertising signs for Home Occupations may be limited in size and number at the discretion of the Development Authority.
 - (v) The Home Occupation use shall not involve the display or storage of goods or equipment upon or inside the premises such that these items are exposed to public view from the exterior.
 - 1. additional buffering or screening requirements may be established by the Development Authority, at its sole discretion.
 - (vi) Home Occupations shall not generate an increasing demand on one or more utilities (water, sewer, electricity, telephone, garbage, etc.) such that the combined total consumption for a Dwelling and its Home Occupation substantially exceeds the average for the designated residential use within the area.
 - (vii) No Home Occupation use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the area in which the Home Occupation is located.

5.10 Home Occupations

(viii) Within Residential Districts, no more than one (1) commercial Vehicle, up to the size of a tandem Truck, which is used in conjunction with the Home Occupation, shall be parked or maintained on the site.

1. The parking space for the commercial Vehicle shall be either within a garage or adequately screened and sited behind the Main Building to the satisfaction of the Development Authority.

(ix) Within Non-Residential Districts, not more than four (4) commercial Vehicles, each with one (1) accessory Trailer, which are used in conjunction with a Major Home Occupation, shall be parked or maintained on the site.

1. The parking space for the commercial Vehicle shall be either within a garage or adequately screened and sited behind the Main Building to the satisfaction of the Development Authority.

(6) Minor Home Occupations Additional Regulations

(a) In addition to the requirements of **Sub-section (5) above**, a Minor Home Occupation shall comply with the following regulations:

- (i) A minor home occupation shall not occupy more than 20% of the gross floor area or 30 m² (323 sq. ft.) of the main building, whichever is greater.
- (ii) Except where otherwise expressly allowed within this Bylaw, there shall be no outdoor business activity or outdoor storage of material or equipment associated with a Minor Home Occupation on the site.
 1. Storage related to a Minor Home Occupation shall be accommodated either within the Dwelling or Accessory Buildings.
 2. Storage related to a Minor Home Occupation shall not cause the Minor Home Occupation to exceed the total area established in **Paragraph (i) above**.
- (iii) Up to five (5) business visits per day are allowed.
- (iv) Exterior alterations or additions to accommodate a Minor Home Occupation shall not be allowed.
- (v) A Minor Home Occupation shall not employ any person on-site other than the occupants of the Dwelling.

(7) Major Home Occupations Additional Regulations

(a) In addition to the requirements of **Sub-section (5) above**, a Major Home Occupation shall comply with the following regulations:

- (i) The number of non-resident employees working on-site shall not exceed two (2).

5.11 Inclusionary Housing Requirements

- (ii) Except where otherwise expressly allowed within this Bylaw, Up to ten (10) business visits per day are allowed in the Agricultural (A), Industrial (M), and Business (B) Districts. In all other Non-Residential Districts, up to eight (8) business visits per day are allowed.
 - (iii) Any interior or exterior alterations or additions to accommodate a Major Home Occupation require that a Development Permit be issued under the provisions of this Bylaw, and such alterations shall comply with this Bylaw and the Alberta Safety Codes thereunder.
 - (iv) Except where otherwise expressly prohibited within this Bylaw, at the sole discretion of the Development Authority, and provided that all other requirements are met, Major Home Occupations may occupy large, shop-type buildings in which Trucks are parked, or contain uses that under other circumstances would be considered Rural Commercial Uses.
- (8) Regarding Bed and Breakfast and Guest Ranch Operations
 - (a) Bed and Breakfast Establishment or a Guest Ranch is considered a Major Home Occupation, and shall, in addition to the regulations in **Sub-section (7) above**, comply with the following regulations:
 - (i) A bed and breakfast establishment or guest ranch shall not change the principal character or external appearance of the Dwelling containing the use, and shall have a maximum of three (3) guest sleeping units.
 - (ii) Cooking facilities shall not be located within the sleeping units.
 - (iii) All facilities shall meet public health regulations.
 - (iv) In addition to any other parking requirements in **Section 4.8** of this Bylaw, one (1) additional off-street parking space shall be provided for each sleeping unit.
 - (v) A bed and breakfast establishment or guest ranch shall be operated by a live-in owner(s) and no more than two (2) paid assistants.

5.11 INCLUSIONARY HOUSING REQUIREMENTS

- (1) The purpose of the provisions under this Section is to encourage greater diversity of housing opportunities in the County to meet the needs of a changing and diverse population with respect to age groups, number of persons in a household, and income.
- (2) Provision of affordable housing units consistent with the Inclusionary Housing Regulation and the provisions of this Section shall be a condition of approval of subdivision or development applications for multi-unit developments within Designated Districts.

5.11 Inclusionary Housing Requirements

- (3) Where an action of the County increases the value of a residential property, by permitting higher density for instance, or reduces an owner or Developer expense, by granting a waiver or Variance from normal standards, for instance, the County should receive a benefit, such as some type of affordable housing, in return. Further, the County should refrain from actions, which increase value, or reduce expenses, unless it does receive such a benefit.
- (4) Inclusionary Housing units developed as Affordable Housing shall remain affordable for an indefinite period, through controls on rental levels or the resale value, pursuant to provincial regulations. The ability of target income groups to rent or purchase should primarily determine the appropriate affordability rental levels or resale value and indices of inflation should be only a secondary factor in this determination.
 - (a) Inclusionary Housing units (which are produced by some form of public assistance as Affordable Housing) cannot to be sold at prevailing market rates.
- (5) A Developer may use one of several alternatives for providing Inclusionary Housing units as affordable housing on or off the site. The following four alternatives are considered equivalent and the listing implies no priority among them. At least ten (10) percent of the units in a division of land or multiple unit development subject to this bylaw shall be established as affordable housing units in any one or combination of methods provided for below:
 - (a) 5% Low-income units to be rented by eligible households; or
 - (b) 15% Low-income units to be purchased or rented by eligible households; or
 - (c) 25% Moderate income units to be purchased or rented by eligible households; or
 - (d) 40% Middle income units to be purchased by eligible households; or
 - (e) After efforts to provide the type of housing units indicated above have proven fruitless, a Developer may request that the County allow the following:
 - (f) 100% Units not provided; financial contribution made in lieu of providing units equal to 3% of sales price of all units.

Table 5. Affordability Level of 30% of Monthly Income

Income Level	4-Person Household Affordability Range
Extremely Low	10%-30% MI*
Very Low	40%-50% MI*
Low	60%-80% MI*
Moderate	90%-120% MI*
Middle	130%-160% MI*
High**	+170% MI*

* Median Income is the combined average household income for the entire County of Vermilion River. This is a general guide, actual numbers may vary and should be calculated to meet federal or provincial affordability requirements. **High Income is not an actual affordable housing category and is used here simply for labeling purposes.

5.12 LICENSED INDUSTRIAL HEMP PRODUCTION FACILITY

- (1) The purpose of **this Section** is to provide for desirable compatibility between Licensed Industrial Hemp Production Facilities and surrounding land uses. The mitigation of possible adverse impacts shall be addressed using this section. Licensed Industrial Hemp Production Facilities shall comply with all County Land Use Bylaw and policy requirements and any applicable federal and provincial regulations.
- (2) A site, Lot or Parcel, building or structure established, operated, or maintained as a Licensed Industrial Hemp Production Facility shall comply with the provisions made for in this Section in addition to any other applicable federal, provincial, and municipal regulations as per **Section 1.3** of this Bylaw. Non-compliance to the previous may be abated as provided for in **Section 1.14** of this Bylaw. This is not exclusive and shall not prevent the County from exercising any other remedy available under the law, nor shall the provisions of **this Section** prohibit or restrict other federal or provincial law or County policy to be enacted upon.
- (3) When provided for within this Bylaw, in addition to the regulations in the Designated District that provides for the Use, the provisions under **this Section** shall apply to all Licensed Industrial Hemp Production Facilities within the County of Vermilion River.
 - (a) All applications shall comply with the provisions established in **Section 2.8** of this Bylaw.
 - (b) Only facilities licensed by Health Canada under the *Industrial Hemp Regulations (Canada)*, as amended, will be considered.

5.12 Licensed Industrial Hemp Production Facility

(4) Applicability

(a) The provisions under **this Section** shall apply to:

- (i) The use of land, Lot or Parcel, for the production of Industrial Hemp as defined and regulated under the *Cannabis Act (Canada)* and the *Industrial Hemp Regulations (Canada)*, as amended or as regulated under any subsequent legislation that may be enacted in substitution.
- (ii) Buildings or structures and Accessory Uses to Permitted or Discretionary Uses in connection with Licensed Industrial Hemp Production Facilities.

(5) Application Requirements

(a) A copy of the current license for the Licensed Industrial Hemp Production Facility as issued by Health Canada shall be provided to the Development Authority before a Permit can be issued.

(b) The Development Authority may require an applicant for a Development Permit for a Licensed Industrial Hemp Production Facility to have any or all of the following information be prepared by a qualified professional and have it included with the application:

- (i) Waste Management Plan
- (ii) Environmental Assessment
- (iii) Traffic Impact Assessment
- (iv) Water/Wastewater Report
- (v) Storm Water Management Plan
- (vi) Any additional study or assessment necessary to address specific concerns at the discretion of the Development Authority.

(c) Site Plan Requirements

(i) All applications shall include a site plan. Said site plan shall be a detailed and scaled drawing, as per the General Municipal Servicing Standards, showing the locations and dimensions of the areas to be used for the sale and storage of hemp material. Such areas will be referred to as Areas for Hemp Materials.

1. The areas for the sale and storage of hemp material shall be limited to and must conform to the submitted site plan included in the permit application. Said site plan will be referred to as the original site plan.
2. The original site plan shall not be amended to add additional Areas for Hemp Materials without the approval of a new application by the Development Authority.

5.12 Licensed Industrial Hemp Production Facility

- a. A copy of the current amended license for the Licensed Industrial Hemp Production Facility as issued by Health Canada shall be provided to the Development Authority before a Permit can be issued.
 - (ii) Include proposed landscaping, loading, and parking areas.
- (d) The Development Permit for a Licensed Industrial Hemp Production Facility shall be limited as follows:
 - (i) The first Development Permit shall not exceed a 3-year term.
 - (ii) Any subsequent Development Permit shall not exceed a 5-year term.
- (6) Additional Regulations
 - (a) Licensed Industrial Hemp Production Facilities must not operate in conjunction with another Use on the same lot(s) or parcel(s).
 - (b) Cannabis (Marijuana) products must not be smoked, vaped, ingested, or otherwise consumed on the Premises of a Licensed Industrial Hemp Production Facility.
 - (c) Licensed Industrial Hemp Production Facilities must not permit any person who is a minor, as defined under the *Cannabis Act (Canada)*, or as amended, to enter or be in the Licensed Industrial Hemp Production Facility or Premises.
 - (d) Uses, processes, or equipment owned or contracted, operating on the Premises shall be limited to those that are not objectionable due to odour, dust, bright lights, smoke, noise, or vibration.
 - (e) The Licensed Industrial Hemp Facility shall meet all requirements for said facilities such as, but not limited to security and premises, as required under the *Cannabis Act (Canada)* and *Industrial Hemp Regulations (Canada)*.
 - (f) Licensed Industrial Hemp Facilities:
 - (i) shall maintain the neighbourhood characteristics and appearance.
 - (ii) shall be designed and located to minimize any impacts on the natural environment.
 - (iii) shall have no outdoor storage of goods, material, or supplies.
 - (iv) shall contain garbage containers and waste materials within an enclosed building.
 - (v) shall secure solid waste material in accordance with applicable provisions under the *Cannabis Act (Canada)* and the *Industrial Hemp Regulations (Canada)*, until disposed of or destroyed in accordance with the regulations.

5.12 Licensed Industrial Hemp Production Facility

- (vi) Shall meet all requirements for said facilities (such as but not limited to security and premises) as may be required under the *Cannabis Act* and the *Industrial Hemp Regulations (Canada)*.
- (vii) shall minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
- (viii) Licensed Industrial Hemp Production Facilities shall operate in a manner that does not constitute a nuisance as defined under the Land Use Bylaw or any other bylaw and / or policy approved by the County.

(7) Development Standards

- (a) Unless otherwise provided for under federal and provincial regulations, with the exception of cultivation, all activities related to the Licensed Industrial Hemp Production Facility shall occur within a fully enclosed stand-alone building, including but not limited to loading, receiving, and shipping of industrial hemp and any other goods, materials, and supplies.
- (b) A Licensed Industrial Hemp Production Facility's Exterior Lighting and Noise levels should meeting the following:
 - (i) The illumination of parking areas, walkways, signs, and other structures associated with Licensed Industrial Hemp Production Facilities shall be arranged to meet any requirements the Land Use Bylaw or any other bylaw and / or policy approved by the County and any requirements under the *Industrial Hemp Regulations*.
 - (ii) Noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and / or policy approved by the County and any requirements under the *Industrial Hemp Regulations*.
- (c) Minimum lot size: shall be at the discretion of the Development Authority.
- (d) Minimum setback from any watercourse: 30 m.
- (e) Maximum lot coverage: 60%
- (f) Maximum height:
 - (i) Principal Building: 10 m (32.81 ft.)
 - (ii) Accessory Building: Subject to **Section 4.2** of this Bylaw.
- (g) Minimum front setback: Subject to Section 4.2 of this Bylaw.

5.12 Licensed Industrial Hemp Production Facility

- (iii) A building or structure used for security purposes for a Licensed Industrial Hemp Production Facility may be located in the front yard and must comply with the required minimum setbacks.
- (h) Minimum side setback: Subject to Section 4.2 of this Bylaw.
- (i) Minimum rear setback: Subject to Section 4.2 of this Bylaw.
- (j) Minimum Planting Setback: Subject to Section 4.2 of this Bylaw.
- (k) Buffers shall be required for all Licensed Industrial Hemp Production Facilities. Buffers can combine separation, vegetation, and fencing to mitigate the impacts on farming and adjacent activities, as per **Section 4.21**.
- (l) Parking and loading requirements for a Licensed Industrial Hemp Production Facility shall be provided as per **Section 4.8** of this Bylaw, the General Municipal Servicing Standards (PD 014, Schedule A), and any applicable requirements and regulations under the *Industrial Hemp Regulations (Canada)*, as amended.
- (m) Outdoor signage or advertising shall meet requirements under **Section 4.20** as well as provincial and federal regulations regarding the Use.
- (8) Separation Requirements
 - (a) For the purposes of **this Section**:
 - (i) A Licensed Industrial Hemp Production Facility Site means the Lot(s) or Parcel(s) on which the Licensed Industrial Hemp Production Facility is located or is proposed to be located.
 - (ii) A School Site, for the purposes of this Section, means the lot(s) or parcel(s) on which either a day care or a public education facility is situated, including those wherein "Institutional" is listed as a permitted use.
 - (iii) A Health Care Facility Parcel means the lot(s) or parcel(s) on which either a provincial health care or a public health care facility is situated, including those lots or parcels wherein "Public or Semi-Public Use" is listed as a permitted use.
 - (iv) School Reserve and Municipal School Reserve shall have the meaning given to the in the Municipal Government Act, as amended.
 - (v) A Residential Parcel, for the purposes of this Section, means any parcel wherein a "Dwelling" is listed as a permitted use excepting those wherein a "Dwelling Unit" is listed and described as accessory to a/the use or accessory to the principal use.
 - (vi) A Place of Public Use means those parts of land, a building, street, waterway or other location that are accessible or open to persons under the age of 18 years, whether on a continuous, periodic or occasional basis, and includes any

5.13 Licensed Cannabis Production Facility

commercial, business, cultural, historical, educational, religious, governmental, entertainment, recreational, or other place that is accessible or open to the public on such a basis, including the meaning of Public Place in the *Cannabis Act (Canada)*.

- (b) A Licensed Industrial Hemp Production Facility Site shall meet the minimum separation distance of 1,000 m (3,281 ft) between a School Site, Health Care Facility, School Reserve, Municipal School Reserve, another Licensed Industrial Hemp Production Facility Site, or any other Place of Public Use usually frequented by persons under the age of 18 years.
 - (i) The minimum separation distance shall be established by measuring the shortest distance between the boundary of the Lot or Parcel containing the School Site, Health Care Facility, School Reserve, Municipal School Reserve, another Licensed Industrial Hemp Production Facility Site, or any other Place of Public Use and the boundary of the proposed Licensed Industrial Hemp Production Facility Site.
- (c) A Licensed Industrial Hemp Production Facility Site shall meet the minimum separation distance of 150 m (492 ft) between a Dwelling or Residential Use Lot or Parcel.
 - (i) The minimum separation distance shall be established by measuring the shortest distance between the boundary of the Dwelling or Residential Use Lot or Parcel and the boundary of the proposed Licensed Industrial Hemp Production Facility Site.
- (9) Nonconforming Status
 - (d) Legal nonconforming status of buildings and uses shall not apply to Licensed Industrial Hemp Production Facilities.

5.13 LICENSED CANNABIS PRODUCTION FACILITY

- (1) The purpose of **this Section** is to provide for desirable compatibility between Licensed Cannabis Production Facilities and surrounding land uses. The mitigation of possible adverse impacts shall be addressed using this section. Licensed Cannabis Production Facilities shall comply with all County Land Use Bylaw and policy requirements and any applicable federal and provincial regulations.
- (2) A site, Lot or Parcel, building, or structure established, operated, or maintained as a Licensed Cannabis Production Facility shall comply with the provisions made for in this Section in addition to any other applicable federal, provincial, and municipal regulations as per **Section 1.3** of this Bylaw. Non-compliance to the previous may be abated as provided for in **Section 1.14** of this Bylaw. This is not exclusive and shall not prevent the County from exercising any other remedy available under the law, nor shall the provisions of **this Section** prohibit or restrict other federal or provincial law or County policy to be enacted upon.

5.13 Licensed Cannabis Production Facility

- (3) When provided for within this Bylaw, in addition to the regulations in the Designated District that provides for the Use, the provisions under **this Section** shall apply to all Licensed Cannabis Production Facilities within the County of Vermilion River.
 - (a) All applications shall comply with the provisions established in **Section 2.8** of this Bylaw.
 - (b) Only facilities licensed under the *Access to Cannabis for Medical Purposes Regulations, Gaming, Liquor, and Cannabis Act and the Cannabis Act (Canada)*, as amended, will be considered.
- (4) Applicability
 - (a) The provisions under **this Section** shall apply to:
 - (i) The use of land, Lot or Parcel and buildings or structures for the production, storage, and distribution of Cannabis as defined and regulated under the *Cannabis Act (Canada)*, the *Access to Cannabis for Medical Purposes Regulations Gaming, Liquor, and Cannabis Act, and the Cannabis Act (Canada)*, as amended or as regulated under any subsequent legislation that may be enacted in substitution.
 - (ii) Buildings or structures and Accessory Uses to Permitted or Discretionary Uses in connection with Licensed Cannabis Production Facilities.
- (5) Application Requirements
 - (a) A copy of the current license for the Licensed Cannabis Production Facility shall be provided to the Development Authority before a Permit can be issued.
 - (b) The Development Authority may require an applicant for a Development Permit for a Licensed Cannabis Production Facility to have any or all of the following information be prepared by a qualified professional and have it included with the application:
 - (i) Waste Management Plan
 - (ii) Environmental Assessment
 - (iii) Traffic Impact Assessment
 - (iv) Water/Wastewater Report
 - (v) Storm Water Management Plan
 - (vi) Any additional study or assessment necessary to address specific concerns at the discretion of the Development Authority.
 - (c) Site Plan Requirements
 - (i) All applications shall include a site plan. Said site plan shall be a detailed and scaled drawing, as per the General Municipal Servicing Standards, showing the locations and dimensions of the areas to be used for the sale and storage of

5.13 Licensed Cannabis Production Facility

cannabis material and products. Such areas will be referred to as Areas for Cannabis Materials/Products.

1. The areas for the sale and storage of cannabis material shall be limited to and must conform to the submitted site plan included in the permit application. Said site plan will be referred to as the original site plan.
2. The original site plan shall not be amended to add additional Areas for Cannabis Materials/Products without the approval of a new application by the Development Authority.
 - a. A copy of the current or amended license for the Licensed Cannabis Production Facility shall be provided to the Development Authority before a Permit can be issued.

(ii) Include proposed landscaping, loading, and parking areas.

(d) The Development Permit for a Licensed Cannabis Production Facility shall be limited as follows:

(i) The first Development Permit shall not exceed a 3-year term.

(ii) Any subsequent Development Permit shall not exceed a 5-year term.

(6) Additional Regulations

- (a) Licensed Cannabis Production Facilities must not operate in conjunction with another Use on the same lot(s) or parcel(s).
- (b) Cannabis (Marijuana) products must not be smoked, vaped, ingested, or otherwise consumed on the Premises of a Licensed Cannabis Production Facility.
- (c) Licensed Cannabis Production Facilities must not permit any person who is a minor, as defined under the *Cannabis Act (Canada)*, or as amended, to enter or be in the Licensed Cannabis Production Facility or Premises.
- (d) Uses, processes, or equipment owned or contracted, operating on the Premises shall be limited to those that are not objectionable due to odour, dust, bright lights, smoke, noise, or vibration.
- (e) The Licensed Cannabis Production Facility shall meet all requirements for said facilities such as, but not limited to security and premises, as required under federal and provincial legislation and regulations.
- (f) Licensed Cannabis Production Facilities:
 - (i) shall maintain the neighbourhood characteristics and appearance.
 - (ii) shall be designed and located to minimize any impacts on the natural environment.

5.13 Licensed Cannabis Production Facility

- (iii) shall have no outdoor storage of goods, material, or supplies.
- (iv) shall contain garbage containers and waste materials within an enclosed building.
- (v) shall secure solid waste material in accordance with applicable provisions under the *Cannabis Act (Canada)* and the *Access to Cannabis for Medical Purposes Regulations (Canada)*, until disposed of or destroyed in accordance with the regulations.
- (vi) shall meet all requirements for said facilities (such as but not limited to security and premises) as may be required under the *Cannabis Act* and the *Access to Cannabis for Medical Purposes Regulations (Canada)*.
- (vii) shall minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
- (viii) Licensed Cannabis Production Facilities shall operate in a manner that does not constitute a nuisance as defined under the Land Use Bylaw or any other bylaw and / or policy approved by the County.

(7) Development Standards

- (a) All activities related to Licensed Cannabis Production Facilities shall occur within a fully enclosed stand-alone building, including but not limited to loading, receiving, and shipping of industrial hemp and any other goods, materials, and supplies.
- (b) A Licensed Cannabis Production Facility's exterior lighting and noise levels should meet the following:
 - (i) the illumination of parking areas, walkways, signs, and other structures associated with Licensed Cannabis Production Facilities shall be arranged to meet any requirements the Land Use Bylaw or any other bylaw and / or policy approved by the County and any requirements under federal or provincial regulation.
 - (ii) noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and / or policy approved by the County and any requirements under federal or provincial regulation.
- (c) Minimum lot size: shall be at the discretion of the Development Authority.
- (d) Minimum setback from any watercourse: 30 m.
- (e) Maximum lot coverage: 60%
- (f) Maximum height:
 - (i) Principal Building: 10 m (32.81 ft.)

5.13 Licensed Cannabis Production Facility

- (ii) Accessory Building: Subject to **Section 4.2** of this Bylaw.
- (g) Minimum front setback: Subject to Section 4.2 of this Bylaw.
 - (i) A building or structure used for security purposes for a Licensed Industrial Hemp Production Facility may be located in the front yard and must comply with the required minimum setbacks.
- (h) Minimum side setback: Subject to Section 4.2 of this Bylaw.
- (i) Minimum rear setback: Subject to Section 4.2 of this Bylaw.
- (j) Minimum Planting Setback: Subject to Section 4.2 of this Bylaw.
- (k) Buffers shall be required for all Licensed Cannabis Production Facilities. Buffers can combine separation, vegetation, and fencing to mitigate the impacts on farming and adjacent activities, as per **Section 4.21**.
- (l) Parking and loading requirements for a Licensed Cannabis Production Facility shall be provided as per **Section 4.8** of this Bylaw, the General Municipal Servicing Standards (PD 014, Schedule A), and any applicable requirements and regulations under federal and provincial regulations, as amended.
- (m) Outdoor signage or advertising shall meet requirements under **Section 4.20** as well as provincial and federal regulations regarding the Use.
- (8) Separation Requirements
 - (a) For the purposes of **this Section**:
 - (i) A Licensed Cannabis Production Facility Site means the Lot(s) or Parcel(s) on which the Licensed Cannabis Production Facility is located or is proposed to be located.
 - (ii) A School Site, for the purposes of this Section, means the lot(s) or parcel(s) on which either a day care or a public education facility is situated, including those wherein “Institutional” is listed as a permitted use.
 - (iii) A Health Care Facility Parcel means the lot(s) or parcel(s) on which either a provincial health care or a public health care facility is situated, including those lots or parcels wherein “Public or Semi-Public Use” is listed as a permitted use.
 - (iv) School Reserve and Municipal School Reserve shall have the meaning given to the in the Municipal Government Act, as amended.
 - (v) A Residential Parcel, for the purposes of this Section, means any parcel wherein a “Dwelling” is listed as a permitted use excepting those wherein a “Dwelling Unit” is listed and described as accessory to a/the use or accessory to the principal use.

5.14 Licensed Cannabis Retail Sales Establishments

(vi) A Place of Public Use means those parts of land, a building, street, waterway or other location that are accessible or open to persons under the age of 18 years, whether on a continuous, periodic or occasional basis, and includes any commercial, business, cultural, historical, educational, religious, governmental, entertainment, recreational, or other place that is accessible or open to the public on such a basis, including the meaning of Public Place in the *Cannabis Act (Canada)*.

(b) A Licensed Cannabis Production Facility Site shall meet the minimum separation distance of 1,000 m (3,281 ft) between a School Site, Health Care Facility, School Reserve, Municipal School Reserve, another Licensed Cannabis Production Facility Site, or any other Place of Public Use usually frequented by persons under the age of 18 years.

(i) The minimum separation distance shall be established by measuring the shortest distance between the boundary of the Lot or Parcel containing the School Site, Health Care Facility, School Reserve, Municipal School Reserve, another Licensed Cannabis Production Facility Site, or any other Place of Public Use and the boundary of the proposed Licensed Cannabis Production Facility Site.

(c) A Licensed Cannabis Production Facility Site shall meet the minimum separation distance of 150 m (492 ft) between a Dwelling or Residential Use Lot or Parcel.

(i) The minimum separation distance shall be established by measuring the shortest distance between the boundary of the Dwelling or Residential Use Lot or Parcel and the boundary of the proposed Licensed Cannabis Production Facility Site.

(9) Nonconforming Status

(a) Legal nonconforming status of buildings and uses shall not apply to Licensed Cannabis Production Facilities

5.14 LICENSED CANNABIS RETAIL SALES ESTABLISHMENTS

(1) The purpose of **this Section** is to provide for desirable compatibility between Licensed Cannabis Retail Sales Establishments and surrounding land uses. The mitigation of possible adverse impacts shall be addressed using this section. Licensed Cannabis Retail Sales Establishments shall comply with all County Land Use Bylaw and policy requirements and any applicable federal and provincial regulations.

(2) A site, Lot or Parcel, building or structure established, operated, or maintained as a Licensed Cannabis Retail Sales Establishment shall comply with the provisions made for in this Section in addition to any other applicable federal, provincial, and municipal regulations as per **Section 1.3** of this Bylaw. Non-compliance to the previous may be abated as provided for in **Section 1.14** of this Bylaw. This is not exclusive and shall not prevent the County from exercising any other remedy available under the law, nor shall the provisions of **this Section** prohibit or restrict other federal or provincial law or County policy to be enacted upon.

5.14 Licensed Cannabis Retail Sales Establishments

- (3) When provided for within this Bylaw, in addition to the regulations in the Designated District that provides for the Use, the provisions under **this Section** shall apply to all Licensed Cannabis Retail Sales Establishments within the County of Vermilion River.
 - (a) All applications shall comply with the provisions established in **Section 2.8** of this Bylaw.
 - (b) Only establishments licensed by the Alberta Gaming, Liquor, and Cannabis Commission (AGLCC) under the *Gaming, Liquor, and Cannabis Act*, as amended will be considered.
- (4) Applicability
 - (a) The provisions under **this Section** shall apply to:
 - (i) The use of land, Lot or Parcel, Site, building, or structure established, operated, or maintained as a Commercial Use that involves the sale, offer for sale, and purchase of Cannabis products and approved Cannabis accessories from licensed Cannabis retailers, and similar uses as defined in and in accordance with the *Gaming, Liquor, and Cannabis Act* and the *Cannabis Act (Canada)*, as amended, or any subsequent legislation that may be enacted in substitution, within the County of Vermilion River.
 - (ii) Buildings or structures and Accessory Uses to Permitted or Discretionary Uses in connection with Licensed Cannabis Retail Sales Establishments.
- (5) Application Requirements
 - a) All applications for Licensed Cannabis Retail Sales Establishment shall comply with County development standards and regulations in addition to the provisions established in **Part 2** of this Bylaw.
 - b) A copy of the current Cannabis retail license for the Licensed Cannabis Retail Sales Establishment as issued by the *Alberta Gaming, Liquor, and Cannabis Commission (AGLCC)* shall be provided to the Development Authority before a permit can be issued.
 - (i) The applicant must demonstrate they have the required approval from AGLC. A copy of the current Cannabis retail license as issued by the AGLC shall be provided to the Development Authority before occupation for the proposed use can occur.
 - (ii) The applicant shall provide the Development Authority with an annual update or notice of termination of approval from the AGLC.
 - (b) The Development Authority may require an applicant for a Development Permit for a Licensed Cannabis Retail Sales Establishment to have any or all of the following information be prepared by a qualified professional and have it included with the application:
 - (i) Waste Management Plan
 - (ii) Environmental Assessment

5.14 Licensed Cannabis Retail Sales Establishments

- (iii) Traffic Impact Assessment
- (iv) Water/Wastewater Report
- (v) Storm Water Management Plan
- (vi) Any additional study or assessment necessary to address specific concerns at the discretion of the Development Authority.

(c) Site Plan Requirements

- (i) All applications shall include a site plan. Said site plan shall be a detailed and scaled drawing, as per the General Municipal Servicing Standards, showing the locations and dimensions of the areas to be used for the sale and storage of cannabis material/products. Such areas will be referred to as Areas for Cannabis Materials/Products.
 - 1. The areas for the sale and storage of cannabis material/products shall be limited to and must conform to the submitted site plan included in the permit application. Said site plan will be referred to as the original site plan.
 - 2. The original site plan shall not be amended to add additional Areas for Cannabis Materials/Products without the approval of a new application by the Development Authority.
 - a. A copy of the current amended license for the Licensed Cannabis Retail Sales Establishment as issued by Health Canada shall be provided to the Development Authority before a Permit can be issued.

- (ii) Include proposed landscaping, loading, and parking areas.

(d) The Development Permit for a Licensed Cannabis Retail Sales Establishment shall be limited as follows:

- (i) The first Development Permit shall not exceed a 3-year term.
- (ii) Any subsequent Development Permit shall not exceed a 5-year term.

(6) Additional Regulations

- (a) Licensed Cannabis Retail Sales Establishments must not operate in conjunction with another Use on the same lot(s) or parcel(s).
- (b) Cannabis (Marijuana) products must not be smoked, vaped, ingested, or otherwise consumed on the Premises of a Licensed Cannabis Retail Sales Establishment.
- (c) Licensed Cannabis Retail Sales Establishments must not permit any person who is a minor, as defined under the *Cannabis Act (Canada)*, or as amended, to enter or be in the Licensed Cannabis Retail Sales Establishment or Premises.

5.14 Licensed Cannabis Retail Sales Establishments

- (d) Uses, processes, or equipment owned or contracted, operating on the Premises shall be limited to those that are not objectionable due to odour, dust, bright lights, smoke, noise, or vibration.
- (e) The Licensed Cannabis Retail Sales Establishment shall meet all requirements for said facilities such as, but not limited to security and premises, as required under the *Cannabis Act (Canada)* and *Gaming, Liquor, and Cannabis Act*.
- (f) Licensed Cannabis Retail Sales Establishments:
 - (i) shall maintain the neighbourhood characteristics and appearance.
 - (ii) shall be designed and located to minimize any impacts on the natural environment.
 - (iii) shall minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
 - (iv) shall have no outdoor storage of goods, material, or supplies.
 - (v) shall contain garbage containers and waste materials within an enclosed building.
 - (vi) shall secure solid waste material in accordance with applicable provisions under the *Gaming, Liquor and Cannabis Act* and the *Cannabis Act (Canada)*, until disposed of or destroyed in accordance with the regulations.
 - (vii) Shall meet all requirements for said establishments (such as but not limited to security and premises) as may be required under the *Gaming, Liquor and Cannabis Act* and the *Cannabis Act (Canada)*.
 - (viii) Establishments shall operate in a manner that does not constitute a nuisance as defined under the Land Use Bylaw or any other bylaw and / or policy approved by the County.

(7) Development Standards

- a) Wastewater and storm drainage management for Licensed Cannabis Retail Sales Establishments shall take place on a holding tank that meets Provincial Regulation.
- b) Licensed Cannabis Retail Sales Establishments shall meet the retail store and business requirements outlined under the *Gaming, Liquor and Cannabis Act* and as approved in a valid retail Cannabis license.
- c) Licensed Cannabis Retail Sales Establishments shall operate not earlier than 10 a.m. or later than 2 a.m.
- d) The retail and storage space shall be a minimum of 56 m² (600.0 sq. ft.) Storage shall not exceed 40 percent (40%) of the floor space.

5.14 Licensed Cannabis Retail Sales Establishments

- e) Licensed Cannabis Retail Sales Establishments and premises must meet the conditions set out in Schedule 2 of the *Gaming, Liquor, and Cannabis Regulation*, as amended, repealed, or replaced from time to time.
- f) Lot(s) or Parcel(s) where a Licensed Cannabis Retail Sales Establishment is proposed to be located must front onto an arterial or collector roadway.
- g) A Licensed Cannabis Retail Sales Establishment's Exterior Lighting and Noise levels should meet the following:
 - (i) The illumination of parking areas, walkways, signs, and other structures shall meet the provisions of this Bylaw for the Designated District.
 - (ii) Noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and / or policy approved by the County and applicable provincial or federal regulations.
- h) The advertising, display and promotion of Cannabis and Cannabis accessories shall meet federal and provincial regulations.
- i) Minimum lot size: shall be at the discretion of the Development Authority.
- j) Minimum setback from any watercourse: 30 m.
- k) Maximum lot coverage: 35%
- l) Maximum height:
 - (i) Principal Building: 5 m (16.5 ft.)
 - (ii) Accessory Building: Subject to **Sections 4.2** or **4.3** of this Bylaw, as applicable.
- m) Minimum front setback: As required by the established Right-Of-Way in **Sections 4.2** or **4.3** of this Bylaw, as applicable. All front setbacks are measured from the roadway centerline.
- n) Minimum side setback: As required by the established Right-Of-Way in **Sections 4.2** or **4.3** of this Bylaw, as applicable. All side setbacks are measured from side lot lines.
- o) Minimum rear setback: As required by the established Right-Of-Way in **Sections 4.2** or **4.3** of this Bylaw, as applicable. All rear setbacks are measured from rear lot line.
- p) Minimum Planting Setback: As required by the established Right-Of-Way in **Sections 4.2** or **4.3** of this Bylaw, as applicable. All planting setbacks are measured from the roadway centerline.
- q) Accessory Building(s) and Use(s) when located on the same Lot or Parcel of land as the Main Building and the Use(s) is / are customarily incident thereto, As required by the

5.14 Licensed Cannabis Retail Sales Establishments

established Right-Of-Way in **Sections 4.2 or 4.3** of this Bylaw, as applicable; provided applicable provincial and federal requirements are met.

- r) Parking and loading requirements for a Licensed Cannabis Retail Sales Establishment shall be provided in accordance with the provisions of **Section 4.8** of this Bylaw, the General Municipal Servicing Standards, and any applicable requirements a under the *Gaming, Liquor and Cannabis Act* and the *Cannabis Act (Canada)*, as amended.

(8) Separation Requirements

(a) For the purposes of **this Section**:

- (i) A Licensed Industrial Hemp Production Facility Site means the Lot(s) or Parcel(s) on which the Licensed Industrial Hemp Production Facility is located or is proposed to be located.
- (ii) A School Site, for the purposes of this Section, means the lot(s) or parcel(s) on which either a day care or a public education facility is situated, including those wherein “Institutional” is listed as a permitted use.
- (iii) A Health Care Facility Parcel means the lot(s) or parcel(s) on which either a provincial health care or a public health care facility is situated, including those lots or parcels wherein “Public or Semi-Public Use” is listed as a permitted use.
- (iv) School Reserve and Municipal School Reserve shall have the meaning given to the in the Municipal Government Act, as amended.
- (v) A Residential Parcel, for the purposes of this Section, means any parcel wherein a “Dwelling” is listed as a permitted use excepting those wherein a “Dwelling Unit” is listed and described as accessory to a/the use or accessory to the principal use.
- (vi) A Place of Public Use means those parts of land, a building, street, waterway or other location that are accessible or open to persons under the age of 18 years, whether on a continuous, periodic or occasional basis, and includes any commercial, business, cultural, historical, educational, religious, governmental, entertainment, recreational, or other place that is accessible or open to the public on such a basis, including the meaning of Public Place in the *Cannabis Act (Canada)*.

- (b) A Licensed Cannabis Retail Sales Establishment Site shall meet the minimum separation distance of 300 m (984 ft) between a School Site, Health Care Facility, School Reserve, Municipal School Reserve, another Licensed Cannabis Retail Sales Establishment Site, or any other Place of Public Use usually frequented by persons under the age of 18 years.

- (i) The minimum separation distance shall be established by measuring the shortest distance between the boundary of the Lot or Parcel containing the School Site, Health Care Facility, School Reserve, Municipal School Reserve, another Licensed

5.15 Liquor Sales, Storage, and Consumption Establishments

Cannabis Retail Sales Establishment, or any other Place of Public Use and the boundary of the proposed Licensed Cannabis Retail Sales Establishment Site.

- (c) A Licensed Cannabis Retail Sales Establishment Site shall meet the minimum separation distance of 100 m (328 ft) from tobacco and liquor retailers.

- (i) The minimum separation distance shall be established by measuring the shortest distance between the boundary of the Lot or Parcel containing the School Site, Health Care Facility, School Reserve, Municipal School Reserve, another Licensed Cannabis Retail Sales Establishment,

- (d) Smoking or Vaping of Cannabis is prohibited in or within 5 m (16 ft) of sites, buildings, or structures where the Main Use is a Public or Quasi Public Use and their Premises in accordance with the provisions of the *Gaming, Liquor and Cannabis Act*, including school reserves or municipal and school reserves under the *Municipal Government Act*.

(9) Nonconforming Status

- (a) Legal nonconforming status of buildings and uses shall not apply to Licensed Cannabis Retail Sales Establishments.

5.15 LIQUOR SALES, STORAGE, AND CONSUMPTION ESTABLISHMENTS

- (1) Where provided for under this Bylaw, the following provisions apply to development of a site as any type of Commercial Use that involves sale and consumption of alcoholic beverages, including, but not limited to, Liquor Sales and Storage Establishment, Eating and Drinking Establishment, Drinking Establishment, Drive-In Restaurants, Indoor Recreation Facility, Motel, Hotel, Private Club, and similar uses as those defined in this Bylaw.

- (2) In addition to the provisions established in **Section 2.8**, all applications shall comply with the provisions under **this Section** and all applicable requirements within the Designated District.

- (a) Only Liquor Sales, Storage, and Consumption Establishments and premises licensed by the *Alberta Gaming and Liquor Commission (AGLC)* under the *Gaming, Liquor, and Cannabis Regulation*, as amended, repealed, or replaced from time to time, will be considered.

(3) Application Requirements

- (a) The applicant must demonstrate they have the required approval from the *Alberta Gaming and Liquor Commission (AGLC)*. A copy of the current license as issued by the AGLC shall be provided to the Development Authority before occupation for the proposed use can occur.

(b) Site Plan Requirements

- (i) All applications shall include a site plan. Said site plan shall be a detailed and scaled drawing, as per the General Municipal Servicing Standards, showing the

5.15 Liquor Sales, Storage, and Consumption Establishments

locations and dimensions of the areas to be used for the sale and storage of alcoholic beverages. Such areas will be referred to as Areas for Alcoholic Beverages.

3. The areas for the sale and storage of sale and storage of alcoholic beverages shall be limited to and must conform to the submitted site plan included in the permit application. Said site plan will be referred to as the original site plan.
4. The original site plan shall not be amended to add additional Areas for Alcoholic Beverages without the approval of a new application by the Development Authority.
 - a. A copy of the current amended as issued by the *Alberta Gaming and Liquor Commission (AGLC)* shall be provided to the Development Authority before a Permit can be issued.

(ii) Include proposed landscaping, loading, and parking areas.

(4) Development Standards

- (a) All sales, businesses, servicing, storage, or processing shall be conducted within a completely enclosed building except where the nature of the activity makes it impossible, as for example, off-street loading. Vehicle parking for customers while on the premises, and the sale of automobile fuel at service stations.
- (b) Contain Accessory Buildings and Uses when located on the same Lot or Parcel of land as the Main Building and the Use is customarily incident thereto, provided the Provincial and Municipal Regulations requirements are met.
- (c) The retail and storage space shall be a minimum of 56 m² (600.0 sq. ft.) Storage shall not exceed 40 percent (40%) of the floor space.
- (d) Lot must front onto an arterial or collector roadway.
- (e) Off-street parking shall comply with regulations in **Section 4.8** of this Bylaw and meet the County of Vermilion River's General Municipal Servicing Standards.
- (f) Minimum lot size: shall be at the discretion of the Development Authority.
- (g) Minimum setback from any watercourse: 30 m.
- (h) Maximum lot coverage: 35%
- (i) Maximum height:
 - (i) Principal Building: 5 m (16.5 ft.)
 - (ii) Accessory Building: Subject to **Sections 4.2** or **4.3** of this Bylaw, as applicable.

5.15 Liquor Sales, Storage, and Consumption Establishments

- (j) Minimum front setback: As required by the established Right-Of-Way in **Sections 4.2 or 4.3** of this Bylaw, as applicable. All front setbacks are measured from the roadway centerline.
- (k) Minimum side setback: As required by the established Right-Of-Way in **Sections 4.2 or 4.3** of this Bylaw, as applicable. All side setbacks are measured from side lot lines.
- (l) Minimum rear setback: As required by the established Right-Of-Way in **Sections 4.2 or 4.3** of this Bylaw, as applicable. All rear setbacks are measured from rear lot line.
- (m) Minimum Planting Setback: As required by the established Right-Of-Way in **Sections 4.2 or 4.3** of this Bylaw, as applicable. All planting setbacks are measured from the roadway centerline.
- (n) Accessory Building(s) and Use(s) when located on the same Lot or Parcel of land as the Main Building and the Use(s) is / are customarily incident thereto, As required by the established Right-Of-Way in **Sections 4.2 or 4.3** of this Bylaw, as applicable; provided applicable provincial and federal requirements are met.
- (o) Parking and loading requirements for a Licensed Cannabis Retail Sales Establishment shall be provided in accordance with the provisions of **Section 4.8** of this Bylaw, the General Municipal Servicing Standards, and any applicable requirements under the *Gaming, Liquor and Cannabis Act* and *Gaming, Liquor and Cannabis Regulation*, as amended.

(5) Additional Regulations

- (a) Unless otherwise provided for in the *Gaming, Liquor and Cannabis Act* and *Alberta Gaming and Liquor Regulation*, establishments must not permit any person who is a minor, as defined under the *Gaming, Liquor and Cannabis Act*, or as amended, to enter or be in the licensed facility or Premises.
- (b) The sale of alcohol is provided for within the Designated District(s) in accordance with the hours specified by the *Gaming, Liquor and Cannabis Regulation*, County Bylaws, or applicable provincial regulations as amended.
- (c) Uses, processes, or equipment owned or contracted, operating on the premises shall be limited to those that are not objectionable due to odour, dust, bright lights, smoke, noise, or vibration.
- (d) The applicant shall provide the Development Authority with an annual update or notice of termination of approval from the *Alberta Gaming and Liquor Commission (AGLC)*.
- (e) Establishments shall operate in a manner that does not constitute a nuisance as defined under the Land Use Bylaw or any other bylaw and / or policy approved by the County.

(6) Nonconforming Status

- (a) Legal nonconforming status of buildings and uses shall comply with regulations established in **Section 2.12** of this Bylaw.

5.16 MOTELS

- (1) Where permitted under this Bylaw, a person applying to develop a site as a Motel shall comply with the provisions of this Section.

- (2) Site Requirements for Motels

Minimum Site Area m ² (sq ft)	Required Yards m (ft)	Minimum Floor Area/Unit m ² (sq ft)
One Storey		
139 (1,500)	Front: 7.6 (25)	26.5 (285)
Two Storey	Side & Rear: 3 (10)	
93 (1,000) per floor		

- (3) Space Between Buildings

- (a) Not less than 3.7 m (12 ft.) of clear and unoccupied space shall be provided between buildings on the site, except where buildings are connected by a continuous roof to form a shelter for motor Vehicles.

- (4) Driveways

- (a) Each rentable unit shall face onto or abut and shall have unobstructed access from a driveway not less than 6 m (20 ft.) in width.

- (5) Access and Parking

- (a) Not more than one (1) motor Vehicle entrance and one motor Vehicle exit to a road, each with a minimum of width of 7.6 m (25 ft.) measured at its minimum dimension shall be permitted, provided however, that one combined motor Vehicle entrance and exit may be permitted, not less than 9 m (30 ft.) in width.

- (6) Maintenance of Site and Buildings and Business

- (a) The owner, tenant, operator or person in charge of a motel shall at all times:
- (i) maintain the site and the buildings, structure and improvements thereon in a clean, neat, tidy and attractive condition and free from all rubbish and debris;
 - (ii) maintain garbage facilities to the satisfaction of the Development Authority;
 - (iii) maintain an appropriate fence where required, no less than 1 m (3.3 ft.) in height around the boundaries of the Lot; and
 - (iv) shall landscape and keep the site landscaped, to the satisfaction of the Development Authority.

5.17 NATURAL RESOURCE EXTRACTION AND GROUND DISTURBANCE OPERATIONS

- (1) A Development Permit will be required for any activity disturbing the ground, including, but not limited to:
 - (a) excavating
 - (b) digging
 - (c) trenching
 - (d) plowing
 - (e) Drilling
 - (f) tunneling
 - (g) quarrying
 - (h) grading
 - (i) leveling
 - (j) removing peat
 - (k) clearing
 - (l) pounding posts
 - (m) augering
 - (n) backfilling
 - (o) blasting
 - (p) stripping topsoil
 - (q) any other similar activity involving mineral extraction, grading, or excavation operations.
 - (r) any activity requiring an approval and / or license under the Water Act, such as development in or near a water body or diverting and using water from a water body.
- (2) A Development Permit shall not be issued for a Natural Resource Extraction and Ground Disturbance Operation until any necessary reclamation plan and permit / license is approved by the Provincial Government.

5.18 Pet Keeping and Animal Breeding and/or Boarding Facilities

- (3) Where not required to do so by Provincial agencies, the proponent of a natural resource extraction shall be required to submit a reclamation plan to the Development Authority for their approval prior to the issuance of a Development Permit.
- (4) Where not required to do so by the Province, the proponent of a natural resource extraction shall, at the discretion of the Development Authority, be required to post with the County security in the form of either cash or an irrevocable letter of credit to ensure that reclamation will be completed.
- (5) Any disturbed area shall be reclaimed to:
 - (a) at least its former capability for agriculture; or
 - (b) any other use, which the Development Authority considers will be beneficial to the County.
- (6) The following conditions of approval may be included when processing a Development Permit application under this Section:
 - (a) limitation of hours of operation;
 - (b) requirement to enter into a Road Use Agreement with the County for the provision of dust control and maintenance/upgrading of roads used in direct relation to the operation;
 - (c) posting of adequate signage, including company name and emergency telephone numbers, to warn of possible site or operational hazards and dangers;
 - (d) methods of minimizing noise in relation to the activities of the operation; and
 - (e) payment of an aggregate levy to the County as outlined by the County's Community Aggregate Payment Levy Bylaw.

5.18 PET KEEPING AND ANIMAL BREEDING AND/OR BOARDING FACILITIES

- (1) The keeping of more than four (4) dogs on any Lot, whether the dogs are being bred or boarded, shall be allowed at the discretion of the Development Authority only in those Districts where animal breeding and/or boarding facilities are listed as discretionary use in this Bylaw.
- (2) The maximum number of dogs to be kept on-site in each of the above Districts shall be at the discretion of the Development Authority.
- (3) In determining the number of dogs, pups less than six (6) months of age shall not be included.
- (4) An exercise area shall be provided for each dog as follows:
 - (a) breeds weighing 16 kg (35 lbs.) or less – at least 2.3 m² (25.0 sq. ft.) per dog; and

5.19 Radio Communication Facilities

- (b) breeds weighing more than 16 kg (35 lbs.) – at least 4.6 m² (50.0 sq. ft.) per dog.
- (5) No building or exterior exercise area to be used to accommodate dogs shall be allowed within 25.0 m (82 ft.) of any Lot Line of the Lot for which an application is made.
- (6) All exterior exercise areas (runs) shall be enclosed with an acceptable fence with a minimum height of 1.83 m (6 ft.).
- (7) All dogs in animal breeding and/or boarding facilities shall be kept within buildings or a fenced area at all times when not leashed.
- (8) All dog facilities shall be cleaned on a daily basis, and all feces shall be stored in an enclosed container and disposed of in a sanitary manner.
- (9) Pens, rooms, exercise runs and holding stalls shall be soundproofed where possible to the satisfaction of the Development Authority.
- (10) A separate air extractor system shall be provided in the animal shelter or holding area where heating and air conditioning is necessary.
- (11) All facilities and operations shall be in compliance with applicable Provincial regulations.
- (12) All Development Permits issued for animal breeding and/or boarding facilities shall be subject to cancellation if any of the above requirements, or any other condition of the Development Permit, is not adhered to.

5.19 RADIO COMMUNICATION FACILITIES

- (1) A Radio Communication Facility, where provided for under this Bylaw, shall require an application for a Development Permit and may be approved provided that the structure and apparatus:
 - (a) Have Industry Canada approval;
 - (b) Be camouflaged and, as far as possible, have the appearance and aesthetic of other buildings permitted in the District;
 - (c) Meet the setback requirements of the District or meet setback requirements that are satisfactory to the Development Authority;
 - (d) Be limited to a maximum height of 46 m (150 ft) at its highest point. The height of a ground-mounted antenna and support structure shall be determined by measurement from the point at which the support structure enters the typical ground surface to the top of the antenna at its highest position;
 - (e) Be a free-standing, ground-mounted unit;

5.20 Recreational Uses

- (f) Notwithstanding **Sub-section (e) above**, a roof-mounted unit shall be allowed where the applicant can demonstrate that a ground-mounted unit would prohibit adequate transmission or reception of radio signals. The antenna and support structure of a roof-mounted unit shall be installed on the roof of a building to a maximum combined height of 18.0 m (59.0 ft.) from the typical ground surface to its highest point;
 - (g) Be located in a Rear or Side Yard only;
 - (h) Not be illuminated, nor shall it have attached to it any advertising, graphics, flags, or other elements unrelated to its function as a component of a radio signal transmitting and receiving device; and
 - (i) Be landscaped to screen the base of the antenna and reduce the negative visual impact on adjacent properties. The Development Authority may require screening and landscaping around the lower portion of the support structure where, in the opinion of the Development Authority, such measures would reduce potential negative visual impact of the structure on adjacent properties.
- (2) All Telecommunication Facilities shall have landscaping that reflects the typical landscaping in the District.
 - (3) The development of all Telecommunication Facilities shall follow the regulations of Industry Canada, including public consultation as required.

5.20 RECREATIONAL USES

- (1) Recreational development shall be required to:
 - (a) Maintain an open space buffer of sufficient size and composition to act as a visual and noise barrier from adjacent uses which may be incompatible; and
 - (b) Install, when necessary, adequate on-site water supply and sewage disposal systems which have been approved by the authority having jurisdiction.

5.21 RECREATIONAL VEHICLES

- (1) The placement of up to three (3) recreational Vehicles on a Lot or Parcel within a Residential District shall be allowed without a Development Permit for a period of no longer than six months.
- (2) The year-round placement of three (3) recreational Vehicles on a Parcel in the Agricultural (A) and Controlled Urban (CUD) Districts shall be allowed without a Development Permit.
- (3) Notwithstanding Sub-sections (1) and (2) above, a Development Permit may be approved, at the discretion of the Development Authority, for up to one (1) additional recreational Vehicle on an annual basis.

5.22 Recreational Vehicle Campgrounds

- (4) Additional recreational Vehicles shall be permitted within the CR1, CR2, R, R1, R2, A and CUD Districts for a maximum of four (4) consecutive days.
- (5) No recreational Vehicle shall be permanently connected to any utility or municipal service, such as power, gas, water supply or sanitary sewage disposal facilities unless the recreational Vehicle is approved for use as a Secondary or Accessory Dwelling or is located in an approved manufactured home or recreational Vehicle park.
- (6) No recreational Vehicle, whether located within a recreational Vehicle park or on a Lot, may have associated with it any more than two (2) accessory structures, buildings or other paraphernalia, in addition to fences, benches, fire pits and picnic tables. A small shed with a maximum size of 18.58 m² (200 sq. ft.) and a screened or roofed patio around or beside the recreational Vehicle is permitted.
- (7) No structure accessory to a recreational Vehicle shall be used as sleeping quarters.
- (8) Except for a recreational Vehicle on a Lot, the total gross floor area or ground area covered by all accessory structures, buildings or other paraphernalia (other than those indicated in Sub-section (1)) shall not exceed 50% of the Lot size.

5.22 RECREATIONAL VEHICLE CAMPGROUNDS

- (1) Seasonal and year-round Campgrounds, shall comply with the following regulations:
 - (a) Each recreational Vehicle parking space shall have a minimum width of 10.0 m (32.8 ft.) and a minimum area of 250.0 m² (2,691 ft.²).
 - (b) Services and improvements shall meet Section **Error! Reference source not found.** of this Bylaw.
- (2) Development Standards
 - (a) As a condition of approval, the Development Authority shall require the Developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Alberta Safety Codes Act that may be applicable.
 - (b) As a condition of approval, the Development Authority may require that the Developer enter into a development agreement, pursuant to the *Municipal Government Act*, to construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development.
 - (c) The Developer shall be required to enter into a development agreement, pursuant to the *Municipal Government Act*, with the municipality as a condition of development approval. The development agreement will include provisions requiring the Developer to construct, upgrade, or pay to construct or upgrade the necessary municipal roads to access the development when determined necessary by the Development Authority.

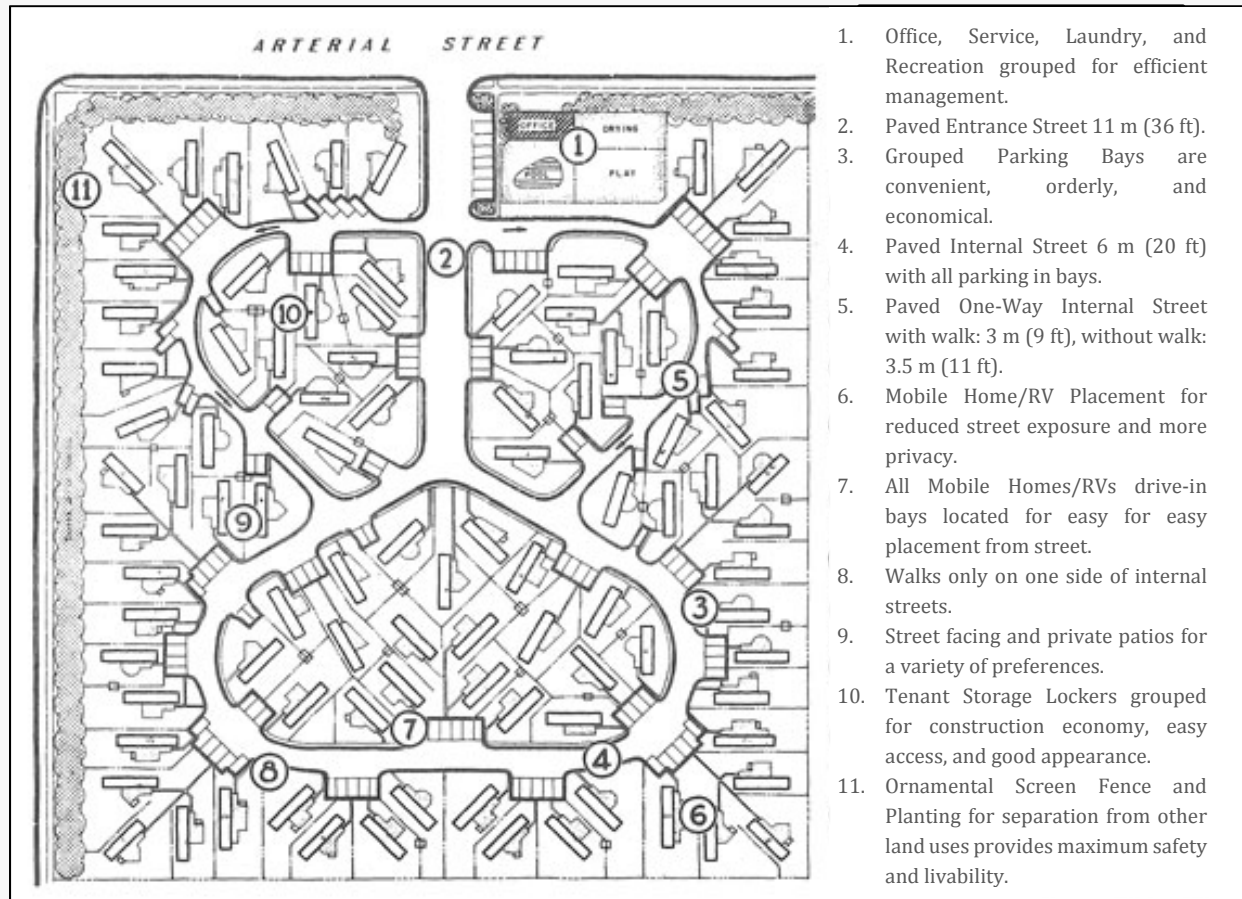
5.22 Recreational Vehicle Campgrounds

- (d) All internal roads shall be the responsibility of the Developer for both construction and future maintenance, consistent with the General Municipal Servicing Standards. In addition, internal roads shall have a minimum of a 6.0 m (20.0 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.65 m (12.0 ft.) usable top.
 - (e) As a condition of approval, the Development Authority shall require the Developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction over this type of development.
- (3) Subdivision Standards
 - (a) The Developer shall provide on-site potable water supply, which meets all applicable Provincial requirements.
 - (i) Provincial approval for on-site water systems is required as a condition of subdivision approval.
 - (b) The Developer shall provide sewage disposal facilities consistent all applicable Provincial regulations.
 - (ii) Provincial approval for sewage disposal facilities is required as a condition of subdivision approval.
 - (c) All spaces for recreational Vehicles designated for year-round use must have on-site connections to municipal or on-site sewer and water systems.
 - (d) The Developer shall designate an area equivalent to ten percent (10%) of the total recreational Vehicle campground area as a playground or recreational area. This area is to be clearly marked and free from all traffic hazards.
 - (e) All spaces for recreational Vehicles or tents shall maintain a minimum setback of 30.0 m (98.4 ft.) from the shoreline of any body of water.
 - (f) The maximum number of recreational Vehicles allowed per space shall be one (1).
 - (g) A site plan detailing the protection of existing treed areas and site topography is required prior to issuance of a Development Permit. **(See Figure 10)**
 - (h) Spaces for day use, picnicking and similar activities shall be suitably organized, clearly marked and constructed to the satisfaction of the Development Authority.
 - (i) All other site requirements shall be as required by the Development Authority.
- (4) Minimum Yard Setbacks:
 - (a) Front, side, corner and Rear Yard setbacks on the site shall be 7.6 m (25.0 ft.) or 10% of the Lot width, whichever is lesser.

5.23 Recreational Vehicle Work Camps

- (5) Developers will be encouraged to provide on their site plan an overflow area, which may be used temporarily, to accommodate overflow traffic for a maximum of four (4) consecutive nights for recreational events, which may result in a need for temporary additional tenting or recreational Vehicle spaces.

Figure 10. Recreational Vehicle Campground Example.



5.23 RECREATIONAL VEHICLE WORK CAMPS

- (1) In addition to the provisions in **Section 5.22**, the following shall also apply to Recreational Vehicles in Work Camps.
- (2) All Recreational Vehicle Work camps require a Development Permit and the Development Authority shall give due regard to the need, location, duration, and type of camp, prior to rendering a decision.
- (3) All Recreational Vehicle Work Camps shall be considered temporary developments.
- (4) A Development Permit for a Recreational Vehicle Work Camp may be issued for up to three (3) years, subject to meeting all conditions to the satisfaction of the Development authority.

5.23 Recreational Vehicle Work Camps

- (a) If all conditions have not been met to the satisfaction of the Development Authority then the permit will no longer be considered valid.
 - (b) A Recreational Vehicle Work Camp permit must be renewed after the three (3) year period. An application may be made for continuance of the use for one (1) additional year, after which a new Development Permit approval is required.
- (5) The Development Authority may establish whatever conditions for the approval of a Recreational Vehicle Work Camps that it, at its sole discretion, deems reasonable to ensure that the Development will be temporary.
- (6) In addition to the requirements of **Section 2.8** of this Bylaw, an application for a Development Permit for a Recreational Vehicle Work Camp must provide the following information:
 - (a) the location, type and purpose of the camp;
 - (b) adjacent land uses;
 - (c) the method for connecting the proposed development to municipal or on-site provision of water, sewage, waste disposal and storm water systems in accordance with all applicable Provincial regulations.;
 - (d) the number of persons proposed to live in the camp;
 - (e) the start date of the development, the date of occupancy by residents, and removal date for the camp; and
 - (f) reclamation measures to be completed once the camp is no longer needed, to the satisfaction of the Development Authority.
 - (g) Because of the number of temporary workers and related traffic impacts, the applicant will also be required to provide a report, which describes in detail the outcomes of the following:
 - (i) discussions with and impact on the local RCMP;
 - (ii) discussions with and impact on the local Emergency Medical Services;
 - (iii) discussions with and impact on the local Fire Department; and
 - (iv) discussions with and impact on the local road system, including a Traffic Impact Assessment.
- (7) All internal roads shall be the responsibility of the Developer for both construction and future maintenance to County Standards.
 - (a) internal roads shall have a minimum of a 6.0 m (20 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.65 m (12.0 ft.) usable top.

5.24 Rehabilitation and adaptive reuse Standards

- (8) All other site requirements shall be as required by the Development Authority.
- (9) All Recreational Vehicle Work Camps must:
 - (a) ensure that all required access, including internal roadways and intersection improvements, are provided to the satisfaction of the Development Authority at the sole cost of the Developer;
 - (b) be designed so that all points of access and egress are located to the satisfaction of the Development Authority and, when required, Alberta Transportation;
 - (c) be able to accommodate a minimum of twenty (20) persons and a maximum of five hundred (500) persons;
 - (d) be secured by the installation of appropriate security and buffering measures such as berms, fence, and landscaping. The form of the buffering will be determined by, and to the satisfaction of, the Development Authority, taking into consideration impacts to adjacent land uses;
 - (e) if required by the Development Authority, provide on-site security staff to the satisfaction of the Development Authority;
 - (f) provide and develop all parking on the Lot or Parcel in accordance with **Section 4.8** of this Bylaw, to the satisfaction of the Development Authority;
 - (g) post security with the municipality sufficient to ensure removal of the development and/or reclamation of the site, if needed, after the Recreational Vehicle Work Camp has been removed from the site; and
 - (h) be separated from adjacent land uses.
- (10) Maximum site coverage shall be in accordance to the regulations of the underlying Land Use District such that space is available for all the parking on the site, together with the applicable setbacks and required landscaping as determined by the Development Authority.
- (11) Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.
- (12) The development must comply with current Building and Fire Code requirements as amended from time to time.

5.24 REHABILITATION AND ADAPTIVE REUSE STANDARDS

- (1) The purpose if this Section is to provide for rehabilitation as an alternative solution to demolishing and rebuilding for extending age, repair and strengthening of a building, bringing existing buildings into confirming to the requirements under this Bylaw or incorporate energy conservation and sustainable green standards.

5.24 Rehabilitation and adaptive reuse Standards

- (2) The standards in this Section shall apply to the Rehabilitation or Adaptive Reuse of Buildings located within all Districts.
- (3) All Rehabilitation or Adaptive Reuse activities, including repairs, alterations, or additions to existing frame or metal buildings used or to be used for Non-Residential Use(s) or buildings used or to be used for Residential Use(s) require that a Development Permit be issued, in accordance to the requirements of this Bylaw.
- (4) The repairs, renovations, alterations, reconstruction, and changes of use or additions, of any building or structure currently existing shall conform to the requirements of this Bylaw, and may require a request for a Variance subject to the provisions of **Section 2.13** of this Bylaw.
- (5) The following work shall be considered renovation, alteration, or reconstruction, as appropriate, and not repair work:
 - (i) The cutting away of any wall, partition, or portion thereof;
 - (j) The permanent, partial or complete removal of any primary structural component;
 - (k) The removal or rearrangement of any part of a required means of egress;
 - (l) Addition to, alteration or relocation of:
 - (i) Any fire protection system piping;
 - (ii) Water supply, sewer, drainage, gas, oil, waste, vent, or similar piping;
 - (iii) Electrical wiring, other than wiring for a low voltage communication system in a one or two family dwelling;
 - (iv) Mechanical system components such as ductwork; or
 - (v) Elevator devices.
- (6) All Rehabilitation or Adaptive Reuse work shall be done in a workmanlike manner, meaning to the acceptable industry standard of quality of work and materials by professionals registered to practice the profession in Alberta.
- (7) The Rehabilitation or Adaptive Reuse work shall not cause any diminution of existing structural strength, system capacity, or mechanical ventilation below that which exists at the time of application for a Development Permit or that which is required by the applicable Codes of the Safety Codes Act, whichever is lower.
- (8) Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live load criteria of the Alberta Building Code applicable to the Development, and shall not create deflection that exceeds the standards set forth below. As used in this Section, fixed loads shall mean uniform or concentrated loads and shall include equipment, files, library stacks, or similar loading conditions.

5.25 Relocation of Buildings

- (a) For wood frame construction, deflection shall not exceed L/180 for roofs with a slope of 3 in 12 or less or L/120 for roofs with a slope of greater than 3 in 12 and for floors
 - (b) For steel frame construction, deflection shall not exceed L/240 for roofs with a slope of 3 in 12 or less or L/180 for roofs with a slope of greater than 3 in 12 and for floors.
 - (c) For concrete construction, deflection shall not exceed L/180 for roofs or L/240 for floors.
- (9) Where the Rehabilitation or Adaptive Reuse of an existing building creates or includes any new building element of a type listed below, then the new element shall comply with the requirements for such an element established by the Alberta Building Code and the Safety Codes Act, as applicable.
- (a) The installation of a floor system which did not previously exist.
 - (b) When the number of stories in a building is increased without increasing the height of the building.
 - (c) Newly created tenant separation assemblies.
 - (d) Newly created floor, door, and window openings. Additionally, newly created door openings in walls which are fire-resistance rated.
 - (e) Protection of newly created openings in fire resistance rated assemblies.
 - (f) Newly created exits, exit stairways,
 - (g) Newly installed fire escapes.
 - (h) Newly installed elevator devices (not replacing an existing device) and other newly installed (not replacement) equipment.
 - (i) Newly installed electrical service equipment, switchboards, panel boards, motor control centres and other electrical equipment containing over current, switching or control devices likely to require examination, adjustment, servicing or maintenance while energized.

5.25 RELOCATION OF BUILDINGS

- (1) No person shall move or cause to be moved, or place on a Lot or Parcel of land a building, including a Dwelling, formerly erected or placed on a different Lot or Parcel until a Development Permit has been issued.
- (2) Any application for a “moved-in building” considered by the Development Authority shall:
 - (j) be accompanied by recent colour photographs of the structure; and

5.26 Sea Cans and Shipping Containers

- (k) indicate if the building will meet current requirements of the Alberta Building Code (ABC), and if it does not, how the building will be brought up to these requirements; and
 - (l) meet all other requirements or conditions as required by the Development Authority.
- (3) The Development Authority may, at its sole discretion, require, prior to the approval of a Development Permit for building relocation that an inspection of the proposed building be completed by the Development Authority or a designated officer to determine its suitability for relocation in the County.
- (4) When reviewing an application to move an existing Dwelling onto a Lot or Parcel, the Development Authority shall, among other matters, consider the following:
 - (a) age of the building;
 - (b) structural condition of the building;
 - (c) siting on the Lot;
 - (d) road access; and
 - (e) availability of services including power, water supply and sewage disposal facilities.

5.26 SEA CANS AND SHIPPING CONTAINERS

- (1) Except where directed otherwise in this Bylaw, Sea Cans and Shipping Containers within all Districts shall require a Development Permit to be issued.
- (2) Within Residential Districts a maximum of one (1) Sea Can or Shipping Container may be permitted on Lots or Parcels 1.2 ha (3.0 ac) or greater in area, at the discretion of the Development Authority.
- (3) Notwithstanding **Sub-section 5.26(1) above**, at the discretion of the Development Authority, one (1) Sea Can or Shipping Container may be permitted on Lots or Parcels less than 1.2 ha (3.0 ac) in area within a Residential District, on a temporary basis for the purpose of storing construction materials during the construction of the Main Building on a Lot or Parcel.
- (4) The maximum number of Sea Cans or Shipping Containers that may be placed on a Lot or Parcel within a Non-Residential District shall be at the discretion of the Development Authority.
- (5) Notwithstanding any other provision in this Bylaw, on Lots or Parcels larger than 2.0 ha (5.0 ac) in area within the Agricultural (A) District a maximum of two (2) Sea Cans or Shipping Containers may be placed on a Lot or Parcel without requiring a Development Permit to be issued.
 - (a) Additional Sea Cans or Shipping Containers in excess of two (2) shall require a Development Permit to be issued.

5.27 Service Stations

- (6) If a temporary Development Permit for a Sea Cans or Shipping Container has been approved by the Development Authority, then the Sea Cans or Shipping Container may be placed on a site for a period of six (6) months. After that period has expired the Developer will be required to apply to the County for an extension for the permit. Extensions may be issued at intervals of up to six (6) months each, at the discretion of the Development Authority.
- (7) Except for the purpose of building material in accordance with **Section 5.24** of this Bylaw, Sea Cans or Shipping Containers may not be stacked. The maximum height for a sea can or shipping container allowed on a Parcel is 3.0 m (10.0 ft.).
- (8) Sea Cans or Shipping Containers located in a Residential District may be a maximum of 6.0 m (20.0 ft.) in length.
- (9) Within all Districts, except the Agricultural (A) District, the exterior finish of a sea can or shipping container must be consistent with the finish of the primary building.
- (10) Sea Cans or Shipping Containers cannot be used as a Main, Secondary, or Accessory Dwelling, unless a Development Permit and associated Use and Occupancy Permit have been issued under the provisions of this Bylaw, and all required approvals under provincial regulations have been obtained.

5.27 SERVICE STATIONS

- (1) Development of a site as a Service Station or Gas Station where allowed under this Bylaw shall comply with the provisions of this Section.
- (2) Service Stations shall be located in such a manner that:
 - (a) No entrance or exit thereto for motor Vehicles shall be within 61 m (200 ft.) of an entrance to or exit from a Public or Quasi-Public Use.
 - (b) No part of any building or any pump or other Accessory Building, structure, or use shall be within 6.0 m (20 ft.) of a side or rear Property Line.
 - (c) There shall be a Front Yard of not less than 12.0 m (40 ft.), and no gasoline pump shall be located closer than 6.0 m (20.0 ft.) to the front Property Line.
 - (d) Storage tanks shall be set back from adjacent buildings in accordance with applicable Provincial requirements
- (3) Lot Area and Coverage
 - (a) The minimum site area shall be 743.0 m² (8000 sq. ft.) and the maximum building coverage shall be 40% of the site area. For service stations including car washes the minimum site area shall be 1115 m² (12,000 sq. ft.).
 - (b) In the case of a service station designed and built as part of a shopping centre, the ratio of building space to parking space shall be as determined by the Development Authority.

5.28 Shooting Ranges

- (4) Surfacing
 - (a) All parts of the site to which Vehicles may have access shall be hard surfaced and drained in accordance with County Standards to the satisfaction of the Development Authority.
- (5) Lighting
 - (a) Any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the site only and not on any adjoining properties, pursuant to **Section 4.5** of this Bylaw.
- (6) Use and Maintenance of Service Station Site and Buildings
 - (a) The owner, tenant, operator, or person in charge of a Service Station shall at all times:
 - (i) Be prohibited from the carrying on of the business of a public garage or parking garage (provided, however, that this shall not prevent the use of garage space available on any authorized service station for storage) or of any business or activity which is obnoxious or offensive, or which may constitute a nuisance or annoyance to persons occupying lands in the immediate vicinity of the site of a service station by reason of dust, noise, gases, odour, smoke, or vibration.
 - (ii) Be responsible for the proper, safe and orderly operation thereof and of motor Vehicles using said service station or when repaired or serviced thereat, and without restricting the generality of the foregoing, shall see:
 - 1. that operators of motor Vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the service stations; and
 - 2. that operators of motor Vehicles enter and leave the service station only at the entrances and exits provided for such purposes and not elsewhere.
 - (iii) Maintain on the boundaries of the site, where required by the Development Authority, an appropriate fence not less than 1.5 m (5.0 ft.) in height.

5.28 SHOOTING RANGES

- (1) Shooting Ranges, Outdoor
 - (a) Permit required
 - (i) Shooting ranges shall require a Development Permit to be issued. Indoor shooting ranges shall also require an Occupancy Permit.
 - (b) Provincial approval required
 - (i) Provide evidence of approval to operate issued by the provincial minister in accordance to Section 29 of the Firearms Act (S.C. 1995, c. 39), as amended.

5.28 Shooting Ranges

(c) Site Plan required

- (i) Submit site plan in accordance with the *Shooting Clubs and Shooting Ranges Regulations* that shows the geographical location and layout of the shooting range and the portion of the surrounding area that could be affected by shooting on the shooting range, as well as the land use of that portion. Including location of signage, lighting, topographical features (e.g., water bodies, topography, trees, baffles, or berms) and areas of significant environmental conditions, such as strong winds, which can affect normal operating conditions.

(d) Lighting

- (i) Adequate lighting shall be placed in areas used for vehicular/pedestrian access including but not limited to: stairs, sidewalks, crosswalks, intersections, or changes in grade, pursuant to **Section 4.5** of this Bylaw. Lighting mitigation required.

(e) Dust Reduction

- (i) Unpaved roads, travel ways and/or parking areas shall be treated to prevent dust from adverse effects to adjacent properties.

(f) Separation Requirements

- (i) An outdoor shooting range shall not be constructed or newly located within:
 - 1. one-half (½) mile (800 m) of an existing school, library, day care facility, healthcare facility, and/or religious institution; and
 - 2. three hundred (300 m)meters (1,000 ft) of an existing dwelling unit for residential use and is not located on the same property as the use.

(g) Security

- (i) Perimeter identification shall be equivalent in visual impact to a fence line or survey line.
 - 1. in wide open terrain (e.g., prairie areas), no additional perimeter identification beyond signage is required. Fencing of the perimeter is not required.
 - 2. in the case of boundaries defined by water courses, regularly spaced warning signs placed above the high water mark will suffice.
- (ii) if under normal operating conditions fired projectiles or subsequent ricochets are able to leave the active range area, a downrange safety area (forward of the firing point) is required that meets the *RCMP Range Design and Construction Guidelines Safety Area Design Criteria*. Safety areas cannot overlap onto areas of

5.28 Shooting Ranges

human habitation or regular human activity, including but not limited to dwellings, buildings, businesses, or human activity sites (e.g., public camp ground, recreational areas, or similar sites).

(h) Environment.

- (i) Provide a Phase I Environmental Site Assessment Report that includes any potential off-site and/or downstream impacts and all mitigation measures identified during the Environmental or similar assessment to satisfaction of the Development Authority.

(i) Reclamation.

- (i) Provide a reclamation plan for the range site addressing environmental safety and fire & emergency management, and outlining mitigation measures in accordance with Alberta Health, Safety Codes Council, Minister of Public Works and Government Services, and any additional provincial and federal regulations, as applicable.

(j) Signage.

- (i) Signs shall serve to warn people approaching the site about the presence of a shooting range and the associated dangers of approaching it in accordance with the *RCMP Range Design and Construction Guidelines for Range and Safety Area Signs*.
- (ii) Signage location shall be identified in the site plan.
- (iii) In all instances, the signs shall be of durable construction, such that they can resist weathering.
- (iv) Signs shall meet County Sign Regulations (**Section 4.20** of this Bylaw, as amended).

(k) Perimeter Setback.

- (i) Seventy-five (75 m) meters, (200 ft).
- (ii) Storage of debris, equipment, and other materials shall not be permitted in the perimeter setback.

(l) Perimeter Buffer.

- (i) Fifteen (15 m) meters, (50 ft).

(m) Structure.

5.29 Tower/Antenna Facilities

- (i) Outdoor shooting ranges must be designed to contain all projectiles fired on-site in accordance with the *RCMP Range Design and Construction Guidelines*.
 - (n) Hours of Operation.
 - (i) Daily, from 8:00 a.m. to 8:00 p.m.
- (2) Shooting Ranges, Indoor
 - (a) In addition to meeting the requirements under Sub-sections(a), (b), and (f) above, Indoor Shooting Ranges must:
 - (i) meet all applicable regulations within the Designated District that provides for the Use.

5.29 TOWER/ANTENNA FACILITIES

- (1) The provisions under this section shall apply to Tower and / or Antenna Facilities, including WECS monitoring stations, within the County of Vermilion River, in addition to applicable regulations under **Sections 5.19** and/ or **5.31**, and applicable federal and provincial regulations.
- (2) In addition to a Development Permit, federal and / or provincial approval is required, as applicable.
 - (a) Multiple tower structures will require individual development permit applications, unless located in the same Lot or Parcel.
- (3) Guyed-tower/Antenna structures are to be located on properties that allow for a distance from the base to boundary setbacks that is no less than equal to the final structure height. In all cases that base and anchor structures must be designed for the soil conditions present. A professional engineered design with supporting soil profiles must accompany the application for development. Precise location (Latitude and Longitude) of the base and anchors must be revealed.
- (4) Self-support towers/antennae are to be located respecting the building and safety codes for the community. In all cases, the base structures must be designed for the soil conditions present. A professional engineered design with supporting soil profiles must accompany the application for development.
- (5) Tower and Antenna Facilities are encouraged to have daytime visual markers to prevent interference with bird migration.
- (6) Appropriate fencing around the base, anchors and site limiting public access to the tower and exposure to high Radio frequency (RF) energy fields must be provided with consideration of community aesthetics, in accordance with **Section 4.5** of this Bylaw.
- (7) As a condition of obtaining a development permit the applicant agrees to the following:
- (8) The site will be reclaimed within six (6) months of cessation of operation.

5.30 Vehicle Washing Establishments

- (9) The site reclamation will comply with Alberta Environmental Laws to be provided by Alberta Environment or their agent.
- (10) The County shall request public consultation for all proposed wireless communications facilities greater than 10 m in height for landowners within a radius of six (6) times the tower height. The carrier will be required to pay the costs associated with the public consultation.
- (11) A letter of support will be sent by the County to Industry Canada if:
 - (a) any technical assessment that was requested by the County has been completed to the satisfaction of Council; and
 - (b) a public consultation was either not necessary or, if public consultation was deemed necessary, it was completed and the results of the consultation provided to Council for final decision. The results of this decision will be forwarded by the Development Authority to Industry Canada.
- (12) A letter of credit may be required to address the decommissioning and reclamation of sites should a location be taken out of service. The amount of security and term will be reviewed on a case-by-case basis to determine reclamation costs.
- (13) Requirements for certain structures located within residential areas, such as personal antenna systems (e.g. used for over the air and satellite television reception or amateur radio operation), shall be at the discretion of the Development Authority.

5.30 VEHICLE WASHING ESTABLISHMENTS

- (1) In addition to the applicable requirements under **Section 2.8** of this Bylaw, a person applying to develop a site as a Vehicle Washing Establishment within a District where such use is allowed under this Bylaw, shall comply with the provisions of this Section.
 - (a) Only those Vehicle Washing Establishments utilizing recycling methods that meet provincial regulations will be considered.
- (2) Groundwater Protection
 - (a) Prior to the approval of any Development Permit under this Bylaw for a Vehicle Washing Establishment, geotechnical and groundwater assessments shall be provided to the satisfaction of the County, prepared by an independent engineer registered to practice in the province of Alberta, to determine any potential impact on groundwater and shall include recommendations on protective measures to be undertaken to substantially eliminate the potential for negative effect on groundwater.
 - (i) The implementation of the recommended measures shall form a part of the Development Permit conditions of approval under this Bylaw. Any area identified as Vehicle Washing Establishment, including the storage of any petrochemicals or materials that may impact on groundwater, shall be stored in an approved container and shall be located in an area immediately above a lower parkade (or other accessible subgrade area) to the satisfaction of the County.

5.31 Wireless Communication Facilities

- (3) Location
 - (a) In addition to those Districts where Vehicle washing establishments are listed as a permitted or discretionary use, a Vehicle washing establishment may be allowed as a discretionary use as part of a shopping centre development, if the Development Authority is satisfied that it will not adversely affect an adjoining land use or the function of the shopping centre in relation to traffic circulation.
- (4) Site Area
 - (a) The minimum site area shall be 557.4 m² (6,000 sq. ft.) and shall contain storage space for ten (10) Vehicles prior to their entry into any part of the cleaning process for which they are bound.
 - (b) In the case of service stations including car washes, a minimum site area shall be 111.5 m² (1,200 sq. ft.).
- (5) Site and Building Requirements
 - (a) All site and building requirements shall be according to the underlying Land Use District and to the satisfaction of the Development Authority.

5.31 WIRELESS COMMUNICATION FACILITIES

- (1) Wireless communication facilities should be encouraged to locate in agricultural, industrial and other non-residential districts.
- (2) Where possible, visually unobtrusive antennas are encouraged to co-locate with existing infrastructure such as but not limited to signs located on private property and water towers.
- (3) All carriers interested in locating a wireless communications facility within the County should first contact all other carriers providing similar services and pursue co-location before meeting with the Development Authority. These responses should be provided to the Development Authority in writing prior to meeting with him or her.
- (4) New wireless communications facilities should be built to a standard to accommodate multiple devices. If such co-location of facilities is not feasible, the clustering of such facilities shall be encouraged.
- (5) Developers of a wireless communications facility that plan for the facility and can accommodate other wireless operators on the site will be given priority status.
- (6) The application for development of a wireless communications facility is encouraged to engage existing owner/operators of these structures for co-location opportunities. Existing operators are encouraged to participate in the process by charging reasonable rates for this privilege.
- (7) Applications for development of structures outside of the Alberta Building Code such as lattice towers shall include a document from authoritative sources demonstrating structural

5.31 Wireless Communication Facilities

adequacy of the specified structure for the location and loading defined in the application. Such authorities include: the Canadian Standards Association and qualified structural engineers. Stamps and Seals of approval shall accompany the documentation.

- (8) Guyed-tower structures are to be located on properties that allow for a distance from the base to boundary setbacks that is no less than equal to the final structure height. In all cases that base and anchor structures must be designed for the soil conditions present. A professional engineered design with supporting soil profiles must accompany the application for development. Precise location (Latitude and Longitude) of the base and anchors must be revealed.

Self-support towers are to be located respecting the building and safety codes for the community. In all cases the base structures must be designed for the soil conditions present. A professional engineered design with supporting soil profiles must accompany the application for development.

- (9) Guyed facilities are encouraged to have daytime visual markers to prevent interference with bird migration.

- (10) In those instances where Transport Canada requires that a wireless communication facility be lit, the following measures are encouraged:

- (a) the light source should not spill over onto adjacent properties;
- (b) the lighting should be a minimum number of low intensity white lights; and
- (c) the strobe interval should be the maximum allowable by Transport Canada.

- (11) The location of wireless communication facilities should have regard to Alberta Transportation and the County of Vermilion River setbacks from highways and roads.

- (12) Signage for wireless communications facilities should only:

- (a) identify the facility;
- (b) identify the owner and provide up-to-date contact information; or
- (c) warn of any safety issues.

- (13) Multiple tower structures will require individual Development Permit applications.

- (14) Applications for the development of wireless facilities must include in the development application letters from the following authorities:

- (a) Transport Canada governing painting and lighting of the applicant's tower for aeronautical safety;

5.31 Wireless Communication Facilities

- (b) Nav Canada governing aircraft communication and instrumentation immunity from the applicant's tower transmissions;
 - (c) Industry Canada governing the frequency of operations and public safety from non-ionized radiation in accordance with Safety Code 6. Licensed Exempt operators must provide a stamped letter from a licensed professional RF engineer guaranteeing these conditions will be met; and
- (15) Appropriate fencing around the base, anchors and site limiting public access to the tower and exposure to high RF energy fields must be provided with consideration of community aesthetics.
- (16) The application for development must include consideration to minimizing environmental damage through the following measures:
 - (a) Consultation with Federal and Provincial environmental agencies to ensure the site selected and the resultant construction does not impact upon sensitive ecologies nor interfere with migrating birds or animals. Confirming letters from these agencies must accompany the application for development.
 - (b) The application for development shall include a signed letter from the applicant detailing corrective action(s) to remediate any environmental damages.
- (17) As a condition of obtaining a Development Permit the applicant agrees to the following:
 - (a) The site will be reclaimed within six (6) months of cessation of operation.
 - (b) The site reclamation will comply with Alberta Environmental Laws to be provided by Alberta Environment or their agent.
- (18) The County shall request public consultation for all proposed wireless communications facilities greater than 10 m in height for landowners within a radius of six (6) times the tower height. The carrier will be required to pay the costs associated with the public consultation.
- (19) A letter of support will be sent by the County to Industry Canada if:
 - (a) any technical assessment that was requested by the County has been completed to the satisfaction of Council; and
 - (b) a public consultation was either not necessary or, if public consultation was deemed necessary, it was completed and the results of the consultation provided to Council for final decision. The results of this decision will be forwarded by the Development Authority to Industry Canada.
- (20) A letter of credit may be required to address the decommissioning and reclamation of sites should a location be taken out of service. The amount of security and term will be reviewed on a case-by-case basis to determine reclamation costs.

5.31 Wireless Communication Facilities

- (21) Requirements for certain structures located within residential areas, such as personal antenna systems (e.g. used for over the air and satellite television reception or amateur radio operation), shall be at the discretion of the Development Authority.

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6.2.1 Agricultural (A) District

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PART 6.0 LAND USE DISTRICTS REGULATIONS



6.2.1 Agricultural (A) District

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6.1 ESTABLISHMENT OF LAND USE DISTRICTS

- (1) For the purposes of this Bylaw, the County of Vermilion River is divided into the following districts:

(a) Non-Residential Districts

- (i) Agricultural (A) District
- (ii) Business and Services (B) District
- (iii) Lloydminster Fringe Business (B2) District
- (iv) General Commercial (GC) District
- (v) Commercial (C1) District
- (vi) Limited Commercial (LC) District
- (vii) Rural Industrial (RM) District
- (viii) Heavy Industrial (MH) District
- (ix) Light Industrial (M1) District
- (x) Medium Industrial (M) District
- (xi) Parks and Recreation (PR) District
- (xii) Landfill and Composting (LC) District

(b) Residential Districts

- (i) Country Residential Agriculture (CR-A) District
- (ii) Country Residential Multi-Lot (CR-M) District
- (iii) Country Residential Single-Lot (CR-S) District
- (iv) Low Density Residential (R) District
- (v) Medium Density Residential (R1) District
- (vi) High Density Residential (R2) District
- (vii) Manufactured Home Community (R3) District

- (2) The boundaries of the districts listed in this Bylaw are as delineated in the LAND USE DISTRICT MAP, which is **Part 9** of this Bylaw.

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

- (a) where a boundary is shown as following a street or lane, it shall be deemed to follow the centre line thereof.
- (b) where a boundary is shown as approximately following a Lot Line, it shall be deemed to follow the Lot Line.

6.2 NON-RESIDENTIAL DISTRICTS

6.2.1 AGRICULTURAL (A) DISTRICT

(a) The Purpose of this District is to provide for the continuing use of land for agricultural activities associated with primary production and ancillary uses while encouraging conservation practices, and to preserve valuable agricultural land from development that is incompatible with primary production.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River excepting land in the other Districts.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Agricultural Operation	Abattoirs	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses
Agricultural Production	Accessory Living Quarters	
Confined Feeding Operation	Agricultural support services	
Extensive agriculture	Agri-tourism	
Farming	Animal breeding and/or boarding establishments	
Buildings and uses accessory to permitted uses	Bed and breakfast establishments	
	Bulk Fuel Storage and Sales	In connection with an Agricultural Operation, as defined in this Bylaw.
	Religious Assemblies	
	Day homes	
	Family care facilities	
	Farmsteads	In connection with an Agricultural Operation, as defined in this Bylaw, and unsubdivided from quarter section. Pursuant to Section 4.12 .
	Group care facilities	
	Group homes	

6.2.1 Agricultural (A) District

	Guest ranches	
	Home occupations, major	
	Home occupations, minor	
	Institutional uses	
	Intensive agriculture	
	Natural Resource Extraction and Ground Disturbance Operations	
	Outdoor storage	
	Public education facilities	
	Public or quasi-public buildings and uses	
	Public utilities and public utility buildings	
	Recreational uses	
	Recreational Vehicle campgrounds	
	Rural commercial uses	
	Secondary Dwelling	
	Signs	
	Veterinary Clinic	
	Warehouse Facilities	
	Wind Energy Conversion System (Large, Small, Micro)	
	Wireless Communications Facility	
	Work Camp	
	Buildings and uses accessory to discretionary uses	

6.2.1 Agricultural (A) District

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED USES	DISCRETIONARY USES	ADDITIONAL PROVISIONS
Minimum Lot Area	One quarter-section	As required by the Development Authority	<p>Except where the lot is subject to:</p> <p>(a) man-made barrier, registered in Land Titles, fragmenting the quarter section, or</p> <p>(a) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.</p> <p>(b) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.</p>
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		
Maximum Height	10.5 m (34.5 ft.) Communications Towers, minimum 46 m (150 ft.)		Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2 , or

6.2.1 Agricultural (A) District

		where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Special Uses	Wind Energy Conversion Systems shall be governed by the regulations contained in Section 5.3 of this Bylaw.	
Discretionary & Accessory Uses	Will require redesignation to the appropriate District at the discretion of the Development Authority, in accordance with the provision of Section 2.9 .	
Higher-Density Development on Difficult-to-Farm Sites	<p>(a) In order to reduce the pressure for non-farm development on Higher Capability Agricultural Lands, development of non-farm uses may be allowed incrementally at a higher density, up to the next District within the same category, on Lots or Parcels that are considered difficult to farm. A tract of land may be considered difficult to farm, if it has one or more of the following characteristics:</p> <ul style="list-style-type: none"> (i) Small size or irregular shape (ii) Physical isolation from other farm fields by roads, steep hills, ditches or similar features. (iii) Wooded, as defined herein. (iv) Containing steep slopes, wetlands, or other environmentally sensitive features. <p>(b) That portion of a parcel that meets the criteria above, may be further subdivided into Lots or Parcels in accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan, subject to the following requirements:</p> <ul style="list-style-type: none"> (i) Maximum density shall be 4 units per Quarter-Quarter Section (approx. 40 acres.) (ii) Excepting within those areas covered by the Agriculture Soil Conservation Area (ASC) Overlay where the maximum density shall be 2 units per Quarter-Quarter Section (approx. 40 acres.) Permitted density may not be transferred from one Quarter-Quarter Section to another. (iii) Each lot must contain adequate build-able area for construction of a house, well, and septic system meeting Provincial and County requirements, including sufficient area for an alternate septic system site, if required. (iv) The applicant must demonstrate to the satisfaction of the Development Authority that lots are clustered in areas of non- 	

6.2.1 Agricultural (A) District

	<p>productive soils in order to minimize visual and physical intrusions into agricultural land and to respond sensitively to the environmental features of each site.</p> <p>(v) If Lots are accessed by a new road, the road shall be constructed to County Standards.</p> <p>(vi) Any additional lands that are not included in the Lots shall be permanently restricted by a conservation easement against further subdivision or development.</p> <p>(vii) These lands may be used in one or more of the following ways:</p> <ol style="list-style-type: none"> 1. Leased to a farmer for agricultural use. 2. Held in common by all landowners of the development, for open space or recreational purposes. 3. Conveyed to the County, a government agency, or private non-profit organization for permanent protection as parkland or wildlife preserve. 4. Attached to one or more of the existing Lots.
Exceptions	At the discretion of the Development Authority, the height provisions of these regulations may be waived for church steeples, belfries, towers, cupolas, and similar architectural features; flagstaffs, chimneys, elevator mechanisms and housings, water tanks, standpipes, and similar utility structures; and radio and television towers and antennas, and similar telecommunication structures.
Sensitive Land Uses	Notwithstanding any other provision of this Bylaw to the contrary, no dwelling, nor any institutional, public or health service use, nor any other use which includes human habitation, either on a temporary or a permanent basis, shall be allowed within 800 m (2625 ft.) of any Landfill and Composting (LC) District.
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.

6.2.2 HIGHWAY PROFILE AREA (HPA) DISTRICT

- (a) The Purpose of this District is to provide for establishments offering accommodations or services to motorists, and to provide for non-pedestrian-oriented retail, wholesale, service and repair activities, which do not contribute to the creation of unattractive, congested and unsafe highway conditions, while protecting Provincial investment in highway infrastructure.

(b) DISTRICT BOUNDARIES

- (i) This District applies to all the land in the County of Vermilion River within 800 m (1/2 mile) of the right-of-way of Highways 16, 17, 41, and 45.
- (ii) This District also includes some lands adjacent to provincial highways, located within the Hamlets.
- (iii) The regulations of this Section apply in addition to the other regulations of this Bylaw within the Highway Profile Area District identified on Map 2 – Future Land Use, of the Municipal Development Plan.
- (iv) Provincial Regulation may regulate approval of development within the District and, if that is the case, issuance of such permit will be a requirement of any Development Permit issued in this District.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Agricultural Production	Accessory Living Quarters	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, including uses listed within the underlying and abutting district.
Agricultural support services	Animal breeding and/or boarding establishments	
Extensive agriculture	Bed and breakfast establishments	
Farming	Bulk Fuel Storage and Sales	
Highway Commercial Use	Country Residential	
Highway Services	Day homes	

6.2.2 Highway Profile Area (HPA) District

Buildings and uses accessory to permitted uses	Existing Dwellings, as of the date of the approval of this Bylaw	
	Family care facilities	
	Group care facilities	
	Group homes	
	Guest ranches	
	Home occupations, major	
	Home occupations, minor	
	Institutional uses	
	Intensive agriculture	
	Natural Resource Extraction and Ground Disturbance Operations	
	Outdoor storage	
	Public education facilities	
	Public or quasi-public buildings and uses	
	Public utilities and public utility buildings	
	Recreational uses	
	Recreational Vehicle campgrounds	
	Religious Assemblies	
	Rural commercial uses	
	Secondary Dwelling	
	Signs	
	Veterinary Clinic	
	Warehouse Facilities	
	Wind Energy Conversion System, Large	
	Wind Energy Conversion System, Micro	
	Wind Energy Conversion System, Small	

6.2.2 Highway Profile Area (HPA) District

	Wireless Communications Facility	
	Work Camp	
	Buildings and uses accessory to discretionary uses	

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED USES	DISCRETIONARY USES	ADDITIONAL PROVISIONS
Minimum Lot Area	In accordance with the provisions of the underlying and abutting district.	As required by the Development Authority	Except where the lot is subject to: <ul style="list-style-type: none"> (a) man-made barrier, registered in Land Titles, fragmenting the quarter section, or (b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (c) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved		

6.0 Land Use Districts Regulations

6.2.2 Highway Profile Area (HPA) District

	Area Structure Plan or Site Development Plan.	
Maximum Height	10.5 m (34.5 ft.) Communications Towers, minimum 46 m (150 ft.)	Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	The location of any shelterbelts shall be approved by the Development Authority.	
Fencing	Required along the Yard Lines of Lots or Parcels adjacent to a park or Municipal Reserve Lot.	
Exceptions	Notwithstanding any other provision of this Bylaw to the contrary, no more than 3 lots for residential uses may be allowed on that portion of NW 17-50-2-W4 lying to the south of Highway #16.	
Special Uses	Wind energy conversion systems shall be governed by the regulations contained in Section 5.3 of this Bylaw.	
Maximum Mixed-Use Residential Density	15 units per acre (37 units per hectare)	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.2.3 Rural Industrial (RM) District

6.2.3 RURAL INDUSTRIAL (RM) DISTRICT

(a) The Purpose of this District is to allow the development of Rural Industrial Uses [see “Heavy Industrial” under **Sub-section 4.2(9)**] that may require large areas of land, which may be considered unsuitable to be located in an urban area, and its Subordinate and associated uses within the rural area.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River as designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Agri-Business	Abattoirs	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses
Agricultural Industry	Accessory Living Quarters	
Agricultural Operation		
Agricultural Production	Animal Hospital	
Agricultural Support Services	Auctioneering Establishment	
Bulk Fuel Storage and Sales	Animal breeding and/or boarding establishments	
Compost Facility, Class I	Cemetery	
Compost Facility, Class II	Institutional uses	
Grain Handling Facility	Intensive agriculture	
Industrial Use, Heavy	Landfill	
Industrial Use, Medium	Landfill, Class II	
Industrial Vehicle and Equipment Sales/Rentals Establishment	Landfill, Class III	
Kennel	Licensed Cannabis Production Facility	
Natural Resource Extraction and Ground Disturbance Operations	Licensed Cannabis Storage and Distribution Facility	

6.2.3 Rural Industrial (RM) District

Livestock Sales Yard	Licensed Industrial Hemp Production Facility	
Manure Storage Facility	Natural Resource Extraction Industry	
Rural Industry	Outdoor storage	
Buildings and uses accessory to permitted uses	Public or quasi-public buildings and uses	
	Public utilities and public utility buildings	
	Recreational uses	
	Rural commercial uses	
	Signs	
	Veterinary Clinic	
	Warehouse Facilities	
	Wind Energy Conversion System, Large	
	Wind Energy Conversion System, Micro	
	Wind Energy Conversion System, Small	
	Wireless Communications Facility	
	Work Camp	
	Buildings and uses accessory to discretionary uses	

6.2.3 Rural Industrial (RM) District

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	Greater than 10 ac (4.05 ha)	As required by the Development Authority	Except where the lot is subject to: (a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (c) the subdivision of any fragmented area shall be governed by the policies in the County's Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		
Maximum Height	10.5 m (34.5 ft.) Communications Towers, minimum 46 m (150 ft.)		Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a

6.2.3 Rural Industrial (RM) District

		Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	The location of any shelterbelts shall be approved by the Development Authority	
Restricted Uses	The Development Authority may restrict, or may be subject to special regulations or conditions of approval, uses that may produce, directly or indirectly, noise, odour, fumes, dust, smoke, unsightly appearance, or other effects that may be detrimental to other land uses in or outside this District to particular areas of the District.	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.2.4 Heavy Industrial (MH) District

6.2.4 HEAVY INDUSTRIAL (MH) DISTRICT

(a) The Purpose of this District is to allow the development of Heavy Industrial and similar Uses [see “Heavy Industrial” under **Sub-section 4.2(9)**] that may require large areas of land, which may be considered unsuitable to be located in an urban area, and its Subordinate and associated uses within industrial and manufacturing clusters within the County.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Agri-Business	Abattoirs	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, not including Dwelling Units of any kind.
Agricultural Industry	Animal Hospital	
Agricultural Operation	Auctioneering Establishment	
Agricultural Production	Animal breeding and/or boarding establishments	
Agricultural Support Services	Auto Wrecker	
Bulk Fuel Storage and Sales	Cemetery	
Compost Facility, Class I	Industrial Use, Medium	
Compost Facility, Class II	Institutional uses	
Equipment Fabrication	Intensive agriculture	
Heavy Truck and Equipment Storage	Natural Resource Extraction Industry	
Indoor Storage	Office Use	
Industrial and Manufacturing Park	Outdoor storage	
Industrial Use, Heavy	Protective And Emergency Services	

6.2.4 Heavy Industrial (MH) District

Industrial Vehicle and Equipment Sales/Rentals Establishment	Public or quasi-public buildings and uses	
Kennel	Public utilities and public utility buildings	
Natural Resource Extraction and Ground Disturbance Operations	Recreational uses	
Landfill	Rural commercial uses	
Landfill, Class II	Salvage Yard	
Landfill, Class III	Service Station	
Licensed Industrial Hemp Production Facility	Solar Array	
Licensed Cannabis Production Facility	Solar Collector, Ground Mount	
Licensed Cannabis Storage and Distribution Facility	Solar Collector, Roof Mount	
Livestock Sales Yard	Stockpile Site	
Manufacturing	Storage Site	
Manure Storage Facility	Sign	
Open Space	Veterinary Clinic	
Transportation Facilities	Spur Rails	
Trucking and Cartage Establishment	Wireless Communications Facility	
Unserviced Industrial Use	Work Camp	
Unserviced Industrial Park	Buildings and uses accessory to discretionary uses	
Vehicle Repair Establishment		
Warehouse Facilities		
Wind Energy Conversion System, Large		
Buildings and uses accessory to permitted uses		

6.2.4 Heavy Industrial (MH) District

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	Greater than 10 ac (4.05 ha)	As required by the Development Authority	<p>Except where the lot is subject to:</p> <p>(a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or</p> <p>(b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.</p> <p>(c) the subdivision of any fragmented area shall be governed by the policies in the County's Municipal Development Plan respecting the subdivision of fragmented areas.</p>
Maximum site coverage	60%	60%	
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved		

6.2.5 Light Industrial (M1) District

	Area Structure Plan or Site Development Plan.	
Maximum Height	15.25 m (50 ft.) Communications Towers, minimum 46 m (150 ft.)	Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	In front yards, all areas not covered with driveways or parking areas shall be landscaped to the satisfaction of the Development Authority. The location of any shelterbelts shall be determined by the Development Authority	
Roads	If a curb and gutter exist, all driveways, parking areas and storage areas shall be paved with asphalt or concrete for a minimum distance of 15 m (50 ft.) from the front line, plus 1.5 m (5 ft.) of concrete apron in from the curb and gutter. Notwithstanding any provisions to the contrary in this Bylaw, the designated setbacks from roadways in Table 1 and the minimum distances show in Figure 1, Section 4.2 , apply to all developments, at the discretion of the Development Authority.	
Restricted Uses	The Development Authority may restrict, or may be subject to special regulations or conditions of approval, uses that may produce, directly or indirectly, noise, odour, fumes, dust, smoke, unsightly appearance, or other effects that may be detrimental to other land uses adjacent or nearby a Designated Non-Residential District.	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.2.5 LIGHT INDUSTRIAL (M1) DISTRICT

- (a) The Purpose of this District is to allow the development of Light Industrial and similar Uses [see "Light Industrial" under **Sub-section 4.2(9)**] that may require less extensive areas of land, which may be considered unsuitable to be located in an urban area, and its Subordinate and associated uses within industrial and manufacturing clusters within the County.

6.2.5 Light Industrial (M1) District

(b) DISTRICT BOUNDARIES

- (i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Agri-Business	Animal Hospital	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, not including Dwelling Units of any kind.
Amusement Establishment, Indoor	Animal breeding and/or boarding establishments	
Amusement Establishment, Outdoor	Automotive and Equipment Repair Shop, Heavy	
Automotive and Equipment Repair Shop, Light	Compost Facility, Class I	
Automotive and Recreational Vehicle Sales/Rentals Establishment	Hotel	
Industrial Vehicle and Equipment Sales/Rentals Establishment	Drinking Establishment	
Business Support Services Establishment	Drive-In Business	
Commercial Storage	Drive-In Restaurant	
Commercial Use	Eating and Drinking Establishment	
Contractor Service, Limited	Entertainment Establishment	
Equipment Rental Establishment	General Retail Establishment	
Government Services	Household Repair Service	
Health Services	Institutional uses	

6.2.5 Light Industrial (M1) District

Highway Commercial Use	Library and Cultural Exhibit	
Industrial and Manufacturing Park	Mixed-Use Development	
Industrial Use, Light	Motel	
Indoor Storage	Outdoor storage	
Intensive Recreation	Personal Service Shop	
Liquor Sales and Storage Establishment	Private Club	
Manufacturing (<i>limited</i>)	Protective And Emergency Services	
Office Use	Recreational Vehicle Storage	
Open Space	Recreational Use	
Public Education Facility	Religious Assembly	
Public Or Quasi-Public Building	Recycling Depot	
Public Or Quasi-Public Use	Recycling Drop-Off	
Public Park	Rural commercial uses	
Public-Serving Recreation Area	Service Station	
Public Utility Building	Shooting Range, Indoor	
Recreation Facility, Indoor	Shop	
Recreation Services, Indoor	Signs	
Recreation, Passive	Solar Collector, Roof Mount	
Storage, Indoor	Storage Site	
Transportation Facilities	Wind Energy Conversion System, Micro	
Unserviced Industrial Use	Wireless Communications Facility	
Unserviced Industrial Park	Work Camp	

6.2.5 Light Industrial (M1) District

Veterinary Clinic	Buildings and uses accessory to discretionary uses	
Warehouse Sales Establishment		
Warehouse Facilities		
Buildings and uses accessory to permitted uses		

(d) REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	Less than 5 ac (2.02 ha)	As required by the Development Authority	<p>Except where the lot is subject to:</p> <p>(a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or</p> <p>(b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.</p> <p>(c) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.</p>
Maximum site coverage	60%	60%	
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved		Except for provincial highways, which are

6.2.5 Light Industrial (M1) District

	Area Structure Plan or Site Development Plan.	subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	
Maximum Height	15.25 m (50 ft.) Communications Towers, minimum 46 m (150 ft.)	Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	In front yards, all areas not covered with driveways or parking areas shall be landscaped to the satisfaction of the Development Authority. The location of any shelterbelts shall be determined by the Development Authority	
Roads	If a curb and gutter exist, all driveways, parking areas and storage areas shall be paved with asphalt or concrete for a minimum distance of 15 m (50 ft.) from the front line, plus 1.5 m (5 ft.) of concrete apron in from the curb and gutter. Notwithstanding any provisions to the contrary in this Bylaw, the designated setbacks from roadways in Table 1 and the minimum distances show in Figure 1, Section 4.2 , apply to all developments, at the discretion of the Development Authority.	

6.2.6 Medium Industrial (M) District

Restricted Uses	The Development Authority may restrict, or may be subject to special regulations or conditions of approval, uses that may produce, directly or indirectly, noise, odour, fumes, dust, smoke, unsightly appearance, or other effects that may be detrimental to other land uses adjacent or nearby a Designated Non-Residential District.
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.

6.2.6 MEDIUM INDUSTRIAL (M) DISTRICT

- (a) The Purpose of this District is to allow the development of Medium Industrial and similar Uses [see “Medium Industrial” under **Sub-section 4.2(9)**] that may require relatively large areas of land, which may be considered unsuitable to be located in an urban area, and its Subordinate and associated uses within industrial and manufacturing clusters within the County.

(b) DISTRICT BOUNDARIES

- (i) This District comprises all the land in the County of Vermilion River as indicated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Agri-Business	Animal Hospital	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, not including Dwelling Units of any kind.
Agricultural Support Services	Animal breeding and/or boarding establishments	
Amusement Establishment, Indoor	Automotive and Equipment Repair Shop, Heavy	
Amusement Establishment, Outdoor	Automotive and Recreational Vehicle Sales/Rentals Establishment	

6.2.6 Medium Industrial (M) District

Commercial Storage	Bed And Breakfast Establishment	
Commercial Use	Boarding House	
Contractor Service, General	Bulk Fuel Storage and Sales	
Drive-In Business	Business Support Services Establishment	
Drive-In Restaurant	Campground	
Equipment Fabrication	Campsite	
Equipment Rental Establishment	Compost Facility, Class I	
General Retail Establishment	Compost Facility, Class II	
Government Services	Cemetery	
Greenhouse	Equipment Fabrication	
Highway Commercial Use	Group Care Facility	
Industrial Use, Medium	Health Services	
Indoor Storage	Horticultural Development	
Industrial and Manufacturing Cluster	Hotel	
Industrial Vehicle and Equipment Sales/Rentals Establishment	Institutional uses	
Manufacturing	Intensive agriculture	
Office Use	Intensive Recreation	
Open Space	Kennel	
Public Park	Licensed Industrial Hemp Production Facility	
Public-Serving Recreation Area	Licensed Cannabis Production Facility	
Public Utility Building	Licensed Cannabis Storage and Distribution Facility	
Public Or Quasi-Public Building	Liquor Sales and Storage Establishment	

6.2.6 Medium Industrial (M) District

Public Or Quasi-Public Use	Livestock Sales Yard	
Recreational Vehicle Campground, Work Camp	Motel	
Recreational Vehicle Storage	Natural Resource Extraction Industry	
Recycling Depot	Outdoor storage	
Recycling Drop-Off	Personal Service Shop	
Service Station	Private Club	
Shooting Range, Indoor	Protective And Emergency Services	
Shop	Public Education Facility	
Shooting Range, Indoor	Public Education Facility	
Transportation Facilities	Recreation Camp	
Trucking and Cartage Establishment	Recreation Facility, Indoor	
Unserviced Industrial Use	Recreation Services, Indoor	
Unserviced Industrial Park	Recreation, Passive	
Veterinary Clinic	Recreational Use	
Warehouse Facilities	Recreational Vehicle	
Warehouse Sales Establishment	Recreational Vehicle Campground, Seasonal	
Buildings and uses accessory to permitted uses	Religious Assembly	
	Restricted Extensive Recreational Use	
	Rural commercial uses	
	Stockpile Site	
	Storage Site	
	Storage, Indoor	
	Signs	
	Vehicle Repair Establishment	

6.2.6 Medium Industrial (M) District

	Wind Energy Conversion System, Small	
	Wireless Communications Facility	
	Work Camp	
	Buildings and uses accessory to discretionary uses	

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	Less than 10 ac (4.05 ha) Minimum 5 ac (2.02 ha)	As required by the Development Authority	Except where the lot is subject to: (a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (c) the subdivision of any fragmented area shall be governed by the policies in the County's Municipal Development Plan respecting the subdivision of fragmented areas.
Maximum site coverage	60%		

6.2.6 Medium Industrial (M) District

Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	
Maximum Height	15.25 m (50 ft.) Communications Towers, minimum 46 m (150 ft.)	Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	In front yards, all areas not covered with driveways or parking areas shall be landscaped to the satisfaction of the Development Authority. The location of any shelterbelts shall be determined by the Development Authority	
Roads	If a curb and gutter exist, all driveways, parking areas and storage areas shall be paved with asphalt or concrete for a minimum distance of 15 m (50 ft.) from the front line, plus 1.5 m (5 ft.) of concrete apron in from the curb and gutter. Notwithstanding any provisions to the contrary in this Bylaw, the designated setbacks from roadways in Table 1 and the minimum distances show in Figure 1, Section 4.2 , apply to all developments, at the discretion of the Development Authority.	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.2.7 GENERAL COMMERCIAL (GC) DISTRICT

(a) The Purpose of this District is to provide for a broad mix of commercial uses that have large site requirements, are oriented to higher classification roadways, and provide services to the entire County and surrounding area.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River as designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Amusement Establishment, Indoor	Adult Entertainment Establishment	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses
Business Support Services Establishment	Adult Use	
Commercial Storage	Animal Hospital (Small animal)	
Commercial Use	Amusement Establishment, Outdoor	<p>(a) greater than 5,000 sq. ft. with retail outlet, including manufacturing, assembling, fabricating, processing, packing, repairing, or storage of goods, which have not been declared a nuisance and provided these uses shall not cause:</p> <p>(i) Unreasonable dissemination of dust, smoke, visible gases, or noxious gases, fumes, noise, vibration, or odour beyond the boundaries of the site on which the use is conducted;</p>

6.2.7 General Commercial (GC) District

		(ii) Hazard of fire, explosion, or other physical damage to adjacent structures or vegetation.
Drive-In Business	Automotive and Recreational Vehicle Sales/Rentals Establishment	
Eating and Drinking Establishment	Bed and breakfast establishments	
Entertainment Establishment	Campground	
Equipment Rental Establishment	Cannabis Accessory Store	
General Retail Establishment	Existing Dwellings, as of the date of the approval of this Bylaw	
Government Services	Licensed Medical Cannabis Clinic	
Highway Commercial Use	Licensed Cannabis Retail Establishment	
Home occupations, major	Liquor Sales and Storage Establishment	
Home occupations, minor	Outdoor Storage	
Hotel	Public or quasi-public buildings and uses	
Institutional uses	Public utilities and public utility buildings	
Intensive agriculture	Shooting Range, Indoor	
Mixed-Use Development	Recreational Vehicle Campground	
Motel	Recreational Vehicle Campground, Seasonal	
Office Use (Business and Professional)	Recreational Vehicle Park	
Recreation Facility, Indoor	Signs	
Recreation Services, Indoor	Veterinary Clinic (Small animal)	

6.2.7 General Commercial (GC) District

Religious Assembly	Wireless Communications Facility	
Service Station	Buildings and uses accessory to discretionary uses	
Warehouse Sales Establishment (More than 75% of sales are wholesale)		
Buildings and uses accessory to permitted uses		

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	Greater than 10 ac (4.05 ha)	As required by the Development Authority	<p>Except where the lot is subject to:</p> <p>(a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or</p> <p>(b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.</p> <p>(c) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.</p>
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		Except for provincial highways, which are subject to Alberta Transportation regulations.

6.2.7 General Commercial (GC) District

Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	Structures constructed adjacent to existing similar uses may be built without side yards where there is lane access. For sites abutting a Residential District and not separated from that District by a road or utility lot – 1.5 m (5 ft.)
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	
Maximum Height	10.5 m (34.5 ft.) Communications Towers, minimum 46 m (150 ft.)	Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	The location of any shelterbelts shall be determined by the Development Authority	
Maximum Mixed-Use Residential Density	10 units per ha (24.7 DUA)	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.2.8 COMMERCIAL (C1) DISTRICT

(a) The Purpose of this District is to allow development of commercial uses on lots between in various locations. These locations are characterized with good accessibility to roadways.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River as designated on the Land Use District Map.

(ii) As well as County approval, any development within this District may require an approval by a Provincial agency. If such Provincial approval is required, issuance of the Provincial approval will be a condition of the approval of any Development Permit in this District.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Amusement Establishment, Indoor	Adult Entertainment Establishment	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses
Business Support Services Establishment	Adult Use	
Cannabis Accessory Store	Animal Hospital (Small animal)	
Commercial Storage	Amusement Establishment, Outdoor	less than 5,000 sq. ft. with retail outlet, including manufacturing, assembling, fabricating, processing, packing, repairing, or storage of goods, which have not been declared a nuisance and provided these uses shall not cause: Unreasonable dissemination of dust, smoke, visible gases, or noxious gases, fumes, noise, vibration, or odour beyond the boundaries of the site on which the use is conducted; Hazard of fire, explosion, or other physical damage to adjacent structures or vegetation.

6.2.8 Commercial (C1) District

Commercial Use	Automotive and Recreational Vehicle Sales/Rentals Establishment	
Drive-In Business	Bed and breakfast establishments	
Eating and Drinking Establishment	Campground	
Entertainment Establishment	Existing Dwellings, as of the date of the approval of this Bylaw	
Equipment Rental Establishment	Licensed Medical Cannabis Clinic	
General Retail Establishment	Licensed Cannabis Retail Establishment	
Government Services	Liquor Sales and Storage Establishment	
Highway Commercial Use	Outdoor Storage	
Hotel	Public or quasi-public buildings and uses	
Institutional uses	Public utilities and public utility buildings	
Intensive agriculture	Shooting Range, Indoor	
Mixed-Use Development	Signs	
Motel	Recreational Vehicle Campground	
Office Use (Business and Professional)	Recreational Vehicle Campground, Seasonal	
Recreation Facility, Indoor	Recreational Vehicle Park	
Recreation Services, Indoor	Veterinary Clinic (Small animal)	
Religious Assembly	Wireless Communications Facility	
Service Station	Buildings and uses accessory to discretionary uses	
Warehouse Sales Establishment		

6.2.8 Commercial (C1) District

(More than 75% of sales are wholesale)		
Buildings and uses accessory to permitted uses		

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	5 ac-10 ac (2.02 ha-4.05 ha)	As required by the Development Authority	<p>Except where the lot is subject to:</p> <p>(a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or</p> <p>(b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.</p> <p>(c) the subdivision of any fragmented area shall be governed by the policies in the County's Municipal Development Plan respecting the subdivision of fragmented areas.</p>
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		<p>Structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.</p> <p>For sites abutting a Residential District and not separated from that</p>

6.2.8 Commercial (C1) District

		District by a road or utility lot – 1.5 m (5 ft.)
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	
Maximum Height	10.5 m (34.5 ft.) Communications Towers, minimum 46 m (150 ft.)	Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	The location of any shelterbelts shall be determined by the Development Authority	
Restricted Uses	The Development Authority may restrict, or may be subject to special regulations or conditions of approval, uses that may produce, directly or indirectly, noise, odour, fumes, dust, smoke, unsightly appearance, or other effects that may be detrimental to other land uses adjacent or nearby a Designated Non-Residential District.	
Exceptions	Notwithstanding any other provision of this Bylaw to the contrary, a grain elevator and grain handling facility may be constructed in that portion of NW 27- 50-6-W4 lying to the south of the Canadian National Railways right-of-way to a maximum height of 72 m (236.2 ft.), together with uses accessory to a grain elevator and a grain handling facility. As a condition of the approval of a Development Permit for such a facility, the Development Authority may impose such conditions pursuant to Section 7.2.2 , which in its discretion are necessary to allow the Vermilion Airport to continue to function.	
Maximum Mixed-Use Residential Density	10 units per ha (24.7 DUA)	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.2.9 BUSINESS AND SERVICES (B) DISTRICT

(a) The Purpose of this District is to allow for commercial development in appropriate locations in the County.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Commercial uses	Auctioneering establishments	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses
Eating and Drinking Establishment	Automotive and recreational Vehicle sales/rental establishments Automotive and equipment repair shop, light	
Health Services	Cannabis Accessory Store	
Institutional uses	Dwellings existing as of the date of the approval of this Bylaw	
Office Use (Business and Professional)	Licensed Medical Cannabis Clinic	
Personal Service Shop	Mixed-Use Development	
Private Club	Public Park	
Recreation Services, Indoor	Service stations	
Buildings and uses accessory to permitted uses	Signs	
	Veterinary Clinic (small animal)	
	Wind Energy Conversion System (Micro)	
	Wireless Communications Facility	
	Buildings and uses accessory to discretionary uses	

6.2.9 Business and Services (B) District

(d) DEVELOPMENT REGULATIONS

REGULATION	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	1 ac–5 ac (0.40–2.0 ha)	As required by the Development Authority	<p>Except where the lot is subject to:</p> <ul style="list-style-type: none"> a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. c) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		<p>Structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.</p> <p>For sites abutting a Residential District and not separated from that District by a road or utility lot – 1.5 m (5 ft.)</p>
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		
Maximum Height	In accordance with the provisions of Section 4.2 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under

6.0 Land Use Districts Regulations

6.2.9 Business and Services (B) District

	Communications Towers, minimum 46 m (150 ft.)	Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	The location of any shelterbelts shall be determined by the Development Authority	
Exceptions	Notwithstanding any other provision of this Bylaw to the contrary, dwellings existing as of the date of the approval of this Bylaw may be entirely restored and/or replaced, whether or not they have been damaged by fire or other incident, and whether or not the landowner/developer merely wishes to replace the building.	
Restricted Uses	The Development Authority may restrict, or may be subject to special regulations or conditions of approval, uses that may produce, directly or indirectly, noise, odour, fumes, dust, smoke, unsightly appearance, or other effects that may be detrimental to other land uses adjacent or nearby a Designated Non-Residential District.	
Maximum Mixed-Use Residential Density	10 units per ha (24.7 DUA)	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.2.10 LIMITED COMMERCIAL (C2) DISTRICT

(a) Limited Commercial is intended to serve adjacent and connected Residential District(s). Limited Commercial uses are smaller in scale and area than other commercial uses and provide for frequent shopping and service needs of nearby residents. The District is intended to provide locations for a wide range of small and medium sized businesses and services as a convenience to the neighbouring residential areas. Limited Commercial nodes shall develop as commercial clusters rather than a commercial strip and be limited in size up to 3 acres.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Child Care Facility	Bed And Breakfast Establishment	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses
Commercial uses	Boarding House	
Day Care Facility	Home occupations, major	
Eating and Drinking Establishment	Home occupations, minor	
General Retail Establishment	Household Repair Service	
Government Services	Guest House	
Health Services	Cannabis Accessory Store	
Institutional uses	Licensed Cannabis Retail Establishment	
Mixed-Use Development	Liquor Sales and Storage Establishment	
Office Use (Business and Professional)	Public Park	
Personal Service Shop	Service stations	
Private Club	Veterinary Clinic (Small animal)	

6.2.10 Limited Commercial (C2) District

Recreation Services, Indoor	Wireless Communications Facility	
Buildings and uses accessory to permitted uses	Buildings and uses accessory to discretionary uses	

(d) DEVELOPMENT REGULATIONS

REGULATION	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	up to 3 ac (1.21 ha)	As required by the Development Authority	<p>Except where the lot is subject to:</p> <ul style="list-style-type: none"> (a) a discretionary use, (b) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (c) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (d) the subdivision of any fragmented area shall be governed by the policies in the County's Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Front Yard	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		Except for provincial highways, which are subject to Alberta Transportation regulations.

6.2.10 Limited Commercial (C2) District

Minimum Side Yard	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.
Minimum Rear Yard	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	
Maximum Height	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	The location of any shelterbelts shall be determined by the Development Authority	
Maximum Mixed-Use Residential Density	In accordance with the provisions of the designated or abutting Land Use District.	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.2.11 PARKS AND RECREATION (PR) DISTRICT

(a) The Purpose of this District is to allow for development of a variety of public and non-public recreation uses and parks, and their Subordinate and associated uses.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Campground	Bed And Breakfast Establishment	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses
Campsite	Eating and Drinking Establishment	Existing uses.
Extensive Recreation	Government Services	
Eating and Drinking Establishment	Greenhouse	
Government Services	Health Services	
Horticultural Development	Hotel	
Intensive Recreation	Institutional uses	
Library and Cultural Exhibit	Motel	
Natural Recreation Use	Recreation Facility, Indoor	
Open Space	Recreation Services, Indoor	
Protective and Emergency Services	Restricted Extensive Recreational Use	
Public or Quasi-Public Use	Recreational Vehicle Campground	
Public Park	Recreational Vehicle Campground, Seasonal	
Public-Serving Recreation Area	Shooting Range, Outdoor	
Recreation Camp	Signs	

6.2.11 Parks and Recreation (PR) District

Recreational Use	Buildings and uses accessory to discretionary uses	
Buildings and uses accessory to permitted uses		

(d) DEVELOPMENT REGULATIONS

REGULATION	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	Minimum 371 sq. m (3993 sq. ft.)	As required by the Development Authority	Except where the lot is subject to: <ul style="list-style-type: none"> (a) a discretionary use, (b) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (c) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (d) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		

6.2.11 Parks and Recreation (PR) District

Maximum Height	20 m (65.6 ft.) Communications Towers, minimum 46 m (150 ft.)	Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	The location of any shelterbelts shall be determined by the Development Authority. All lands within the Parks and Recreation District shall be landscaped and fenced to the satisfaction of the Development Authority.	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.2.12 LANDFILL AND COMPOSTING (LC) DISTRICT

(a) The Purpose of this District is to regulate landfill and composting development within the County. The interpretation of definitions of 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.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Compost Facility, Class I	Abattoirs	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, not including Dwelling Units of any kind.
Compost Facility, Class II	Auto Wrecker	Existing uses.
Landfill	Cemetery	
Landfill, Class II	Heavy Truck and Equipment Storage	
Landfill, Class III	Intensive agriculture	
Manure Storage Facility	Indoor Storage	
Natural Resource Extraction and Ground Disturbance Operations	Industrial and Manufacturing Cluster	
Public Utility	Industrial Use, Heavy	
Public Utility Building	Natural Resource Extraction Industry	
Recycling Depot	Outdoor storage	
Recycling Drop-Off	Protective And Emergency Services (<i>Accessory Uses</i>)	
Buildings and uses accessory to permitted uses	Solar Array	
	Salvage Yard	

6.2.12 Landfill and Composting (LC) District

	Sea Can	
	Stockpile Site	
	Storage Site	
	Service Station (<i>above ground fuel storage only</i>)	
	Signs	
	Unserviced Industrial Use	
	Wind Energy Conversion System, Large	
	Wireless Communications Facility	
	Buildings and uses accessory to discretionary uses	

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	Minimum 371 sq. m (3993 sq. ft.)	As required by the Development Authority	<p>Except where the lot is subject to:</p> <p>(a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or</p> <p>(b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.</p> <p>(c) (the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.</p>

6.2.12 Landfill and Composting (LC) District

Maximum site coverage	60%	60%	
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		
Maximum Height	15.25 m (50 ft.) Communications Towers, minimum 46 m (150 ft.)		Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.		
Vegetation	In front yards, all areas not covered with driveways or parking areas shall be landscaped to the satisfaction of the Development Authority. The location of any shelterbelts shall be determined by the Development Authority		
Roads	If a curb and gutter exist, all driveways, parking areas and storage areas shall be paved with asphalt or concrete for a minimum distance of 15 m (50 ft.) from the front line, plus 1.5 m (5 ft.) of concrete apron in from the curb and gutter. Notwithstanding any provisions to the contrary in this Bylaw, the designated setbacks from roadways in Table 1 and the minimum distances show in Figure 1, Section 4.2 , apply to all developments, at the discretion of the Development Authority.		

6.2.12 Landfill and Composting (LC) District

Discretionary Uses and Variances	<p>In consideration of a Development Permit for a discretionary use or for a permitted use where the development does not comply with the regulations of this Bylaw, the Development Authority may, without in any way restricting his or her discretion, impose conditions on any approval requiring that the applicant and/or developer:</p> <ul style="list-style-type: none">(a) implement mitigating actions to reduce negative impact of the development on the environment;(b) enter into a development agreement including those matters referred to in Sub-section 5.7(9);(c) implement recommendations contained in any Environmental Site Assessment to minimize the impact or risk from the proposed development; and(d) provide security satisfactory to the Development Authority to ensure the financial viability of the reclamation and closure plan.
Additional Regulations	<p>In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.</p>

6.3 RESIDENTIAL DISTRICTS

6.3.1 COUNTRY RESIDENTIAL AGRICULTURE (CR-A) DISTRICT

(a) The Purpose of this District is to accommodate Single-Lot and Farmstead separations within the Agricultural (A) District, where more than 4.06 ha (10.1 ac) is required to encompass all amenities related to the farmstead for subordinate agricultural uses in connection with an existing Agricultural Operation.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Agricultural Operations	Existing Dwellings, as of the date of the approval of this Bylaw	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses
	Home occupations, major <i>Animal Breeding and/or Boarding Facility</i> <i>Bed and breakfast establishments (maximum of six rooms)</i> <i>Boarding House (maximum of 8 guests)</i> <i>Day homes</i> <i>Family care facilities</i> <i>Group care facilities</i> <i>Group homes</i> <i>Guest Ranch</i> <i>Horticultural Development</i> <i>Household Repair Service</i> <i>Intensive Recreation</i> <i>Institutional Uses</i>	Existing uses.

6.0 Land Use Districts Regulations

6.3.1 Country Residential Agriculture (CR-A) District

Farming Operations	Home occupations, minor <i>Bed and breakfast establishments (maximum of three rooms)</i> <i>Boarding House (maximum of three guests)</i> <i>Contractor Service, Limited Office Use (Business and Professional)</i>	
Farm Residence	Horticultural Development	1 main unit per unsubdivided quarter section.
Secondary Suites and Secondary Dwelling Units	Intensive Agriculture	1 accessory unit per main unit within an unsubdivided quarter section.
Buildings and uses accessory to permitted uses in excess of 80.00 sq. m (861.00.sq.ft.) but not more than 223.0 sq. m (2,400.35 sq. ft.)	Personal Service Shop	
	Public education facilities	
	Public or quasi-public buildings and uses	
	Recreational buildings and uses <i>Parks and playgrounds</i>	
	Sea cans	
	Signs	
	Wireless Communications Facility (
	Buildings and uses accessory to discretionary uses	

6.3.1 Country Residential Agriculture (CR-A) District

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	Minimum 4.06 ha (10.1 ac); Maximum 10.1 ha (25.0 ac) of developable land (i.e., land which does not include sloughs, draws, gulleys, lands with high water table, or other lands that would not normally be suitable for residential development)	All other uses, as required by the Development Authority	<p>Except where the lot is subject to:</p> <ul style="list-style-type: none"> (a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (c) the subdivision of any fragmented area shall be governed by the policies in the County's Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		<p>At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.</p> <p>For sites abutting a Residential District and not separated from that District by a road or utility lot – 1.5 m (5 ft.)</p>

6.0 Land Use Districts Regulations

6.3.1 Country Residential Agriculture (CR-A) District

Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw.	
Maximum Height	In accordance with the provisions of Section 4.2 of this Bylaw. Communications Towers, minimum 46 m (150 ft.)	Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Setbacks	Stables, barn, and manure storage: 60 m (200 ft) from all property lines.	
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Keeping horses	Provided it is <u>not</u> for profit or as a business: (a) There shall be a minimum parcel size of 2.02 ha (5 ac.) for up to two (2) horses. (b) There shall be one (1) additional acre for each additional horse.	Provided it is for profit or as a business (e.g., Boarding Stable, Ridding Arena): (a) There shall be a minimum parcel size of 4.06 ha (10.1 ac) for up to the first two (2) horses. (b) There shall be one (1) additional acre for each additional horse.
Vegetation	The location of any shelterbelts shall be approved by the Development Authority	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.3.2 Country Residential Multi-Lot (CR-M) District

6.3.2 COUNTRY RESIDENTIAL MULTI-LOT (CR-M) DISTRICT

(a) The Purpose of this District is to allow multi-lot country residential conservation development on large lots on which, at the discretion of the Development Authority, Major Home Occupations may be allowed that would not typically be allowed in the other Residential Districts.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Residential Use (max. 1 main unit per Lot or Parcel) <i>Dwelling, Modular or Ready-To-Move</i> <i>Dwelling, Single-Family or Dwelling, Single-Detached</i>	Existing Dwellings, as of the date of the approval of this Bylaw	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses
Home Park, Manufactured	Home occupations, major <i>Child Care Facility</i> <i>Day Care Facility</i> <i>Day homes</i> <i>Family care facilities</i> <i>Group care facilities</i> <i>Group homes</i> <i>Household Repair Service</i>	Existing uses.
Secondary Suites and Secondary Dwelling Units (1 unit per Lot or Parcel)	Home occupations, minor <i>Bed and breakfast establishments (maximum of three rooms)</i> <i>Boarding House (maximum of three guests)</i> <i>Contractor Service, Limited</i> <i>Office Use</i> <i>(Business and Professional)</i>	

6.0 Land Use Districts Regulations

6.3.2 Country Residential Multi-Lot (CR-M) District

Solar Collector, Roof Mount		
Buildings and uses accessory in excess of 80.00 sq. m (861.00.sq.ft.) but not more than 223.0 sq. m (2,400.35 sq. ft.)	Horticultural Development	
	Intensive Agriculture	
	Recreational buildings and uses <i>Parks and playgrounds</i>	
	Signs	
	Solar Collector, Ground Mount	
	Wind Energy Conversion System, Micro	
	Wind Energy Conversion System, Small	
	Buildings and uses accessory to discretionary uses	

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	Residential Uses: Minimum 0.4 ha (1 ac.); Maximum 2.0 ha (5 ac.) of developable land (i.e., land which does not include sloughs, draws, gulleys, lands with high water table, or other lands that would not normally be suitable for residential development)	All other uses, as required by the Development Authority	Except where the lot is subject to: (a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (c) the subdivision of any fragmented area shall be governed by the policies in the County's Municipal Development Plan respecting the subdivision of fragmented areas.

6.3.2 Country Residential Multi-Lot (CR-M) District

Minimum Front Yard	In accordance with the provisions of Section 4.3 of this Bylaw.	Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.3 of this Bylaw.	At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.
Minimum Rear Yard	In accordance with the provisions of Section 4.3 of this Bylaw.	
Maximum Height	In accordance with the provisions of Section 4.3 of this Bylaw. Communications Towers, maximum 46 m (150 ft.)	Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Maximum Site Coverage	In accordance with the provisions of Section 3.3 of this Bylaw.	
Stables, Barn, and Manure Storage Setbacks	60 m (200 ft) from all property lines.	
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Keeping horses	Provided it is <u>not</u> for profit or as a business: (a) There shall be a minimum parcel size of 2.02 ha (5 ac.) for up to two (2) horses. (b) There shall be one (1) additional acre for each additional horse.	Provided it is for profit or as a business (e.g., Boarding Stable, Riding Arena): (a) There shall be a minimum parcel size of 4.06 ha (10.1 ac) for up to the first two (2) horses. (b) There shall be one (1) additional acre for each additional horse.
Vegetation	The location of any shelterbelts shall be determined by the Development Authority	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.3.3 COUNTRY RESIDENTIAL SINGLE-LOT (CR-S) DISTRICT

(a) The Purpose of this District is to accommodate incremental single-lot country residential development as to encourage the development of rural areas in a coordinated and orderly manner. This District is established in recognition of the existence of substantial areas of the County presently committed to a form of development characterized by rural non-farm uses, which are mostly residential in kind. This District is also intended to protect the use of land adjoining roads passing through rural portions of the county against strip development, in favour of a more sustainable pattern of development both, socially and economically. District regulations are designed to permit only those land uses that are compatible with existing and future rural, non-farm, Residential Uses.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Residential Use (1 main unit per Lot or Parcel) <i>Dwelling, Modular or Ready-To-Move</i> <i>Dwelling, Single-Family or Dwelling, Single-Detached</i>	Existing Dwellings, as of the date of the approval of this Bylaw	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses
Manufactured Home	Home occupations, major <i>Child Care Facility</i> <i>Day Care Facility</i> <i>Day homes</i> <i>Family care facilities</i> <i>Greenhouse</i> <i>Group care facilities</i> <i>Group homes</i> <i>Household Repair Service</i> <i>Institutional Uses (less than 10 patrons)</i>	
Secondary Suites and Secondary Dwelling Units (1 unit per Lot or Parcel)	Home occupations, minor	

6.3.3 Country Residential Single-Lot (CR-S) District

	<i>Bed and breakfast establishments (maximum of three rooms)</i> <i>Boarding House (maximum of three guests)</i> <i>Contractor Service, Limited Office Use</i> <i>(Business and Professional)</i>	
Solar Collector, Roof Mount	Horticultural Development	
Wind Energy Conversion System, Micro	Intensive Agriculture	
Wind Energy Conversion System, Small	Recreational buildings and uses <i>Parks and playgrounds</i>	
Buildings and uses accessory to permitted uses in excess of 80.00 sq. m (861.00.sq.ft.) but not more than 223.0 sq. m (2,400.35 sq. ft.)	Signs (Home Occupation only)	
	Solar Collector, Ground Mount	
	Buildings and uses accessory to discretionary uses	

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	Agricultural & Residential Uses: Minimum 2.0 ha (5 ac.); Maximum 4.06 ha (10.1 ac) of developable land (i.e., land which does not include sloughs, draws, gulleys, lands with high water table, or other lands that would not normally be suitable for residential development)	All other uses, as required by the Development Authority	Except where the lot is subject to: (a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (c) the subdivision of any fragmented area shall be

6.0 Land Use Districts Regulations

6.3.3 Country Residential Single-Lot (CR-S) District

			governed by the policies in the County's Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Floor Areas	Single Detached Dwellings - 84 sq. m (900 sq. ft.)	All other uses, as required by the Development Authority	
Minimum Front Yard	In accordance with the provisions of Section 4.3 of this Bylaw.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.3 of this Bylaw.		At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.
Minimum Rear Yard	In accordance with the provisions of Section 4.3 of this Bylaw.		
Maximum Height	In accordance with the provisions of Section 4.3 of this Bylaw. Communications Towers, maximum 46 m (150 ft.)		Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Stables, Barn, and Manure Storage Setbacks	60 m (200 ft) from all property lines.		
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.		
Keeping horses	Provided it is <u>not</u> for profit or as a business: (a) There shall be a minimum parcel size of 2.02 ha (5 ac.) for up to two (2) horses.		

6.3.3 Country Residential Single-Lot (CR-S) District

	(b) There shall be one (1) additional acre for each additional horse.	
Vegetation	The location of any shelterbelts shall be determined by the Development Authority	
Maximum Mixed-Use Residential Density	10 units per ha (24.7 DUA)	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	



6.3.4 Low Density Residential (R) District

6.3.4 LOW DENSITY RESIDENTIAL (R) DISTRICT

(a) The Purpose of this District is to allow for low-density multi-lot residential conservation development on large lots on which, at the discretion of the Development Authority, compatible Minor Home Occupations may be allowed.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Manufactured Home	Existing Dwellings, as of the date of the approval of this Bylaw	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses
Manufactured Home Community	Home occupations, minor <i>Bed and breakfast establishments (maximum of three rooms)</i> <i>Boarding House (maximum of three guests)</i> <i>Child Care Facility</i> <i>Day Care Facility</i> <i>Day homes</i> <i>Family care facilities</i> <i>Contractor Service, Limited</i> <i>Office Use (Business and Professional)</i>	
Protective and Emergency Services	Horticultural Development	
Public Education Facility	Solar Collector, Roof Mount	
Public or Quasi-Public Building/Use	Wind Energy Conversion System, Micro	
Public Park	Recreational buildings and uses <i>Parks and playgrounds</i>	

6.3.4 Low Density Residential (R) District

Public-Serving Recreation Area	Sign (Home Occupation only)	
Public Utility/Building (Required to serve the immediate area)	Buildings and uses accessory to discretionary uses	
Public Education Facility		
Residential Use (1 main unit per Lot or Parcel) <i>Dwelling, Cohousing</i> <i>Dwelling, Duplex</i> <i>Dwelling, Modular or Ready-To-Move</i> <i>Dwelling, Semi-Detached</i> <i>Dwelling, Single-Family or Dwelling, Single-Detached</i>		
Secondary Suites and Secondary Dwelling Units (1 unit per Lot or Parcel)		
Buildings and uses accessory to permitted uses not more than 80.00 sq. m (861.00.sq.ft.)		

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	550 sq. m (5,920 sq. ft.)	As required by the Development Authority or an approved Area Structure Plan or Site Development Plan.	Except where the lot is subject to: (a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (c) the subdivision of any fragmented area shall be

6.0 Land Use Districts Regulations

6.3.4 Low Density Residential (R) District

			governed by the policies in the County's Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Lot Width	15.25 m (50 ft.)	As required by the Development Authority	
Minimum Floor Areas	<p>1 storey: 97.5 sq. m (1050 sq. ft.)</p> <p>1½ storey: 97.5 sq. m (1050 sq. ft.) for the main floor.</p> <p>2 storeys: 111.5 sq. m (1200 sq. ft.), provided the first storey has an area of at least 74.3 sq. m (800 sq. ft.)</p>	All other uses, as required by the Development Authority	
Minimum Front Yard	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		<p>At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.</p> <p>Lots with Lane Access require a Side Yard clearance of 3 m (9.84 ft). In the case of an attached garage, a rear door with a minimum width of 2.7 m (8.86 ft.) and a height 2.1 m (6.89 ft.) is required.</p>
Minimum Rear Yard	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		
Irregular lots	In accordance with the provisions of Section 4.3 of this Bylaw or an approved		

6.3.4 Low Density Residential (R) District

	Area Structure Plan or Site Development Plan.	
Maximum Site Coverage	In accordance with the provisions of Section 3.3 of this Bylaw.	
Maximum Height	10.5 m (34.5 ft.) or 2 ½ storeys Communications Towers, maximum 46 m (150 ft.)	Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	The location of any shelterbelts shall be determined by the Development Authority	
Fencing	Required along the Yards of Lots or Parcels adjacent to a park or Municipal Reserve Lot.	
Maximum Mixed-Use Residential Density	15 units per acre (37 units per hectare)	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.3.5 Medium Density Residential (R1) District

6.3.5 MEDIUM DENSITY RESIDENTIAL (R1) DISTRICT

(a) The Purpose of this District is to allow for medium-density, multi-lot residential conservation development, which encourages a balanced mix of housing types from single-family to multi-family, with compatible Minor Home Occupations and associated subordinate uses which, at the discretion of the Development Authority, may be allowed.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Manufactured Home	Existing Dwellings, as of the date of the approval of this Bylaw.	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses.
Manufactured Home Community		
Protective and Emergency Services	Home occupations, minor <i>Boarding House (maximum of three guests)</i> <i>Child Care Facility</i> <i>Day Care Facility</i> <i>Day homes</i> <i>Family care facilities</i> <i>Office Use (Business and Professional)</i>	
Public Education Facility	Horticultural Development	
Public or Quasi-Public Building/Use	Solar Collector, Roof Mount	
Public Park	Wind Energy Conversion System, Micro	

6.3.5 Medium Density Residential (R1) District

Public-Serving Recreation Area	Recreational buildings and uses <i>Parks and playgrounds</i>	
Public Utility/Building <i>(Required to serve the immediate area)</i>	Signs (Home Occupation only)	
Public Education Facility	Buildings and uses accessory to discretionary uses	
Residential Use (1 main unit per Lot or Parcel) <i>Dwelling, Cohousing</i> <i>Dwelling, Duplex</i> <i>Dwelling, Fourplex</i> <i>Dwelling, Modular or Ready-To-Move</i> <i>Dwelling, Single-Family or Dwelling, Single-Detached</i> <i>Dwelling, Row Housing</i>		
Secondary Suites and Secondary Dwelling Units (1 unit per Lot or Parcel)		
Buildings and uses accessory to permitted uses not more than 80.00 sq. m (861.00.sq.ft.)		

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	372 sq. m (4,005 sq. ft.)	All other uses, as required by the Development Authority.	Except where the lot is subject to: (a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (b) a natural barrier that physically fragments the quarter section -

6.0 Land Use Districts Regulations

6.3.5 Medium Density Residential (R1) District

			<p>usually this barrier cannot be crossed with farm machinery.</p> <p>(c) the subdivision of any fragmented area shall be governed by the policies in the County's Municipal Development Plan respecting the subdivision of fragmented areas.</p>
Minimum Lot Width	15.25 m (50 ft.)	As required by the Development Authority or an approved Area Structure Plan or Site Development Plan.	
Minimum Floor Areas	<p>1 storey: 84 sq. m (904 sq. ft.)</p> <p>1½ storey: 93 sq. m (1001 sq. ft.) for the main floor.</p> <p>2 storeys: 111.5 sq. m (1200 sq. ft.), provided the first storey has an area of at least 74 sq. m (796 sq. ft.)</p>	All other uses, as required by the Development Authority.	
Minimum Front Yard	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.

6.3.5 Medium Density Residential (R1) District

		Lots with Lane Access require a Side Yard clearance of 3 m (9.84 ft). In the case of an attached garage, a rear door with a minimum width of 2.7 m (8.86 ft.) and a height 2.1 m (6.89 ft.) is required.
Minimum Rear Yard	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	
Irregular lots	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.	
Maximum Site Coverage	In accordance with the provisions of Section 3.3 of this Bylaw.	
Maximum Height	10.5 m (34.5 ft.) or 2 ½ storeys Communications Towers, maximum 46 m (150 ft.)	Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	The location of any shelterbelts shall be approved by the Development Authority	
Fencing	Required along the Yard Lines of Lots or Parcels adjacent to a park or Municipal Reserve Lot.	
Maximum Mixed-Use Residential Density	15 units per acre (37 units per hectare)	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.3.6 High Density Residential (R2) District

6.3.6 HIGH DENSITY RESIDENTIAL (R2) DISTRICT

(a) The Purpose of this District is to allow for high-density, multi-lot residential conservation development, which encourages a balanced mix of housing types from single-family to multi-family, with compatible Minor Home Occupations and associated subordinate uses which, at the discretion of the Development Authority, may be allowed.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Day Homes	Existing Dwellings, as of the date of the approval of this Bylaw.	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses.
Family Care Facility	Home occupations, minor <i>Bed and breakfast establishments (maximum of three rooms)</i> <i>Boarding House (maximum of three guests)</i> <i>Child Care Facility</i> <i>Day Care Facility</i> <i>Day homes</i> <i>Family care facilities</i> <i>Office Use (Business and Professional)</i>	
Manufactured Home	Group Care Facility	
Manufactured Home Community	Group Care Facility	
Protective and Emergency Services	Guest House	
Public Education Facility	Home, Group	

6.3.6 High Density Residential (R2) District

Public or Quasi-Public Building/Use	Horticultural Development	
Public Park	Recreational buildings and uses <i>Parks and playgrounds</i>	
Public-Serving Recreation Area	Secondary Suites and Secondary Dwelling Units (1 unit per Lot or Parcel)	
Public Utility/Building (Required to serve the immediate area)	Buildings and uses accessory to discretionary uses	
Public Education Facility		
Residential Use (1 main unit per Lot or Parcel) <i>Dwelling, Apartment</i> <i>Dwelling, Cohousing</i> <i>Dwelling, Duplex</i> <i>Dwelling, Fourplex</i> <i>Dwelling, Modular or Ready-To-Move</i> <i>Dwelling, Multi-Family</i> <i>Dwelling, Single-Family or Dwelling, Single-Detached</i> <i>Dwelling, Row Housing</i>		
Buildings and uses accessory to permitted uses		

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	372 sq. m (4,005 sq. ft.)	All other uses, as required by the Development Authority.	Except where the lot is subject to: (a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (b) a natural barrier that physically fragments the

6.0 Land Use Districts Regulations

6.3.6 High Density Residential (R2) District

			<p>quarter section - usually this barrier cannot be crossed with farm machinery.</p> <p>(c) the subdivision of any fragmented area shall be governed by the policies in the County's Municipal Development Plan respecting the subdivision of fragmented areas.</p>
Minimum Floor Areas	83.6 sq. m (900 sq. ft.) per unit	All other uses, as required by the Development Authority or an approved Area Structure Plan or Site Development Plan.	
Minimum Front Yard	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		<p>At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.</p> <p>Lots with Lane Access require a Side Yard clearance of 3 m (9.84 ft). In the case of an attached garage, a rear door with a minimum width of 2.7 m (8.86 ft.) and a height 2.1 m (6.89 ft.) is required.</p>
Minimum Rear Yard	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		
Irregular lots	In accordance with the provisions of Section 4.3 of this Bylaw or an approved Area Structure Plan or Site Development Plan.		

6.3.6 High Density Residential (R2) District

Maximum Site Coverage	In accordance with the provisions of Section 3.3 of this Bylaw.	
Maximum Height	11 m (36 ft.) or 3 storeys Communications Towers, maximum 46 m (150 ft.)	Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Row Housing	Minimum Lot	At the discretion of the Development Authority, who shall have regard for the amenities of the neighbourhood in which the site is located, and all other applicable regulations.
	Maximum density	15 units per acre (37 units per hectare)
	Additional Requirements	Each dwelling unit shall have an outdoor living area immediately adjacent to it and accessible to it via an entranceway. The minimum depth of this area shall be 7.6 m (25 ft.). Within this area, there shall be a privacy zone measuring a minimum of 4.5 m (14.75 ft.) in depth, contained by a fence with a minimum height of 1.5 m (5 ft.).
Apartments	Minimum Lot Area	800 m ² (8611 sq. ft.)
	Landscaping	Each development shall provide, outside of required side yards, landscaped area on the basis of the following formula: (a) for each bachelor dwelling unit – 18.5 m ² (200 sq. ft.)

6.0 Land Use Districts Regulations

6.3.6 High Density Residential (R2) District

		<p>(b) For each one bedroom dwelling unit – 28.0 m² (300 sq. ft.)</p> <p>(c) For each two bedroom dwelling unit – 70 m² (750 sq. ft.)</p> <p>(d) For each dwelling unit with three or more bedrooms – 93.0 m² (1000 sq. ft.)</p> <p>(e) Relating to Other uses – at the discretion of the Development Authority</p>
Vegetation	The location of any shelterbelts shall be approved by the Development Authority	
Fencing	Required along the Yard Lines of Lots or Parcels adjacent to a park or Municipal Reserve Lot.	
Maximum Mixed-Use Residential Density	20 units per acre (49 units per hectare)	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

6.3.7 Manufactured Home Community (R3) District

6.3.7 MANUFACTURED HOME COMMUNITY (R3) DISTRICT

(a) The Purpose of this District is to provide the opportunity for the development of serviced and unserviced manufactured home communities and associated subordinate uses which, at the discretion of the Development Authority, may be allowed.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River so designated on the Land Use District Map.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Common Property	Backyard Cottage (<i>mobile</i>)	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses.
Manufactured Home	Commercial Use (<i>within the C2 District</i>)	
Manufactured Home Community	Existing Dwellings, as of the date of the approval of this Bylaw	
Protective and Emergency Services	Home occupations, minor <i>Boarding House (maximum of three guests)</i> <i>Child Care Facility</i> <i>Day Care Facility</i> <i>Day homes</i> <i>Family care facilities</i> <i>Office Use</i> <i>(Business and Professional)</i>	
Public Education Facility	Horticultural Development	
Public or Quasi-Public Building/Use	Secondary Suites and Secondary Dwelling Units (1 unit per Lot or Parcel)	
Public Park	Solar Collector, Roof Mount	
Public-Serving Recreation Area	Wind Energy Conversion System, Micro	

6.0 Land Use Districts Regulations

6.3.7 Manufactured Home Community (R3) District

Public Utility/Building (Required to serve the immediate area)	Signs (Home Occupation only)	
Public Education Facility	Buildings and uses accessory to discretionary uses	
Residential Use (1 main unit per Lot or Parcel) <i>Dwelling, Cohousing</i> <i>Dwelling, Modular or Ready-To-Move</i> <i>Dwelling, Semi-Detached</i> <i>Home, Manufactured</i> <i>Home, Mobile</i> <i>Home, Tiny</i>		
Recreational buildings and uses <i>Parks and playgrounds</i>		
Buildings and uses accessory to permitted uses not more than 80.00 sq. m (861.00.sq.ft.)		

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED	DISCRETIONARY	ADDITIONAL PROVISIONS
Minimum Lot Area	Communal water supply and sewage disposal facilities: 1.2 ha (3 ac.)	All other uses, as required by the Development Authority.	Except where the lot is subject to: (a) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.

6.3.7 Manufactured Home Community (R3) District

			(c) the subdivision of any fragmented area shall be governed by the policies in the County's Municipal Development Plan respecting the subdivision of fragmented areas, subject to an approved Site Development Plan.
Minimum Front Yard	In accordance with the provisions of Section 4.3 of this Bylaw, subject to an approved Site Development Plan.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.3 of this Bylaw, subject to an approved Site Development Plan.		At the discretion of the Development Authority, structures constructed adjacent to existing similar uses may be built without side yards where there is lane access.
Minimum Rear Yard	In accordance with the provisions of Section 4.3 of this Bylaw, subject to an approved Site Development Plan.		Subject to an approved Site Development Plan.
Irregular lots	In accordance with the provisions of Section 4.3 of this Bylaw, subject to an approved Site Development Plan.		Subject to an approved Site Development Plan.
Maximum Site Coverage	In accordance with the provisions of Section 3.3 of this Bylaw.		Subject to an approved Site Development Plan.
Parking	In accordance with Section 4.8 of this Bylaw.		Subject to an approved Site Development Plan.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.		Subject to an approved Site Development Plan.
Lots	Minimum Lot Area	Communal water supply and sewage disposal facilities, including 2-day storage: 160 m ² (1,722 sq. ft.)	All other uses, as required by the Development Authority, subject to an approved Site Development Plan.

6.0 Land Use Districts Regulations

6.3.7 Manufactured Home Community (R3) District

	Minimum Lot Width	<u>Single Wide</u> 10.5 m (34 ft.) <u>Double Wide</u> 15 m (48 ft.)	Subject to an approved Site Development Plan.
	Minimum Lot Depth	<u>Individual</u> water supply and sewage disposal facilities: 34 m (110 ft.) <u>Communal</u> water supply and sewage disposal facilities: 30 m (100 ft.)	Subject to an approved Site Development Plan.
	Minimum Amenity Area	10 m ² (108 sq. ft.)	Subject to an approved Site Development Plan.
	Minimum Yards	3 m (10 ft.)	Subject to an approved Site Development Plan.
	Minimum Buffer	4 m (13 ft.)	Subject to an approved Site Development Plan.
Maximum Height	5 m (16 ft.) or 1 ½ storeys Communications Towers, maximum 46 m (150 ft.)		Except for where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.		
Vegetation	The location of any shelterbelts shall be approved by the Development Authority.		
Fencing	Required along the Yard Lines of Lots or Parcels adjacent to a park or Municipal Reserve Lot.		
Maximum Mixed-Use Residential Density	15 units per acre (37 units per hectare)		
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.		

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PART 7.0 OVERLAY DISTRICTS REGULATIONS



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7.1 ESTABLISHMENT OF OVERLAY DISTRICTS

- (1) Overlay Districts identify special provisions that are applied to property within the overlay District boundary in addition to those in the underlying base District to protect a specific resource or guide development within certain areas without disturbing the requirements of the underlying use district. In the instance of conflicting requirements, the stricter of the conflicting requirements applies. Overlay Districts may incorporate within its boundary more than one underlying land use district.
- (2) For the purposes of this Bylaw, the County of Vermilion River, in addition to the base land use districts on **Part 6**, incorporates the following Overlay Districts:
 - (a) Agriculture Soil Conservation Area (ASC) Overlay
 - (b) Airport Vicinity Area (AVA) Overlay
 - (c) Direct Control Crossroads (DC-CR) Overlay
 - (d) Direct Control North Gateway (DC-NG) Overlay
 - (e) Direct Control Urban Development (DC-UD) Overlay
 - (f) Environmentally Sensitive Area (ESA) Overlay
 - (g) Highway Profile Area (HPA) Overlay
 - (h) Highway Profile Special Purpose (HPS) Overlay
 - (i) Planned Development Area (PDA) Overlay
 - (j) Roadway Profile Area (RPA) Overlay
 - (k) Urban Growth Area (UGA) Overlay

7.2 OVERLAY DISTRICTS REGULATIONS

7.2.1 AGRICULTURE SOIL CONSERVATION AREA (ASC) OVERLAY

- (a) The purpose of the Agriculture Soil Conservation Area (ASC) Overlay is to provide for areas intentionally left free from development, for the preservation of Higher Capability Agricultural Lands and natural resources including forest lands, range lands, aquifer recharge areas, and areas of unique biological, physical, topographical or botanical character. In keeping with these conservation principles, this District permits the subdivision and creation of one additional Lot from an unsubdivided quarter section.
- (b) The provisions of this Section allow landowners with properties containing these important lands, who wish to develop their land a reasonable return on their holdings, to so in such a way that retains a portion of important agriculture soils for use by future generations.
- (c) The Agriculture Soil Conservation Area (ASC) Overlay is not intended to replace conservation easements. If there is a conflict, the more restrictive provision(s) shall apply. Uses not listed as a permitted use or conditional uses in this section are not allowed on lands to which this section applies.
- (d) APPLICABILITY
 - (i) This District applies to all the land in the County of Vermilion River designated as Agriculture Soil Conservation Area Overlay on the Land Use District Map.
 - (ii) the regulations of this Section apply in addition to the other regulations of this Bylaw within the Agriculture Soil Conservation Area (ASC) Overlay identified on Map 2 – Future Land Use, of the Municipal Development Plan.
 - (iii) The Agriculture Soil Conservation Area (ASC) Overlay, if not showing on the land use map per se, shall nonetheless include areas of the County designated as:
 - 1. areas with Higher Capability Agricultural Lands and;
 - 2. conservation areas identified as sensitive or significant by a federal or provincial agency or in a regional plan; and
 - 3. other environmentally sensitive areas may be described by metes and bounds and included in this district.

7.2.1 Agriculture Soil Conservation Area (ASC) Overlay

(e) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Agricultural Operation	Agricultural support services	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, including uses listed within the underlying district.
Agricultural Production	Agri-tourism	
Extensive agriculture	Farmsteads	
Farming	Flood control, watershed, or erosion control structures	
Horticultural Development	Guest ranches	
Buildings and uses accessory to permitted uses	Intensive agriculture	
	Natural Resource Extraction and Ground Disturbance Operations	
	Public or quasi-public buildings and uses	
	Public utilities and public utility buildings	
	Recreational uses	
	Recreational Vehicle campgrounds	
	Signs	
	Wind Energy Conversion System, Large	
	Wind Energy Conversion System, Small	
	Wireless Communications Facility	

7.2.1 Agriculture Soil Conservation Area (ASC) Overlay

	Buildings and uses accessory to discretionary uses	
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(f) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED USES	DISCRETIONARY USES	ADDITIONAL PROVISIONS
Minimum Lot Area	One quarter-section	As required by the Development Authority	Except where the lot is subject to: <ul style="list-style-type: none"> (a) a discretionary use, (b) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (c) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (d) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Front Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.		Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.		
Maximum Height	10.5 m (34.5 ft.) Communications Towers, minimum 46 m (150 ft.)		Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance

7.2.1 Agriculture Soil Conservation Area (ASC) Overlay

		under Section 2.13 has been granted.
Maximum Site Coverage	Lots must be laid out in such a way as to retain a minimum of 50% of the Higher Capability Agricultural Lands on the parcel. These lands shall be designated as " <i>Agricultural Soil Conservation Tract(s)</i> " on site plan or subdivision plan drawings.	A site plan shall be provided illustrating the location of the dwelling on the site, location of the septic tank and drain field, location of the well and access from a public road. Reasonable revisions to the site plan may be required as a condition of subdivision and development approval.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	<p>(a) The maximum number of lots per quarter section shall be 2.</p> <p>(b) A single residential lot may be subdivided from an unsubdivided quarter section provided that:</p> <ul style="list-style-type: none"> (i) an existing dwelling is located on that quarter section, either within the new Lot to be created or on the remainder of the quarter section; (ii) the existing dwelling has a floor area of at least 92.0 m² (990.3 ft²) and is connected to an approved sewage system; (iii) the new lot created provides an appropriate building site where the minimum required setbacks can be achieved; and (iv) the new lot to be created shall be a minimum of 1.2 ha (3.0 ac) and a maximum of 4.2 ha (10.4 ac) in area,

7.2.1 Agriculture Soil Conservation Area (ASC) Overlay

		<p>which shall be determined by the location of the existing Dwelling and Accessory Buildings and uses, topographic features or environmental considerations.</p> <p>(c) Notwithstanding (iv) above, where an unsubdivided quarter section is severed or separated by a public road, railway, river or lake from the balance of the titled land, a larger lot than the maximum 4.2 ha (10.4 ac) may be considered for subdivision, in accordance with the provisions of the Municipal Development Plan.</p>
Density Bonus	In accordance with the provisions of Section 4.16 of this Bylaw and the County's Municipal Development Plan .	
Lot Design and Layout	<p>(a) To the fullest extent practicable, development or subdivision lots shall be laid out in a manner that maintains contiguous areas of Higher Capability Agricultural Lands and/or existing open land.</p> <p>(b) To the fullest extent practicable, all lots and roads shall be located away from the soil types which are most suitable for agriculture (based on the Canada Land Inventory Soil Capability for Agriculture, Identifier 73e). This provision does not apply to the location of on-site septic disposal facilities, which must be placed on soil meeting provincial and County Standards.</p> <p>(c) All wells for potable water within the development shall be located a minimum of 30 m (100 ft.) from the</p>	

7.2.1 Agriculture Soil Conservation Area (ASC) Overlay

	<p>property line of an existing farm or any parcel or portion thereof that is designated as part of the Agricultural Soil Conservation Tract.</p> <p>(d) Any structure within the development which will be used for human occupation or habitation shall be set back a minimum of 30 m (100 ft.) from the property line of any parcel or portion thereof which is designated or used for agricultural purposes; and no non-farm structure shall be constructed within 9m (30 ft.) of an agricultural use.</p>	
Agricultural Soil Conservation Maintenance	<p>(a) Developers or Landowners may retain or sell that part of their property which is to remain open space or farmland and is designated Agricultural Soil Conservation Tract. Options include:</p> <p>(i) Retain ownership of the portion of the property designated Agricultural Soil Conservation Tract with deed covenants attached prohibiting future non-farm development.</p> <p>(ii) Sell or gift in fee the Agricultural Soil Conservation Tract to the County or a land trust with deed covenants attached prohibiting future non-farm development.</p> <p>(iii) Retain ownership of the portion of the property designated Agricultural Soil Conservation Tract and sell or gift a conservation easement to the County or land trust that prohibits future nonfarm development.</p> <p>(iv) In the case of subdivision, convey the development rights of the Agricultural Soil Conservation Tract to a property owners association with deed covenants prohibiting future non-farm development.</p> <p>(v) In the case of subdivision, convey the ownership of the Agricultural Soil Conservation Tract piecemeal to individual property owners with deed covenants prohibiting future non-farm development.</p> <p>(b) A statement that the property is subject to the Agriculture Soil Conservation Area (ASC) Overlay shall be recorded on the face of the title page of a subdivision plan drawing.</p> <p>(c) Applicants for development or subdivision shall provide the relevant Authority with copies of covenants or conservation easements pertaining to the Agricultural Soil Conservation Tract. Deed covenant or easement language must describe land management practices to be</p>	

7.0 Overlay Districts Regulations

7.2.1 Agriculture Soil Conservation Area (ASC) Overlay

	followed by the property owner, or community association of property owners, or holder of the easement, as appropriate. Language must be included that ensures that the existing fields or pastures will be plowed or mowed at least once every year.
Special Uses	Wind energy conversion systems shall be governed by the regulations contained in Section 5.3 of this Bylaw.
Exceptions	At the discretion of the Development Authority, the height provisions of these regulations may be waived for church steeples, belfries, towers, cupolas, and similar architectural features; flagstaffs, chimneys, elevator mechanisms and housings, water tanks, stand pipes, and similar utility structures; and radio and television towers and antennas, and similar telecommunication structures.
Sensitive Uses	<p>Notwithstanding any other provision of this Bylaw to the contrary, no dwelling, nor any institutional, public or health service use, nor any other use which includes human habitation, either on a temporary or a permanent basis, shall be allowed within 800 m (2625 ft.) of any Landfill and Composting (LC) District.</p> <p>The Development Authority shall require that any proposal for development within the Agriculture Soil Conservation Area Overlay area be accompanied by a flood susceptibility analysis by registered professional engineers that assess the suitability of the subject site and the proposed development from the points of view of flood susceptibility. Further, if a development is approved after such an analysis is provided, the Development Authority shall require that any recommendations of the analysis be implemented by the landowner/developer and registered against the title of the subject lands so as to warn future landowners of the engineering requirements for development.</p>

7.2.2 AIRPORT VICINITY AREA (AVA) OVERLAY

- (a) The Purpose of this District is to provide for the development of land or buildings in areas adjacent to an airport within the County to encourage compatible land use development through the efficient use of land, public facilities, and services in the vicinity area without compromising the operating utility of an airport or its infrastructure.

This District is located within those areas identified as Urban Expansion in Intermunicipal Development Plans (IDPs). An Area Structure Plan (ASP) Bylaw may be approved to replace this District and regulate development within specific areas.

(b) DISTRICT BOUNDARIES

- (i) This District applies to all the land in the County of Vermilion River wholly or partly within the boundary of an Airport Protection Area as designated on the Land Use District Map.

- (ii) The regulations of this Section apply in addition to the other regulations of this Bylaw within the Airport Vicinity Area Overlay identified on Map 2 – Future Land Use, of the Municipal Development Plan.

- (iii) This Section applies to a proposed development in the part of the municipality within the Airport Protection Area notwithstanding:

1. that a Development Permit could otherwise be issued in accordance with this Bylaw, or
2. that the development is exempted under this Bylaw from requiring a Development Permit.

- (iv) The Airport Vicinity Area (AVA) Overlay, if not showing on the land use map per se, shall nonetheless include areas of the County designated as:

1. The area location of the approach surfaces and transitional surfaces are represented on Vermilion Airport Vicinity Protection Area, map # in Section 9.# of this Bylaw;
2. The area location of the approach surfaces and transitional surfaces are represented on Lloydminster Airport Vicinity Protection Area, map # in Section 9.# of this Bylaw; and

- (v) other sensitive areas may be described by metes and bounds and included in this district.

- (c) The location of the approach surfaces and transitional surfaces within the Airport Protection Areas are represented on the Vermilion Airport Vicinity Protection Area, map #

7.2.2 Airport Vicinity Area (AVA) Overlay

in **Section 9.# of this Bylaw** and Lloydminster Airport Vicinity Protection Area, map # in **Section 9.# of this Bylaw**. If there is a conflict between the description of the approach surfaces and transitional surfaces in this Section and their location on the maps, the more restrictive provision(s) shall apply. Uses not listed as a permitted use or conditional uses in this section are not allowed on lands to which this section applies.

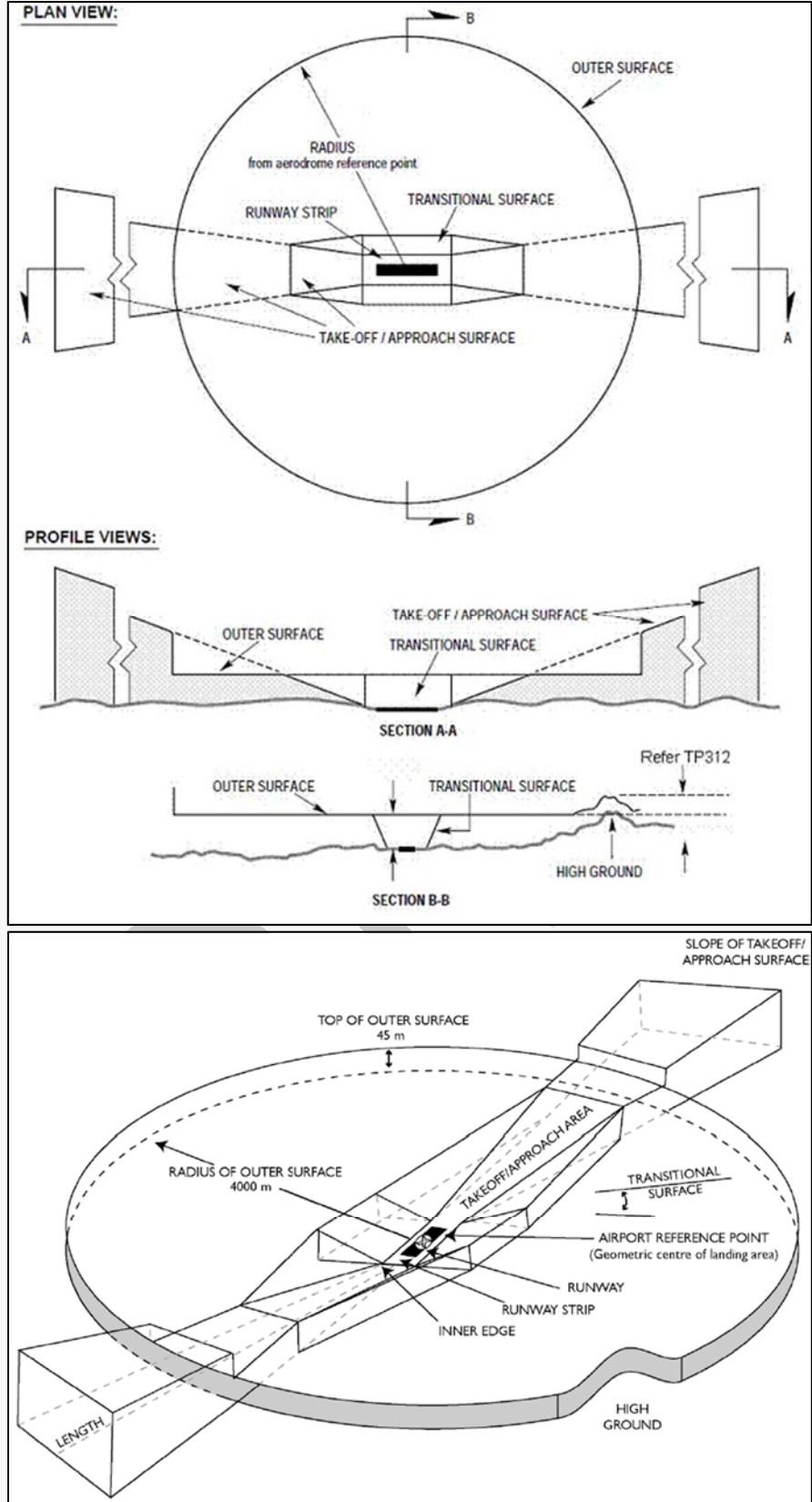
(d) DEFINITIONS IN THIS SECTION

(i) The following Obstacle Limitation Surfaces are specific to this Section:

1. **"AIRPORT (AERODROME) REFERENCE POINT"** means the centre point of an airport, located at the geometric centre of all the usable runways. The ARP is computed as a weighted average of the end of runway coordinates as shown in Figure #.
2. **"APPROACH SURFACE"** means:
 - f. For a Precision Instrument Runway, a surface longitudinally centered on the extended runway centerline, beginning at the end of the Primary Surface and extending outward and upward as shown in **Figure 11. Obstacle Limitation Surfaces**.
 - g. For a Non-Precision Instrument Runway, a surface longitudinally centered on the extended centerline of the runway, beginning at the end of the Primary Surface. Primary Surface width at end adjacent to runway end and flaring to 4,000 feet at a distance of 10,000 ft from the end of the Primary Surface as shown in **Figure 11**.
3. **"BASIC STRIP (RUNWAY STRIP)"** means: A defined area including the runway, and stopway if provided, intended to reduce the risk of damage to aircraft running off a runway and to protect aircraft flying over it during takeoff or landing operations as shown in **Figure 11**.
4. **"OUTER SURFACE"** means an imaginary surface located above and in the immediate vicinity of the airport as shown in **Figure 11**.
5. **"PROTECTION AREA"** means the Vermilion Airport Vicinity Protection Area, described in **map # in Section 9.#** and the Lloydminster Airport Vicinity Protection Area, described in **map # in Section 9.# of this Bylaw**.
6. **"TRANSITIONAL SURFACE"** means a complex surface along the sides of the runway strip and part of the sides of the approach surface that slopes up to the outer surface. Its purpose is to ensure the safety of aircraft at low altitudes displaced from the runway centre line in the approach or missed approach phase as shown in **Figure 11**.

7.2.2 Airport Vicinity Area (AVA) Overlay

Figure 11. Obstacle Limitation Surfaces.



7.2.2 Airport Vicinity Area (AVA) Overlay

(e) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
<p>At the discretion of the Development Authority, uses listed as permitted under the following Districts:</p> <p><i>Business and Services (B)</i></p> <p><i>General Commercial (GC)</i></p> <p><i>Commercial (C1)</i></p> <p><i>Light Industrial and Manufacturing (M1)</i></p> <p><i>Country Residential Agriculture (CR-A)</i></p> <p><i>Country Residential Multi-Lot (CR-M)</i></p> <p><i>Country Residential Single-Lot (CR-S)</i></p> <p><i>Manufactured Home Community (R3)</i></p>	<p>At the discretion of the Development Authority, uses listed as discretionary under the following Districts:</p> <p><i>Business and Services (B)</i></p> <p><i>General Commercial (GC)</i></p> <p><i>Commercial (C1)</i></p> <p><i>Light Industrial and Manufacturing (M1)</i></p> <p><i>Country Residential Agriculture (CR-A)</i></p> <p><i>Country Residential Multi-Lot (CR-M)</i></p> <p><i>Country Residential Single-Lot (CR-S)</i></p> <p><i>Medium Density Residential (R1)</i></p> <p><i>High Density Residential (R2)</i></p> <p><i>Manufactured Home Community (R3)</i></p>	<p>Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, including uses listed within the underlying and abutting district.</p>
Buildings and uses accessory to permitted uses	Buildings and uses accessory to discretionary uses	

(f) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED USES	DISCRETIONARY USES	ADDITIONAL PROVISIONS
Minimum Lot Area	In accordance with the provisions of the underlying and abutting District.	As required by the Development Authority.	<p>Except where the lot is subject to:</p> <p>(a) a discretionary use,</p> <p>(b) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or</p> <p>(c) a natural barrier that physically fragments the quarter section - usually this</p>

7.0 Overlay Districts Regulations

7.2.2 Airport Vicinity Area (AVA) Overlay

		barrier cannot be crossed with farm machinery. (d) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.
Maximum Site Coverage	No more than 85% of Buildable Area shall be covered by buildings, surface pavement or other impermeable surfaces.	Except on lots less than one acre, no more than ninety percent 90% coverage of Buildable Area.
Minimum Front Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	
Maximum Height	<p>A Development Permit shall not be issued for a development within the Airport Protection Area, if the highest point of the development will exceed in elevation at the location of that point any of the following surfaces that project immediately above the surface of the land at that location:</p> <ul style="list-style-type: none"> (a) the take-off/approach surfaces of the runway of the airport; (b) the transitional surfaces of the runway of the airport; (c) the outer surface. 	<p>(a) For the purposes of regulating height:</p> <ul style="list-style-type: none"> (i) if the proposed development is a railway, the highest point of the development shall be deemed to be 6 m (19.7 ft.) higher than the actual height of the rails, and (ii) if the development is a road, the highest point of the development shall be deemed to be 4.5 m (14.8 ft.) higher than the actual height of the part of the highest part of the travelled portion of the road.

7.0 Overlay Districts Regulations

7.2.2 Airport Vicinity Area (AVA) Overlay

Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Density Bonus	In accordance with the provisions of Section 4.16 of this Bylaw and the County's Municipal Development Plan.	
Accessory Buildings	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	
Parking & Loading Areas	In accordance with the provisions of Section 4.8 of this Bylaw.	All loading areas must be fully screened from adjacent streets or sides by opaque screening consisting of fencing, structures or landscaping.
Signage	In accordance with the provisions of Section 4.20 of this Bylaw.	
Vermilion Airport		
	Airport Vicinity Protection Area	<p>Comprising the land in the County of Vermilion River described below:</p> <p>(a) In Township 50, Range 6, West of the 4th Meridian:</p> <p>(i) North half of Section 27;</p> <p>(ii) North half of the Southeast Quarter of Section 27;</p> <p>(iii) South half of Section 34.</p> <p>(b) In Township 51, Range 6, West of the 4th Meridian:</p> <p>(i) Southwest Quarter of Section 4;</p> <p>(ii) South half of Section 5.</p>
	Height Limitations	
	<i>Basic Strip</i>	The basic strip associated with the airport runway is an area 304 m (997.4 ft.) in width and 1341 m 4399.6 ft.) in length, located as shown on Vermilion Airport

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7.2.2 Airport Vicinity Area (AVA) Overlay

		Vicinity Protection Area, map # in Section 9.# of this Bylaw.
	<i>Approach Surfaces</i>	<p>There is an approach surface associated with each end of the basic strip, and in each case the surface is an imaginary surface consisting of an inclined plane that:</p> <ul style="list-style-type: none">(a) commences and abuts the end of the basic strip,(b) rises at an angle of 1.15 degrees (1:50) measured from an imaginary horizontal surface at the elevation of the end of the basic strip,(c) diverges outward on each side as it rises, at an angle of 8.53 degrees measured from the respective projected lateral limits of the basic strip, and(d) ends at its intersection with the outer surface.
	<i>Transitional Surfaces</i>	<p>There is a transitional surface associated with each lateral limit of the basic strip, and in each case the transitional surface is an imaginary surface consisting of an inclined plane that:</p> <ul style="list-style-type: none">(a) commences at and abuts the lateral limit of the basic strip,(b) rises at an angle of 8.14 degrees (1:7) measured from the lateral limit of the basic(c) strip, and

7.0 Overlay Districts Regulations

7.2.2 Airport Vicinity Area (AVA) Overlay

		(d) ends at its intersection with the outer surface or an approach surface.
	<i>Outer Surface</i>	The outer surface of the Protection Area is an imaginary surface consisting of a common plane established at a constant elevation of 45 m (147.6 ft.) above the elevation of the airport reference point.
Lloydminster Airport		
	Airport Vicinity Protection Area	<p>Comprising the land in the County of Vermilion River described below:</p> <p>(a) In Township 50, Range 1, West of the 4th Meridian::</p> <p>(i) Northeast Quarter of Section 8;</p> <p>(ii) East half of Northwest Quarter of Section 8;</p> <p>(iii) North half of Section 9;</p> <p>(iv) North half of Section 10;</p> <p>(v) Southwest Quarter of Section 13;</p> <p>(vi) South half of Section 14;</p> <p>(vii) Northwest Quarter of Section 14;</p> <p>(viii) Section 15;</p> <p>(ix) Section 16; and</p> <p>(x) South half of Section 17.</p>
	Height Limitations	
	<i>Basic Strip</i>	The basic strip associated with the airport runway is an area 150 m (492.1 ft.) in width and 1,820 m (5,971.1 ft.) in length, located as shown on Lloydminster Airport Vicinity

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7.2.2 Airport Vicinity Area (AVA) Overlay

		Protection Area, map # in Section 9.# of this Bylaw.
	<i>Take-off/Approach Surfaces</i>	<p>There is a take-off/approach surface associated with each end of the basic strip, and in each case the surface is an imaginary surface consisting of an inclined plane that:</p> <ul style="list-style-type: none"> (a) commences and abuts the end of the basic strip, (b) rises at an angle of 1.15 degrees (1:50) measured from an imaginary horizontal surface at the elevation of the end of the basic strip, (c) diverges outward on each side as it rises, at an angle of 8.53 degrees (3:20) measured from the respective projected lateral limits of the basic strip, and (d) ends at its intersection with the outer surface.
	<i>Transitional Surfaces</i>	<p>There is a transitional surface associated with each lateral limit of the basic strip, and in each case the transitional surface is an imaginary surface consisting of an inclined plane that:</p> <ul style="list-style-type: none"> (a) commences at and abuts the lateral limit of the basic strip, (b) rises at an angle of 8.14 degrees (1:7) measured from the lateral limit of the basic strip, and (c) ends at its intersection with the outer surface or a take-off/approach surface.
	<i>Outer Surface</i>	The outer surface of the Airport Protection Area is an imaginary surface consisting of a common plane established at a constant

7.0 Overlay Districts Regulations

7.2.2 Airport Vicinity Area (AVA) Overlay

		elevation of 45 m (147.6 ft.) above the elevation of the airport reference point and extending to the outer limits of the Airport Protection Area. .
Approvals	Approval of development within the District may be required by Provincial Regulation and, if that is the case, issuance of such permit will be a requirement for any Development Permit issued in this District.	
Application Referral	Development Permit applications for significant discretionary uses shall be circulated to adjacent municipalities and / or federal and provincial agencies for comment prior to any consideration for approval. The comments from adjacent municipalities will be carefully considered by the Development Authority; however, the Development Authority will not be bound by the municipality's comments or recommendations.	
Special Uses	Wind energy conversion systems shall be governed by the regulations contained in Section 5.3 of this Bylaw.	
Exceptions	<p>At the discretion of the Development Authority, the height provisions of these regulations may be waived for church steeples, belfries, towers, cupolas, and similar architectural features; flagstaffs, chimneys, elevator mechanisms and housings, water tanks, stand pipes, and similar utility structures; and radio and television towers and antennas, and similar telecommunication structures.</p> <p>Notwithstanding any other regulations of this Bylaw to the contrary, no development that conflicts with an Intermunicipal Development Plan shall be allowed within this Urban Expansion (UE) District.</p>	
Sensitive Uses	<p>Notwithstanding any other provision of this Bylaw to the contrary, no dwelling, nor any institutional, public or health service use, nor any other use which includes human habitation, either on a temporary or a permanent basis, shall be allowed within 800 m (2625 ft.) of any Landfill and Composting (LC) District.</p> <p>The Development Authority may require the submission of a storm water management plan acceptable to the County prior to considering any approval of any development.</p> <p>The Development Authority may require as a condition of the approval of any development that the developer provide or agree to being responsible for the provision of whatever storm water management facilities the storm water management plan may recommend.</p>	

7.2.3 DIRECT CONTROL CROSSROADS (DC-CR) OVERLAY

- (a) The Purpose of this District is to allow for additional provisions for direct control under Section 641 of the MGA for those areas of the County where Council wishes to exercise particular control over the subdivision, use, and development of land or buildings in accordance with the policies and provisions of the Highways 16/41 Crossroads Area Structure Plan (Crossroads ASP), being Bylaw No. 10-15, and any amendments thereto.
- (b) Council, at their discretion, who may delegate their discretion to the Subdivision Authority or Development Authority, may allow for the uses, subdivision, and development provided for these lands within the Crossroads ASP without compromising urban growth patterns that may extend into this District in the future.
- (c) The Direct Control Crossroads (DC-CR) Overlay is not intended to replace the provisions and policies within the Crossroads ASP. If there is a conflict, the more restrictive provision(s) shall apply.
- (d) DISTRICT BOUNDARIES
- (i) This District applies to all the land in the County of Vermilion River designated as Direct Control Crossroads Overlay on the Land Use District Map.
- (ii) The regulations of this Section apply in addition to the other regulations of this Bylaw within the Direct Control Crossroads Overlay identified on Map 2 – Future Land Use, of the Municipal Development Plan.
- (iii) The Direct Control Crossroads (DC-CR) Overlay, if not showing on the land use map per se, shall nonetheless include:
1. the lands within the Crossroads ASP boundary as indicated on Figure 12 of the area structure plan and will be assigned to these lands when the County considers it appropriate to do so, a prerequisite of which being the submission of subdivision and/or Development Permit applications deemed by the County to be in their complete form and consistent with the Crossroads ASP.
- (e) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
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7.0 Overlay Districts Regulations

7.2.3 Direct Control Crossroads (DC-CR) Overlay

<p>All Uses and development over which the County has jurisdiction and lawfully in existence on parcels existing at the time this Land Use District was assigned and came into force</p>	<p>At the discretion of the Development Authority, uses listed as discretionary under the following Districts:</p> <p><i>Business and Services (B)</i></p> <p><i>General Commercial (GC)</i></p> <p><i>Commercial (C1)</i></p> <p><i>Light Industrial and Manufacturing (M1)</i></p> <p><i>Medium Density Residential (R1)</i></p> <p><i>High Density Residential (R2)</i></p> <p><i>Manufactured Home Community (R3)</i></p>	<p>Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, including uses listed within the underlying and abutting District, which conform to the general purpose and intent of this Land Use District and the Crossroads Area Structure Plan.</p>
<p>At the discretion of the Development Authority, uses listed as permitted under the following Districts:</p> <p><i>Business and Services (B)</i></p> <p><i>General Commercial (GC)</i></p> <p><i>Commercial (C1)</i></p> <p><i>Light Industrial and Manufacturing (M1)</i></p> <p><i>Medium Density Residential (R1)</i></p> <p><i>High Density Residential (R2)</i></p> <p><i>Manufactured Home Community (R3)</i></p>		
<p>Buildings and uses accessory to permitted uses</p>	<p>Buildings and uses accessory to discretionary uses</p>	

(f) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED USES	DISCRETIONARY USES	ADDITIONAL PROVISIONS
Minimum Lot Area	Less than 5 ac (2.02 ha), in accordance with the provisions of the Highways 16/41 Crossroads Area Structure Plan.	As required by the Development Authority	<p>Except where the lot is subject to:</p> <ul style="list-style-type: none"> (a) a discretionary use, (b) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (c) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (d) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Front Yard	<p>From an internal road: 15 m (50 ft.) from property line.</p> <p>Other roads: 30 m (100 ft.) from property line.</p>		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	<p>Unserviced Commercial/Industrial: 6 m (20 ft.)</p> <p>On Corner Lots:</p>		Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.

7.2.3 Direct Control Crossroads (DC-CR) Overlay

	<p>(a) From an internal road: 15 m (50 ft.) from property line.</p> <p>(b) Other roads: 30 m (100 ft.) from property line.</p> <p>Country Residential:</p> <p>(a) On internal road 15 m (50 ft.) from property line.</p> <p>(b) Other roads: 30 m (100 ft.) from property line.</p>	
Minimum Rear Yard	<p>Unserviced Commercial/Industrial: 7.6 m (25 ft.)</p> <p>From an internal road: 15 m (50 ft.) from property line.</p> <p>Other roads: 30 m (100 ft.) from property line.</p>	
Maximum Height	<p>10.5 m (34.5 ft.)</p> <p>Communications Towers, minimum 46 m (150 ft.)</p>	<p>Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.</p>
Maximum Site Coverage	<p>No more than 20% of Buildable Area shall be covered by buildings, surface pavement or other impermeable surfaces.</p>	<p>One (1) Dwelling shall be allowed per Lot or Parcel</p>
Design, Character and Appearance of Buildings	<p>The design, siting, external finish, architectural appearance and landscaping generally, of all Buildings, including any accessory Buildings or structures and signs, and any reconstruction, shall all be to the satisfaction of the Development Authority, so there is conformity with adjacent Buildings, and adequate protection afforded to the amenities of adjacent properties.</p> <p>As a condition of a Development Permit, the Development Authority may require a letter of guarantee or an irrevocable letter of credit in order to secure compliance with any requirements imposed.</p>	

7.2.3 Direct Control Crossroads (DC-CR) Overlay

Density Bonus	In accordance with the provisions of Section 4.16 of this Bylaw and the County's Municipal Development Plan .	
Accessory Buildings	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	
Parking & Loading Areas	In accordance with the provisions of Section 4.8 of this Bylaw.	All loading areas must be fully screened from adjacent streets or sides by opaque screening consisting of fencing, structures or landscaping.
Signage	In accordance with the provisions of Section 4.20 of this Bylaw.	
Domestic Animals	No fur-bearing animals, fowl or livestock other than domestic pets and horses may be kept, in accordance with the provisions of the designated residential District.	
Approvals	<p>Approval of development within the District may be required by Provincial Regulation and, if that is the case, issuance of such permit will be a requirement for any Development Permit issued in this District.</p> <p>To determine if the subject land is suitable for and can physically support/sustain the proposed Use or development in question, the Development Authority may require, before accepting an application as complete, any geotechnical analysis or any other engineering, environmental or technical assessment/information it considers necessary to properly evaluate the application. The development Authority will ensure that the analysis/assessment/information they require is prepared/substantiated by qualified persons licensed to practice in the Province of Alberta.</p> <p>In the case of new construction, 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 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 and any other relevant provisions of the Bylaw.</p> <p>Applicants shall fully disclose the precise nature and extent of the proposed Use, subdivision and/or development, including intended hours of operation to the level of detail determined by the Development Authority, so that their applications can be thoroughly evaluated in accordance with this land Use district.</p> <p>The Development Authority may:</p>	

7.2.3 Direct Control Crossroads (DC-CR) Overlay

	<p>(a) As a condition of approval, require that the applicant enter into a development agreement with the County pursuant to the Municipal Government Act. To ensure compliance with the conditions in the agreement, the County may be protected by caveat registered in favour of the County.</p> <p>(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; and/or,</p> <p>(c) Revoke an approval in the case where satisfactory arrangements have not been made by a developer for the supply of water, disposal of sewage and road access, or any of them.</p>
Application Referral	<p>In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.</p> <p>Upon receipt of a completed application, the Development Authority may require a Surveyor's certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to any existing/proposed Building or other improvement that is the subject of the application.</p>
Vegetation	<p>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 or other means in a manner and to a height satisfactory to them.</p>
Temporary Uses	<p>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.</p>
Special Uses	<p>Wind energy conversion systems shall be governed by the regulations contained in Section 5.3 of this Bylaw.</p> <p>No activity may be undertaken that would, in the opinion of the Development Authority, unduly interfere with the amenities or materially interfere with or affect the Use, enjoyment or value of neighbouring properties by reason of noise, smoke, steam, odour, glare, dust, vibration, refuse matter, or other noxious emissions or containment of hazardous materials.</p> <p>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.</p>
Exceptions	<p>At the discretion of the Development Authority, the height provisions of these regulations may be waived for church steeples, belfries, towers, cupolas, and similar architectural features; flagstaffs, chimneys, elevator mechanisms and housings, water tanks, stand pipes, and similar utility structures; and radio and television towers and antennas, and similar telecommunication structures.</p>

7.2.4 Direct Control North Gateway (DC-NG) Overlay

Enforcement	If at any time, in the opinion of the Development Authority, any of the provisions of this land Use district have not been complied with, the Development Authority may utilize the enforcement mechanisms available under the Municipal Government Act.
Sensitive Uses	Notwithstanding any other provision of this Bylaw to the contrary, no dwelling, nor any institutional, public or health service use, nor any other use which includes human habitation, either on a temporary or a permanent basis, shall be allowed within 800 m (2625 ft.) of any Landfill and Composting (LC) District.

7.2.4 DIRECT CONTROL NORTH GATEWAY (DC-NG) OVERLAY

- (a) The Purpose of this District is to allow for additional provisions for direct control under Section 641 of the MGA for those areas of the County where Council wishes to exercise particular control over the subdivision, use, and development of land or buildings in accordance with the policies and provisions of the North 41 Gateway Area Structure Plan (ASP), being Bylaw No. 10-11, and any amendment thereto.
- (b) Council, at their discretion, who may delegate their discretion to the Subdivision Authority or Development Authority, may allow for the uses, subdivision, and development provided for these lands within the North 41 Gateway ASP without compromising urban growth patterns that may extend into this District in the future.
- (c) The Direct Control North Gateway (DC-NG) Overlay is not intended to replace the provisions and policies within the North 41 Gateway Area Structure Plan. If there is a conflict, the more restrictive provision(s) shall apply.

(d) DISTRICT BOUNDARIES

- (i) This District applies to all the land in the County of Vermilion River designated as Direct Control North Gateway Overlay on the Land Use District Map.

- (ii) The regulations of this Section apply in addition to the other regulations of this Bylaw within the Direct Control North Gateway Overlay identified on Map 2 - Future Land Use, of the Municipal Development Plan.

- (iii) The Direct Control North Gateway (DC-NG) Overlay, if not showing on the land use map per se, shall nonetheless include:

- 1. the lands within the North 41 Gateway ASP boundary as indicated on Figure 9 of the area structure plan and will be assigned to these lands when the County considers it appropriate to do so, a prerequisite of which being the submission of subdivision and/or Development Permit applications deemed

7.0 Overlay Districts Regulations

7.2.4 Direct Control North Gateway (DC-NG) Overlay

by the County to be in their complete form and consistent with the North 41 Gateway ASP.

(e) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
All Uses and development over which the County has jurisdiction and lawfully in existence on parcels existing at the time this Land Use District was assigned and came into force	At the discretion of the Development Authority, uses listed as discretionary under the following Districts: <i>Business and Services (B)</i> <i>General Commercial (GC)</i> <i>Commercial (C1)</i> <i>Light Industrial and Manufacturing (M1)</i> <i>Medium Density Residential (R1)</i> <i>High Density Residential (R2)</i> <i>Manufactured Home Community (R3)</i>	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, including uses listed within the underlying and abutting District, which conform to the general purpose and intent of this Land Use District and the North 41 Gateway Area Structure Plan.
At the discretion of the Development Authority, uses listed as permitted under the following Districts: <i>Business and Services (B)</i> <i>General Commercial (GC)</i> <i>Commercial (C1)</i> <i>Light Industrial and Manufacturing (M1)</i> <i>Medium Density Residential (R1)</i> <i>High Density Residential (R2)</i> <i>Manufactured Home Community (R3)</i>		
Buildings and uses accessory to permitted uses	Buildings and uses accessory to discretionary uses	

(f) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED USES	DISCRETIONARY USES	ADDITIONAL PROVISIONS
Minimum Lot Area	Less than 5 ac (2.02 ha), in accordance with the provisions of the North 41 Gateway Area Structure Plan.	As required by the Development Authority	Except where the lot is subject to: <ul style="list-style-type: none"> (a) a discretionary use, (b) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (c) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (d) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Front Yard	From an internal road: 15 m (50 ft.) from property line. Other roads: 30 m (100 ft.) from property line.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	Unserviced Commercial/Industrial: 6 m (20 ft.) On Corner Lots:		Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.

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7.2.4 Direct Control North Gateway (DC-NG) Overlay

	<p>(a) From an internal road: 15 m (50 ft.) from property line.</p> <p>(b) Other roads: 30 m (100 ft.) from property line.</p> <p>Country Residential:</p> <p>(a) On internal road 15 m (50 ft.) from property line.</p> <p>(b) Other roads: 30 m (100 ft.) from property line.</p>	
Minimum Rear Yard	<p>Unserviced Commercial/Industrial: 7.6 m (25 ft.)</p> <p>From an internal road: 15 m (50 ft.) from property line.</p> <p>Other roads: 30 m (100 ft.) from property line.</p>	
Maximum Height	<p>10.5 m (34.5 ft.)</p> <p>Communications Towers, minimum 46 m (150 ft.)</p>	<p>Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.</p>
Maximum Site Coverage	<p>No more than 20% of Buildable Area shall be covered by buildings, surface pavement or other impermeable surfaces.</p>	<p>One (1) Dwelling shall be allowed per Lot or Parcel</p>
Design, Character and Appearance of Buildings	<p>The design, siting, external finish, architectural appearance and landscaping generally, of all Buildings, including any accessory Buildings or structures and signs, and any reconstruction, shall all be to the satisfaction of the Development Authority, so there is conformity with adjacent Buildings, and adequate protection afforded to the amenities of adjacent properties.</p> <p>As a condition of a Development Permit, the Development Authority may require a letter of guarantee or an irrevocable letter of credit in order to secure compliance with any requirements imposed.</p>	

7.2.4 Direct Control North Gateway (DC-NG) Overlay

Density Bonus	In accordance with the provisions of Section 4.16 of this Bylaw and the County's Municipal Development Plan .	
Accessory Buildings	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	
Parking & Loading Areas	In accordance with the provisions of Section 4.8 of this Bylaw.	All loading areas must be fully screened from adjacent streets or sides by opaque screening consisting of fencing, structures or landscaping.
Signage	In accordance with the provisions of Section 4.20 of this Bylaw.	
Domestic Animals	No fur-bearing animals, fowl or livestock other than domestic pets and horses may be kept, in accordance with the provisions of the designated residential District.	
Approvals	<p>Approval of development within the District may be required by Provincial Regulation and, if that is the case, issuance of such permit will be a requirement for any Development Permit issued in this District.</p> <p>To determine if the subject land is suitable for and can physically support/sustain the proposed Use or development in question, the Development Authority may require, before accepting an application as complete, any geotechnical analysis or any other engineering, environmental or technical assessment/information it considers necessary to properly evaluate the application. The development Authority will ensure that the analysis/assessment/information they require is prepared/substantiated by qualified persons licensed to practice in the Province of Alberta.</p> <p>In the case of new construction, 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 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 and any other relevant provisions of the Bylaw.</p> <p>Applicants shall fully disclose the precise nature and extent of the proposed Use, subdivision and/or development, including intended hours of operation to the level of detail determined by the Development Authority, so that their applications can be thoroughly evaluated in accordance with this land Use district.</p> <p>The Development Authority may:</p>	

7.2.4 Direct Control North Gateway (DC-NG) Overlay

	<p>(a) As a condition of approval, require that the applicant enter into a development agreement with the County pursuant to the Municipal Government Act. To ensure compliance with the conditions in the agreement, the County may be protected by caveat registered in favour of the County.</p> <p>(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; and/or,</p> <p>(c) Revoke an approval in the case where satisfactory arrangements have not been made by a developer for the supply of water, disposal of sewage and road access, or any of them.</p>
Application Referral	<p>Development Permit applications for significant discretionary uses shall be circulated to adjacent municipalities and / or federal and provincial agencies for comment prior to any consideration for approval. The comments from adjacent municipalities will be carefully considered by the Development Authority; however, the Development Authority will not be bound by the municipality's comments or recommendations.</p> <p>Upon receipt of a completed application, the Development Authority may require a Surveyor's certificate or Real Property Report, signed by an Alberta Land Surveyor, relating to any existing/proposed Building or other improvement that is the subject of the application.</p>
Vegetation	<p>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 or other means in a manner and to a height satisfactory to them.</p>
Temporary Uses	<p>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.</p>
Special Uses	<p>Wind energy conversion systems shall be governed by the regulations contained in Section 5.3 of this Bylaw.</p> <p>No activity may be undertaken that would, in the opinion of the Development Authority, unduly interfere with the amenities or materially interfere with or affect the Use, enjoyment or value of neighbouring properties by reason of noise, smoke, steam, odour, glare, dust, vibration, refuse matter, or other noxious emissions or containment of hazardous materials.</p> <p>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.</p>
Exceptions	<p>At the discretion of the Development Authority, the height provisions of these regulations may be waived for church steeples, belfries, towers, cupolas, and similar architectural features; flagstaffs, chimneys, elevator mechanisms and</p>

7.2.5 Direct Control Urban Development (DC-UD) Overlay

	housings, water tanks, stand pipes, and similar utility structures; and radio and television towers and antennas, and similar telecommunication structures.
Enforcement	If at any time, in the opinion of the Development Authority, any of the provisions of this land Use district have not been complied with, the Development Authority may utilize the enforcement mechanisms available under the Municipal Government Act.
Sensitive Uses	Notwithstanding any other provision of this Bylaw to the contrary, no dwelling, nor any institutional, public or health service use, nor any other use which includes human habitation, either on a temporary or a permanent basis, shall be allowed within 800 m (2625 ft.) of any Landfill and Composting (LC) District.

7.2.5 DIRECT CONTROL URBAN DEVELOPMENT (DC-UD) OVERLAY

- (a) The Purpose of this District is to allow for additional provisions for direct control under Section 641 of the MGA for those areas of the County where Council wishes to exercise particular control over the use and development of land or buildings, including incorporated areas without compromising urban growth patterns that may extend into this District in the future.

(b) DISTRICT BOUNDARIES

- (i) This District applies to all the land in the County of Vermilion River designated as Direct Control Urban Development Overlay on the Land Use District Map.

- (ii) The regulations of this Section apply in addition to the other regulations of this Bylaw within the Direct Control Urban Development Overlay identified on Map 2 – Future Land Use, of the Municipal Development Plan.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
At the discretion of the Development Authority, uses listed as permitted under the following Districts: <i>Business and Services (B)</i>	At the discretion of the Development Authority, uses listed as discretionary under the following Districts: <i>Business and Services (B)</i>	Other uses, which in the opinion of the Development Authority are similar to the listed permitted

7.0 Overlay Districts Regulations

7.2.5 Direct Control Urban Development (DC-UD) Overlay

<i>General Commercial (GC)</i> <i>Commercial (C1)</i> <i>Rural Industrial and Manufacturing (RM)</i> <i>Heavy Industrial and Manufacturing (MH)</i> <i>Medium Industrial and Manufacturing (M)</i> <i>Light Industrial and Manufacturing (M1)</i> <i>Medium Density Residential (R1)</i> <i>High Density Residential (R2)</i> <i>Manufactured Home Community (R3)</i>	<i>General Commercial (GC)</i> <i>Commercial (C1)</i> <i>Rural Industrial and Manufacturing (RM)</i> <i>Heavy Industrial and Manufacturing (MH)</i> <i>Medium Industrial and Manufacturing (M)</i> <i>Light Industrial and Manufacturing (M1)</i> <i>Medium Density Residential (R1)</i> <i>High Density Residential (R2)</i> <i>Manufactured Home Community (R3)</i>	and discretionary uses, including uses listed within the underlying and abutting district.
Buildings and uses accessory to permitted uses	Buildings and uses accessory to discretionary uses	

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED USES	DISCRETIONARY USES	ADDITIONAL PROVISIONS
Minimum Lot Area	In accordance with the provisions of the underlying and abutting District.	As required by the Development Authority	Except where the lot is subject to: <ul style="list-style-type: none"> (a) a discretionary use, (b) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (c) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (d) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan

7.0 Overlay Districts Regulations

7.2.5 Direct Control Urban Development (DC-UD) Overlay

		respecting the subdivision of fragmented areas.
Minimum Front Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	
Maximum Height	10.5 m (34.5 ft.) Communications Towers, minimum 46 m (150 ft.)	Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Maximum Site Coverage	No more than 85% of Buildable Area shall be covered by buildings, surface pavement or other impermeable surfaces.	Except on lots less than one acre, no more than ninety percent 90% coverage of Buildable Area.

7.0 Overlay Districts Regulations

7.2.5 Direct Control Urban Development (DC-UD) Overlay

Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Density Bonus	In accordance with the provisions of Section 4.16 of this Bylaw and the County's Municipal Development Plan .	
Accessory Buildings	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	
Parking & Loading Areas	In accordance with the provisions of Section 4.8 of this Bylaw.	All loading areas must be fully screened from adjacent streets or sides by opaque screening consisting of fencing, structures or landscaping.
Signage	In accordance with the provisions of Section 4.20 of this Bylaw.	
Approvals	Approval of development within the District may be required by Provincial Regulation and, if that is the case, issuance of such permit will be a requirement for any Development Permit issued in this District.	
Application Referral	Development Permit applications shall be circulated to adjacent municipalities and / or federal and provincial agencies for comment prior to any consideration for approval. The comments from adjacent municipalities will be carefully considered by the Development Authority; however, the Development Authority will not be bound by the municipality's comments or recommendations.	
Special Uses	Wind energy conversion systems shall be governed by the regulations contained in Section 5.3 of this Bylaw.	
Exceptions	At the discretion of the Development Authority, the height provisions of these regulations may be waived for church steeples, belfries, towers, cupolas, and similar architectural features; flagstaves, chimneys, elevator mechanisms and housings, water tanks, stand pipes, and similar utility structures; and radio and television towers and antennas, and similar telecommunication structures.	
Sensitive Uses	Notwithstanding any other provision of this Bylaw to the contrary, no dwelling, nor any institutional, public or health service use, nor any other use which includes human habitation, either on a temporary or a permanent basis, shall be allowed within 800 m (2625 ft.) of any Landfill and Composting (LC) District.	

7.2.6 ENVIRONMENTALLY SENSITIVE AREA (ESA) OVERLAY

- (a) The purpose of the Environmentally Sensitive Area (ESA) Overlay is to designate and describe those areas within the County that possess physical and/or environmental characteristics that require special consideration of applications for uses, which might affect:
- (i) the Building or the land;
 - (ii) the management of surface or subsurface water;
 - (iii) safety of future land occupants due to increased fire, flood, or other natural hazards from the proposed development;
 - (iv) the uneconomic extension of public facilities and services; or
 - (v) the land has been designated as environmentally sensitive or significant by a federal or provincial agency or in a regional plan.

Of specific concern is development in flood-prone areas, landslide areas, and areas of steep slope or unstable soils, wetlands, noise or other pollution of environmentally sensitive areas, such as wildlife corridors/habitats. Other sensitive areas, like scenic view sheds, also may require careful assessment prior to alteration or impact. The most intensive uses of these areas will normally be for outdoor recreation activities or passive uses not requiring significant infrastructure such as roads or utility services.

These areas may represent diverse types of land and possess varied physical and geographical conditions and are an important physical, environmental, social, aesthetic, and economic asset to both the residents and businesses in the County. The preservation of a balanced system of open space will complement parks and trails and provide a visual relief of development.

It is the intent of these regulations to permit the widest possible latitude in the development of land, while at the same time requiring design solutions, which will avoid detrimental impacts on sensitive natural areas, as well as provide protection from adverse natural forces and hazards.

The Environmentally Sensitive Area (ESA) is not intended to replace conservation easements. If there is a conflict, the more restrictive provision(s) shall apply. Uses not listed as a permitted use or conditional uses in this section are not allowed on lands to which this section applies.

(b) APPLICABILITY

- (i) This District applies to all the land in the County of Vermilion River designated as Environmentally Sensitive Area Overlay on the Land Use District Map.

7.2.6 Environmentally Sensitive Area (ESA) Overlay

- (ii) The regulations of this Section apply in addition to the other regulations of this Bylaw within the Environmentally Sensitive Area Overlay identified on Map 2 – Future Land Use, of the Municipal Development Plan.
- (iii) The Environmentally Sensitive Area (ESA) Overlay, if not showing on the land use map per se, shall nonetheless include areas of the County designated as:
 - 2. 100-year flood plain;
 - 3. Hazard Lands including areas unstable soil conditions, slopes in excess of 15%, and areas subject to flooding;
 - 4. areas of high water table and ground water including wetlands, high water table, perched water, drainage ways and swampy conditions; and
 - 5. other environmentally sensitive areas may be described by metes and bounds and included in this district.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Agricultural Operation	Agricultural support services	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, including uses listed within the underlying district.
Agricultural Production	Agri-tourism	
Extensive agriculture	Farmsteads	
Farming	Guest ranches	
Horticultural Development	Intensive agriculture	
Buildings and uses accessory to permitted uses	Natural Resource Extraction and Ground Disturbance Operations	
	Public or quasi-public buildings and uses	
	Public utilities and public utility buildings	

7.2.6 Environmentally Sensitive Area (ESA) Overlay

	Recreational uses	
	Recreational Vehicle campgrounds	
	Signs	
	Wind Energy Conversion System, Large	
	Wind Energy Conversion System, Small	
	Wireless Communications Facility	
	Buildings and uses accessory to discretionary uses	

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED USES	DISCRETIONARY USES	ADDITIONAL PROVISIONS
Minimum Lot Area	One quarter- section	As required by the Development Authority	Except where the lot is subject to: (a) a discretionary use, (b) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (c) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (d) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Front Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.		Except for provincial highways, which are subject to

7.2.6 Environmentally Sensitive Area (ESA) Overlay

		Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	
Maximum Height	10.5 m (34.5 ft.) Communications Towers, minimum 46 m (150 ft.)	Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Maximum Site Coverage	Lots must be laid out in such a way as to retain a minimum of 50% of the Higher Capability Agricultural Lands on the parcel. These lands shall be designated as “ <i>Environmentally Sensitive Area(s)</i> ” on site plan or subdivision plan drawings.	A site plan shall be provided illustrating the location of the dwelling on the site, location of the septic tank and drain field, location of the well and access from a public road. Reasonable revisions to the site plan may be required as a condition of subdivision and development approval.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County’s Municipal Development Plan.	<p>(a) The maximum number of lots per quarter section shall be 2.</p> <p>(b) A single residential lot may be subdivided from an unsubdivided quarter section provided that:</p> <p>(i) an existing dwelling is located on that quarter section, either within the new Lot to be created or on the remainder of the quarter section;</p>

7.2.6 Environmentally Sensitive Area (ESA) Overlay

		<p>(ii) the existing dwelling has a floor area of at least 92.0 m² (990.3 ft²) and is connected to an approved sewage system;</p> <p>(iii) the new lot created provides an appropriate building site where the minimum required setbacks can be achieved; and</p> <p>(iv) the new lot to be created shall be a minimum of 1.2 ha (3.0 ac) and a maximum of 4.2 ha (10.4 ac) in area, which shall be determined by the location of the existing Dwelling and Accessory Buildings and uses, topographic features or environmental considerations.</p> <p>(c) Notwithstanding (iv) above, where an unsubdivided quarter section is severed or separated by a public road, railway, river or lake from the balance of the titled land, a larger lot than the maximum 4.2 ha (10.4 ac) may be considered for subdivision, in accordance with the provisions of the Municipal Development Plan.</p>
Lot Design and Layout	(a) To the fullest extent practicable, development or subdivision lots shall be laid out in a manner that maintains contiguous areas of environmentally sensitive lands	

7.2.6 Environmentally Sensitive Area (ESA) Overlay

	<p>and features, and/or existing open land.</p> <p>(b) To the fullest extent practicable, all lots and roads shall be located away from environmentally sensitive lands and features. This provision does not apply to the location of on-site septic disposal facilities, which must be placed on soil meeting provincial and County Standards.</p> <p>(c) All wells for potable water within the development shall be located a minimum of 30 m (100 ft.) from the property line of an existing environmentally sensitive lands and features or any parcel or portion thereof that is designated as part of an environmentally sensitive area.</p> <p>(d) Any structure within the development which will be used for human occupation or habitation shall be set back a minimum of 30 m (100 ft.) from the property line of any parcel or portion thereof which is designated an environmentally sensitive area or used for preservation or conservation purposes; and no structure shall be constructed within 9m (30 ft.) of an environmentally sensitive area.</p>	
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7.2.6 Environmentally Sensitive Area (ESA) Overlay

Environmentally Sensitive Area Conservation Maintenance	<p>(a) Developers or Landowners may retain or sell that part of their property which is to remain open space and is designated Environmentally Sensitive Area. Options include:</p> <p>(i) Retain ownership of the portion of the property designated Environmentally Sensitive Area with deed covenants attached prohibiting future non-farm development.</p> <p>(ii) Sell or gift in fee the Environmentally Sensitive Area to the County or a land trust with deed covenants attached prohibiting future non-farming development.</p> <p>(iii) Retain ownership of the portion of the property designated Environmentally Sensitive Area and sell or gift a conservation easement to the County or land trust that prohibits future non-farm development.</p> <p>(iv) In the case of subdivision, convey the development rights of the Environmentally Sensitive Area to a property owners association with deed covenants prohibiting future non-farm development.</p> <p>(v) In the case of subdivision, convey the ownership of the Environmentally Sensitive Area piecemeal to individual property owners with deed covenants prohibiting future non-farm development.</p> <p>(b) A statement that the property is subject to the Environmentally Sensitive Area (ESA) Overlay shall be recorded on the face of the title page of a subdivision plan drawing.</p> <p>(c) Applicants for development or subdivision shall provide the relevant Authority with copies of covenants or conservation easements pertaining to the Environmentally Sensitive Area. Deed covenant or easement language must describe land management practices to be followed by the property owner, or community association of property owners, or holder of the easement, as appropriate.</p>
Density Bonus	In accordance with the provisions of Section 4.16 of this Bylaw and the County's Municipal Development Plan .
Special Uses	Wind energy conversion systems shall be governed by the regulations contained in Section 5.3 of this Bylaw.

7.2.6 Environmentally Sensitive Area (ESA) Overlay

Sensitive Uses	<p>In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.</p> <p>The Development Authority shall require that any proposal for development within the Environmentally Sensitive Areas Overlay area be accompanied, by either or both, of a flood susceptibility analysis or a bank stability analysis by registered professional engineers that assess the suitability of the subject site and the proposed development from the points of view of flood susceptibility and/or bank stability. Further, if a development is approved after such an analysis is provided, the Development Authority shall require that any recommendations of the analysis be implemented by the landowner/developer and registered against the title of the subject lands so as to warn future landowners of the engineering requirements for development.</p>
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7.2.7 Highway Profile Special Purpose (HPS) Overlay

7.2.7 HIGHWAY PROFILE SPECIAL PURPOSE (HPS) OVERLAY

- (1) The Purpose of this District is to provide for development appropriate to areas that will accommodate the future re-alignment and access management areas of Highway #16.
- (2) **DISTRICT BOUNDARIES**
- (a) This District comprises a 1.6 km (1 mi.) wide area of land in the County of Vermilion River along the patch where the future right-of-way of the Highway 16 re-alignment will be located and those areas identified by the province to accommodate future access points.
- (b) The regulations of this Section apply in addition to the other regulations of this Bylaw within the Highway Profile Special Purpose Overlay identified on Map 2 – **Future Land Use, of the Municipal Development Plan.**
- (c) Provincial regulations may regulate approval of development within the District and, if that is the case, issuance of such permit will be a requirement of any Development Permit issued in this District.
- (3) **PERMITTED AND DISCRETIONARY USES**

PERMITTED	DISCRETIONARY	USES NOT LISTED
Agricultural Production	Accessory Living Quarters	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, including uses listed within the underlying and abutting district.
Agricultural support services	Animal breeding and/or boarding establishments	
Extensive agriculture	Bed and breakfast establishments	
Farming	Bulk Fuel Storage and Sales	
Highway Commercial Use	Country Residential	
Highway Services	Day homes	
Buildings and uses accessory to permitted uses	Existing Dwellings, as of the date of the approval of this Bylaw	
	Family care facilities	
	Group care facilities	

7.0 Overlay Districts Regulations

7.2.7 Highway Profile Special Purpose (HPS) Overlay

	Group homes	
	Guest ranches	
	Home occupations, major	
	Home occupations, minor	
	Institutional uses	
	Intensive agriculture	
	Natural Resource Extraction and Ground Disturbance Operations	
	Outdoor storage	
	Public education facilities	
	Public or quasi-public buildings and uses	
	Public utilities and public utility buildings	
	Recreational uses	
	Recreational Vehicle campgrounds	
	Religious Assemblies	
	Rural commercial uses	
	Secondary Dwelling	
	Signs	
	Veterinary Clinic	
	Warehouse Facilities	
	Wind Energy Conversion System, Large	
	Wind Energy Conversion System, Micro	
	Wind Energy Conversion System, Small	
	Wireless Communications Facility	
	Work Camp	
	Buildings and uses accessory to discretionary uses	

7.2.7 Highway Profile Special Purpose (HPS) Overlay

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED USES	DISCRETIONARY USES	ADDITIONAL PROVISIONS
Minimum Lot Area	In accordance with the provisions of the underlying and abutting district.	As required by the Development Authority	<p>Except where the lot is subject to:</p> <p>(a) man-made barrier, registered in Land Titles, fragmenting the quarter section, or</p> <p>(b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.</p> <p>(c) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.</p>
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		

7.2.7 Highway Profile Special Purpose (HPS) Overlay

Maximum Height	10.5 m (34.5 ft.) Communications Towers, minimum 46 m (150 ft.)	Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	The location of any shelterbelts shall be determined by the Development Authority.	
Fencing	Required along the Yard Lines of Lots or Parcels adjacent to a park or Municipal Reserve Lot.	
Special Uses	Wind energy conversion systems shall be governed by the regulations contained in Section 5.3 of this Bylaw.	
Sensitive Uses	Notwithstanding any other provision of this Bylaw to the contrary, no dwelling, nor any institutional, public or health service use, nor any other use which includes human habitation, either on a temporary or a permanent basis, shall be allowed within 800 m (2625 ft.) of any Landfill and Composting (LC) District.	
Restricted Uses	The Development Authority may restrict, or may be subject to special regulations or conditions of approval, uses that may produce, directly or indirectly, noise, odour, fumes, dust, smoke, unsightly appearance, or other effects that may be detrimental to other land uses adjacent or nearby a Designated Non-Residential District.	
Maximum Mixed-Use Residential Density	15 units per acre (37 units per hectare)	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

7.2.8 PLANNED DEVELOPMENT AREA (PAD) OVERLAY

(a) The purpose of the Planned Development Area (PDA) Overlay is to:

- (i) encourage and provide a means of guiding development of the designated areas for an orderly and attractive compliment of uses;
- (ii) establish standards for quality development;
- (iii) safety of future land occupants due to increased fire, flood, or other natural hazards from the proposed development;
- (iv) provide opportunity for flexibility in development to promote the highest potential use of development sites; and
- (v) provide for the establishment of comprehensive guidelines for stable and desirable economic growth in harmony with adjacent development areas.

(b) APPLICABILITY

- (i) This District applies to all the land in the County of Vermilion River designated as Planned Economic Development Overlay on the Land Use District Map.

- (ii) The regulations of this Section apply in addition to the other regulations of this Bylaw within the Planned Economic Development Overlay identified on Map 2 – Future Land Use, of the Municipal Development Plan.

(c) PERMITTED AND DICRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
At the discretion of the Development Authority, uses listed as permitted under the following Districts: <i>Business and Services (B)</i> <i>General Commercial (GC)</i> <i>Commercial (C1)</i> <i>Rural Industrial and Manufacturing (RM)</i> <i>Heavy Industrial and Manufacturing (MH)</i> <i>Medium Industrial and Manufacturing (M)</i>	At the discretion of the Development Authority, uses listed as discretionary under the following Districts: <i>Business and Services (B)</i> <i>General Commercial (GC)</i> <i>Commercial (C1)</i> <i>Rural Industrial and Manufacturing (RM)</i> <i>Heavy Industrial and Manufacturing (MH)</i> <i>Medium Industrial and Manufacturing (M)</i>	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, including uses listed within the underlying district.

7.0 Overlay Districts Regulations

7.2.8 Planned Development Area (PAD) Overlay

<i>Light Industrial and Manufacturing (M1)</i>	<i>Light Industrial and Manufacturing (M1)</i>	
<i>Medium Density Residential (R1)</i>	<i>Medium Density Residential (R1)</i>	
<i>High Density Residential (R2)</i>	<i>High Density Residential (R2)</i>	
<i>Manufactured Home Community (R3)</i>	<i>Manufactured Home Community (R3)</i>	
Buildings and uses accessory to permitted uses	Buildings and uses accessory to discretionary uses	

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED USES	DISCRETIONARY USES	ADDITIONAL PROVISIONS
Minimum Lot Area	In accordance with the provisions of the underlying District.	As required by the Development Authority	<p>Except where the lot is subject to:</p> <ul style="list-style-type: none"> (a) a discretionary use, (b) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (c) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (d) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.
Maximum Site Coverage	No more than 85% of Buildable Area shall be covered by buildings, surface pavement or other impermeable surfaces.		Except on lots less than one acre, no more than ninety percent 90%

7.0 Overlay Districts Regulations

7.2.8 Planned Development Area (PAD) Overlay

		coverage of Buildable Area.
Minimum Front Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	
Accessory Buildings	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	
Maximum Height	10.5 m (34.5 ft.) Communications Towers, minimum 46 m (150 ft.)	Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Parking & Loading Areas	In accordance with the provisions of Section 4.8 of this Bylaw.	All loading areas must be fully screened from adjacent streets or sides by opaque screening consisting of fencing, structures or landscaping.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Density Bonus	In accordance with the provisions of Section 4.16 of this Bylaw and the County's Municipal Development Plan .	
Outdoor Storage	No outdoor storage of articles, goods, materials, finished or semi-finished products, incinerators, storage tanks, refuse containers or like equipment shall be permitted unless such items are completely screened by fencing or structural enclosures.	

7.2.8 Planned Development Area (PAD) Overlay

Design, Character & Appearance of Buildings	In accordance with the provisions of Section 4.5 of this Bylaw.
Economic Feasibility & Land Use	The County may request an economic feasibility plan for the proposed use describing project financing and the potential financial impact of the development for the County and surrounding development.
Engineering Design Standards	All improvements shall conform to the requirements of the County's General Municipal Servicing Standards and be subject to the review and approval of the Development Authority.
Open Space	In accordance with the provisions of Section 4.16, 4.17, Section 4.21 or any applicable provisions under this Bylaw, as applicable.
Signage	In accordance with the provisions of Section 4.20 of this Bylaw.
Special Uses	Wind energy conversion systems shall be governed by the regulations contained in Section 5.3 of this Bylaw.
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.

7.2.9 ROADWAY PROFILE AREA (RPA) OVERLAY

(a) The Purpose of this District is to allow for compatible development in the vicinity of designated collector roads.

(b) DISTRICT BOUNDARIES

(i) This District comprises all the land in the County of Vermilion River located within 0.8 km (0.5 mi.) of the right-of-way of Collector Roads.

(ii) The regulations of this Section apply in addition to the other regulations of this Bylaw within the Roadway Profile Area Overlay identified on Map 2 – Future Land Use, of the Municipal Development Plan.

(iii) Provincial Regulation may regulate approval of development within the District and, if that is the case, issuance of such permit will be a requirement of any Development Permit issued in this District.

(c) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
Agricultural Production	Accessory Living Quarters	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, including uses listed within the underlying and abutting district.
Agricultural support services	Animal breeding and/or boarding establishments	
Extensive agriculture	Bed and breakfast establishments	
Farming	Bulk Fuel Storage and Sales	
Highway Commercial Use	Country Residential	
Highway Services	Day homes	
Buildings and uses accessory to permitted uses	Existing Dwellings, as of the date of the approval of this Bylaw	
	Family care facilities	
	Group care facilities	
	Group homes	

7.2.9 Roadway Profile Area (RPA) Overlay

	Guest ranches	
	Home occupations, major	
	Home occupations, minor	
	Institutional uses	
	Intensive agriculture	
	Natural Resource Extraction and Ground Disturbance Operations	
	Outdoor storage	
	Public education facilities	
	Public or quasi-public buildings and uses	
	Public utilities and public utility buildings	
	Recreational uses	
	Recreational Vehicle campgrounds	
	Religious Assemblies	
	Rural commercial uses	
	Secondary Dwelling	
	Signs	
	Veterinary Clinic	
	Warehouse Facilities	
	Wind Energy Conversion System, Large	
	Wind Energy Conversion System, Micro	
	Wind Energy Conversion System, Small	
	Wireless Communications Facility	
	Work Camp	
	Buildings and uses accessory to discretionary uses	

7.2.9 Roadway Profile Area (RPA) Overlay

(d) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED USES	DISCRETIONARY USES	ADDITIONAL PROVISIONS
Minimum Lot Area	In accordance with the provisions of the underlying and abutting district.	As required by the Development Authority	<p>Except where the lot is subject to:</p> <p>(a) man-made barrier, registered in Land Titles, fragmenting the quarter section, or</p> <p>(b) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery.</p> <p>(c) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.</p>
Minimum Front Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 of this Bylaw.		
Maximum Height	10.5 m (34.5 ft.) Communications Towers, maximum 46 m (150 ft.)		Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the Airport Vicinity Area

7.0 Overlay Districts Regulations

7.2.9 Roadway Profile Area (RPA) Overlay

		Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Vegetation	The location of any shelterbelts shall be approved by the Development Authority.	
Fencing	Required along the Yard Lines of Lots or Parcels adjacent to a park or Municipal Reserve Lot.	
Service Roads and Additional Right-of-way	Applicants for subdivision or development along collector roads may be required to provide additional right-of-way or service roads, at the discretion of the Development or Subdivision Authority.	
Special Uses	Wind energy conversion systems shall be governed by the regulations contained in Section 5.3 of this Bylaw.	
Sensitive Uses	Notwithstanding any other provision of this Bylaw to the contrary, no dwelling, nor any institutional, public or health service use, nor any other use which includes human habitation, either on a temporary or a permanent basis, shall be allowed within 800 m (2625 ft.) of any Landfill and Composting (LC) District.	
Maximum Mixed-Use Residential Density	15 units per acre (37 units per hectare)	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	

7.2.10 URBAN GROWTH AREA (UGA) OVERLAY

- (a) The Purpose of this District is to provide for the development of land or buildings in the urban growth boundary of incorporated areas within the County to protect farmland from urban sprawl and promote the efficient use of land, public facilities, and services inside the boundary without compromising urban growth patterns that may extend into this District in the future.
- (b) This District is located within those areas identified as Urban Expansion in Intermunicipal Development Plans (IDPs). An Area Structure Plan (ASP) Bylaw may be approved to replace this District and regulate development within specific areas.
- (c) DISTRICT BOUNDARIES
- (i) This District applies to all the land in the County of Vermilion River designated as Urban Growth Area Overlay on the Land Use District Map.
- (ii) The regulations of this Section apply in addition to the other regulations of this Bylaw within the Urban Growth Area Overlay identified on Map 2 – Future Land Use, of the Municipal Development Plan.
- (d) PERMITTED AND DISCRETIONARY USES

PERMITTED	DISCRETIONARY	USES NOT LISTED
At the discretion of the Development Authority, uses listed as permitted under the following Districts:	At the discretion of the Development Authority, uses listed as discretionary under the following Districts:	Other uses, which in the opinion of the Development Authority are similar to the listed permitted and discretionary uses, including uses listed within the underlying and abutting district.
<i>Business and Services (B)</i>	<i>Business and Services (B)</i>	
<i>General Commercial (GC)</i>	<i>General Commercial (GC)</i>	
<i>Commercial (C1)</i>	<i>Commercial (C1)</i>	
<i>Light Industrial and Manufacturing (M1)</i>	<i>Light Industrial and Manufacturing (M1)</i>	
<i>Medium Density Residential (R1)</i>	<i>Medium Density Residential (R1)</i>	
<i>High Density Residential (R2)</i>	<i>High Density Residential (R2)</i>	
<i>Manufactured Home Community (R3)</i>	<i>Manufactured Home Community (R3)</i>	
Buildings and uses accessory to permitted uses	Buildings and uses accessory to discretionary uses	

7.2.10 Urban Growth Area (UGA) Overlay

(e) DEVELOPMENT REGULATIONS

ELEMENT	PERMITTED USES	DISCRETIONARY USES	ADDITIONAL PROVISIONS
Minimum Lot Area	In accordance with the provisions of the underlying and abutting District.	As required by the Development Authority	<p>Except where the lot is subject to:</p> <ul style="list-style-type: none"> (a) a discretionary use, (b) a man-made barrier, registered in Land Titles, fragmenting the quarter section, or (c) a natural barrier that physically fragments the quarter section - usually this barrier cannot be crossed with farm machinery. (d) the subdivision of any fragmented area shall be governed by the policies in the Municipal Development Plan respecting the subdivision of fragmented areas.
Minimum Front Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.		Except for provincial highways, which are subject to Alberta Transportation regulations.
Minimum Side Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.		Except for an irregular shaped lot, which shall be ten percent (10%) of the mean lot width.
Minimum Rear Yard	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.		
Maximum Height	10.5 m (34.5 ft.) Communications Towers, maximum 46 m (150 ft.)		Except for an agricultural structure such as a silo, grain bin or elevator, or where restricted by the

7.0 Overlay Districts Regulations

7.2.10 Urban Growth Area (UGA) Overlay

		Airport Vicinity Area Overlay (Section 7.2.2), or where a Variance under Section 2.13 has been granted.
Maximum Site Coverage	No more than 85% of Buildable Area shall be covered by buildings, surface pavement or other impermeable surfaces.	Except on lots less than one acre, no more than ninety percent 90% coverage of Buildable Area.
Subdivision	In accordance with the provisions of Part 3 of this Bylaw and the County's Municipal Development Plan.	
Density Bonus	In accordance with the provisions of Section 4.16 of this Bylaw and the County's Municipal Development Plan .	
Accessory Buildings	In accordance with the provisions of Section 4.2 or Section 4.3 of this Bylaw, as applicable.	
Parking & Loading Areas	In accordance with the provisions of Section 4.8 of this Bylaw.	All loading areas must be fully screened from adjacent streets or sides by opaque screening consisting of fencing, structures or landscaping.
Signage	In accordance with the provisions of Section 4.20 of this Bylaw.	
Intermunicipal Areas	<p><u>Town of Vermilion</u></p> <p>The following area structure plans, which may be amended from time to time, provide regulations and policies that apply to those lands located within the County of Vermilion River-Town of Vermilion IDP Area:</p> <p>(a) Central Urban Expansion Area; and</p> <p>(b) Highways 16/41 Crossroads Area (north and south).</p> <p><u>City of Lloydminster</u></p> <p>The following area structure plans, which may be amended from time to time, provide regulations and policies that apply to those</p>	

7.2.10 Urban Growth Area (UGA) Overlay

	lands within the County of Vermilion River-City of Lloydminster IDP Area: (a) Central Urban Expansion Area; (b) North Urban Expansion Area; and (c) South Urban Expansion Area.	
Special Uses	Wind energy conversion systems shall be governed by the regulations contained in Section 5.3 of this Bylaw.	
Exceptions	Notwithstanding any other regulations of this Bylaw to the contrary, no development that conflicts with an Intermunicipal Development Plan shall be allowed within this District.	
Additional Regulations	In accordance with the provisions of Section 2.3 of this Bylaw, as applicable.	



PART 8.0 DEFINITIONS

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8.1 DEFINITIONS

- (1) Where a specific use applied for generally conforms to the wording of two (2) or more uses, the Development Authority shall determine the use that fits closest to the development's character and purpose.
- (2) The following words, terms, and phrases, wherever they occur in this Bylaw have the meaning assigned to them as follows:

A

"ABATTOIR" means an abattoir as defined in the *Meat Inspection Act*.

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

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

"ACCESSORY LIVING QUARTERS" means Development of an Accessory Use to a structure in which the Main Use is Single-Detached Dwelling consisting of a self-contained Dwelling Unit that provides dependent Living Quarters intended for the sole occupancy of one (1) or two (2) adult persons, which has access to the adjoining dwelling unit. Accessory Living Quarters may be attached or located within the main Habitable Dwelling Unit on the lot and share some or all accessory areas with the main Dwelling Unit, including access to grade, but may not provide kitchen facilities other than a bar sink and an under-counter refrigerator; no cooking devices or other food storage facilities are permitted.

"ACCESSORY USE" see **"SUBORDINATE USE"**

"ACT" means the *Municipal Government Act; RSA 2000 c. M26*, as amended or repealed and replaced from time to time.

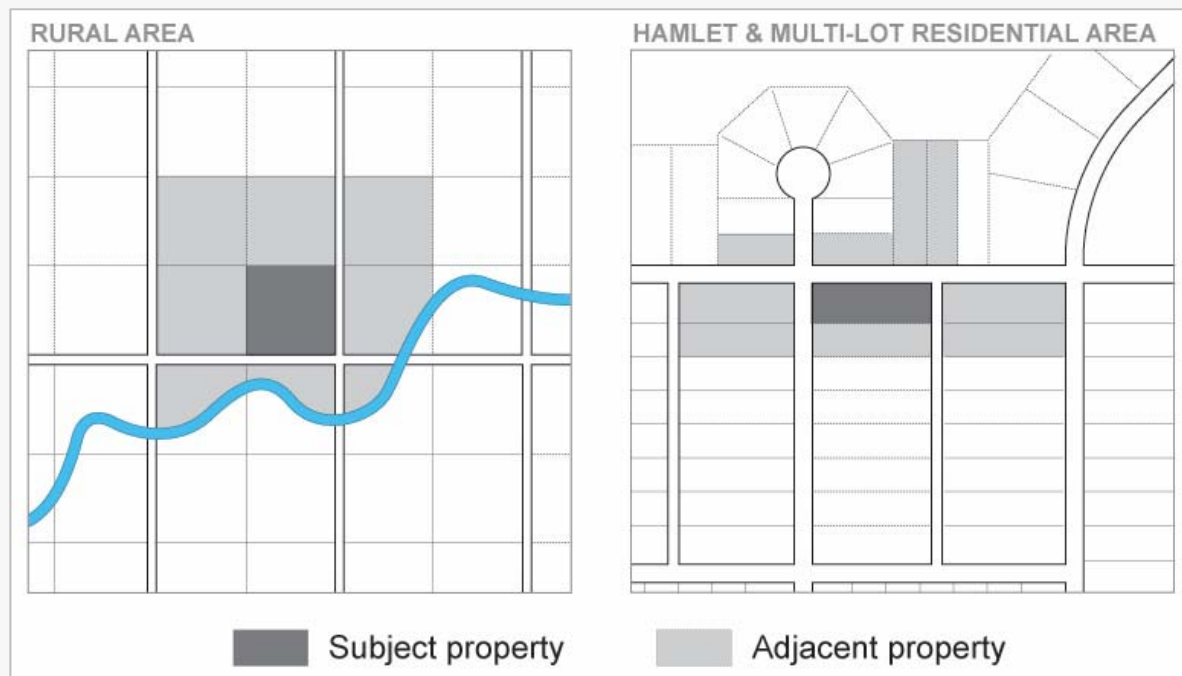
"ADAPTIVE REUSE" means a process of retrofitting old buildings for new uses, which allows structures to retain their historic or cultural integrity while meeting the needs of modern occupants. Adaptive Reuse is different from restoration or preservation. While a restoration or preservation project involves restoring a building to its original state, adaptive reuse actually changes the intent of a structure to meet the modern needs.

8.1 Definitions - A

Still, some adaptive-reuse projects do include restoration of the building's façade or parts of the interior to look as it did in times past. Older buildings often showcase aesthetics that modern buildings simply cannot afford. Built when skilled labor was cheap, these structures often boast a higher attention to detail than those built today. Architectural elements include sculpted stone, columns and capitals, elaborate masonry, vaulted ceilings, and carved wood, all of which can be prohibitively expensive today. Adaptive reuse of such buildings allows a building to retain much of its character and aesthetics by incorporating these elements into the new framework.

"ADJACENT LAND" means land that is contiguous to a particular lot or parcel of land; including land that would be contiguous if not for a highway, a river, stream, railway, road, utility right of way, or reserve land (see **Figure 12**), and any other land identified in this Bylaw as adjacent for the purpose of satisfying adjacent land requirements.

Figure 12. Adjacent land examples in rural and hamlet/multi-lot residential areas.



"ADULT ENTERTAINMENT ESTABLISHMENT" means an establishment that provides live entertainment for its patrons, which includes the display of nudity. Adult Entertainment Establishment does not include Cannabis Lounge or Licensed Cannabis Retail Sales Establishment.

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

8.1 Definitions - A

describing, or relating to sexual conduct or sexual excitement. Adult Uses shall require a minimum separation of 300 m (984.25 ft) from a school or public building or similar sensitive uses.

“ADVERSE EFFECT” means one or more of the following:

- (a) impairment of the quality of the natural environment for any use that can be made of it,
- (b) injury or damage to property or to plant or animal life,
- (c) harm or material discomfort to any person,
- (d) an adverse effect on the health of any person,
- (e) impairment of the safety of any person,
- (f) rendering any property or plant or animal life unfit for use by man,
- (g) loss of enjoyment of normal use of property, and
- (h) interference with the normal conduct of business.

“AFFORDABLE HOUSING” means Inclusionary Housing Dwelling Units that may be purchased or rented by those who meet the Affordability Guidelines as established in the County of Vermilion River Inclusionary Housing Bylaw, and whose expenditure for housing costs does not exceed 30% of the gross annual income of an owner and 28% of the gross annual income of a renter in the previous calendar year. Housing costs includes: 1) for owners: payments for principal and interest on a mortgage, property taxes, and condominium fees, if any, or 2) for renters: rent including heat, furnishings, if provided, but not utilities.

“AGRI-BUSINESS” means those commercial or industrial uses, which may involve facilities or processes that, although in the opinion of the Development Authority, may not be able to co-exist compatibly in proximity to other uses or population concentrations due to: the potential for an adverse environmental impact beyond the immediate site of the Agri-Business use.

Such activities are characterized by wholesale or retail sales, and outdoor storage/display of agriculture-related equipment, inputs, and products, parking areas, outdoor lighting, and signage, accessory structures (e. g., facilities, workshops), generation of low to moderate traffic volumes, noises, odours, dust, or other potential nuisances associated with agriculture-related production or processing. Agri-Business may include, but is not limited to, value-added or related businesses such as implement dealers, veterinary clinics, farm machinery repair shops, agricultural supply sales, marketing, storage, and distribution centers; plant and tree nurseries and facilities for the processing of natural agricultural products or by-products, including fruits, vegetables, silage, or animal proteins; the processing of raw materials or operation of an industrial park. Agri-Business does not include Licensed Cannabis Storage and Distribution Facility.

“AGRICULTURAL INDUSTRY” means an industrial activity involving the processing, cleaning, packing, or storage of the results from agricultural production. Agricultural industry includes, but is not restricted to, seed cleaning and/or processing plants and grain elevators, but does not include the

8.1 Definitions - A

manufacture of processed foods resulting from agricultural production or abattoirs, and does not include a Licensed Cannabis Production Facility and/or Industrial Hemp Production Facility.

"AGRICULTURAL LAND, HIGHER CAPABILITY" means a quarter section consisting of at least 20.23 ha (50 ac.) of land having a farmland assessment productivity rating equal to or greater than 41%; or, if no rating is available, at least 60% of its land area rated within Canada Land Inventory (C.L.I.) classes 1-3 for soil capability for agriculture.

"AGRICULTURAL LAND, LOWER CAPABILITY" means a quarter section consisting of less than 20.23 ha (50 ac.) of land having a farmland assessment productivity rating of less than 41%; or, if no rating is available, up to 60% of its land area rated above Canada Land Inventory (C.L.I.) classes 1-3 soil capability for agriculture.

"AGRICULTURAL LOT OR PARCEL" means a Lot or Parcel for which the owner can demonstrate that they have been approved for the Alberta Farm Fuel Program, as provided for in the Fuel Tax Act, by providing a copy of their current AFFB Registration Number.

"AGRICULTURAL OPERATION" means an agricultural operation as defined in the Agricultural Operation Practices Act; (MGA, Part 17, Section 616(a). Licensed Cannabis Production Facility and/or Industrial Hemp Production Facility are excluded from this use.

"AGRICULTURAL PRODUCTION" means the production of an agricultural operation. It shall also mean the agricultural product storage, service facilities, and Farmsteads, which relate to the individual farm unit. Licensed Cannabis Production Facility and/or Industrial Hemp Production Facility are excluded from this use.

"AGRICULTURAL SUPPORT SERVICES" means the use of land and/or buildings for the purpose of the supply of goods, materials, or services directly and primarily to Agricultural Operations. This includes but is not limited to the sale, servicing, and storage of seed, feed, fertilizer, chemical products, fuel, and agricultural machinery, but does not involve salvage yards and, does not include a Licensed Cannabis Production Facility and/or Industrial Hemp Production Facility and does not include the processing of raw materials or operation of an industrial park. Agricultural Support Services does not include Licensed Cannabis Storage and Distribution Facility.

"AGRI-TOURISM" means a range of tourist activities associated with working extensive Agricultural Operations that may involve agricultural tours, special promotional events related to Agricultural Operations, and on-site tourist accommodation for not more than forty-five (45) tourists and, does not include a Licensed Cannabis Production Facility and/or Industrial Hemp Production Facility.

"AIRPORT" means any area of land or water, including the frozen surfaces thereof, or other supporting surfaces used, or intended to be used, either in whole or in part for the arrival and departure or servicing of aircraft, and includes any building, installation, or equipment in connection therewith.

"ALTERNATIVE ENERGY SYSTEM" means any system that harnesses natural elements such as solar, water (including rainwater) or geothermal sources to generate electrical, thermal, or mechanical energy and only utilizes renewable resources consistent with the Alberta Regulation 27/2008, Electric Utilities

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Act, Micro-Generation Regulation. And does not include the use of rainwater for irrigation and watering of plants.

"AMUSEMENT ESTABLISHMENT, INDOOR" means a Development providing recreational facilities with table games and/or electronic games played by patrons for entertainment. Indoor amusement establishments may include billiard parlours and electronic games arcades with tables and/or games, and bowling alleys. Indoor Amusement Establishment does not include Cannabis Lounge or Licensed Cannabis Retail Sales Establishment.

"AMUSEMENT ESTABLISHMENT, OUTDOOR" means a Development providing recreational facilities outdoors played by patrons for entertainment. Outdoor amusement establishments may include amusement parks, go-cart tracks, and miniature golf courses. However, outdoor amusement establishments do not include drive-in motion picture theatres, carnivals, or circuses.

"ANIMAL BREEDING AND/OR BOARDING FACILITY" means an establishment for the keeping, breeding, housing, exercising, training, and/or raising of four (4) or more animals over six (6) months in age that are not livestock for profit or gain such as riding stables, kennels, or similar facilities and uses; but shall not apply to the keeping of animals in a veterinary clinic for the purpose of observation and/or recovery necessary to veterinary treatment.

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

"ANTENNA" means a structure designed for receiving and transmitting communication signals.

"ANTENNA, AMATEUR RADIO" means an installation consisting of an antenna array, mounted on a metal tower or support structure, designed for receiving and transmitting radio signals by licensed amateur radio operators. For the purposes of this Bylaw, an amateur radio antenna is considered an accessory use.

"APARTMENT" see **"DWELLING, APARTMENT"**.

"APPROACH" means an access/egress point from a lot or parcel of land onto a road or highway built to the specifications of the relevant approving authority (i.e. County of Vermilion River or Alberta Transportation).

"AREA STRUCTURE PLAN" refers to a statutory document as identified in MGA, Part 17, Section 633, which provides specific direction, including policy statements, on how an area is to develop, identifying the specific mix and density of land uses, utility services, as well as layout of streets, blocks, and lots needed to create a well-designed and successful community, business, commercial, or industrial area. Proponents of Area Structure Plans are directed to reference County Policy PD-011 for requirements in submitting an Area Structure Plan and are encouraged to hold a pre-application meeting with the County.

"ARC, ROTOR" means the largest circumferential path traveled by the blades in a large Wind Energy Conversion System (WECS).

8.1 Definitions - B

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

"AUTOMOTIVE AND EQUIPMENT REPAIR SHOP, HEAVY" means a Development where heavy Trucks, agricultural equipment, construction equipment, and similar Vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed.

"AUTOMOTIVE AND EQUIPMENT REPAIR SHOP, LIGHT" means a Development where automobiles, motorcycles, snowmobiles, and similar Vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Automotive and equipment repair shop, light include transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops, but not body repair or paint shops.

"AUTOMOTIVE AND RECREATIONAL VEHICLE SALES/RENTALS ESTABLISHMENT" means a Development where new or used automobiles, Trucks, motorcycles, snowmobiles, tent Trailers, boats, travel Trailers, or similar recreational Vehicles or crafts are sold or rented, together with incidental maintenance services and sale of parts. Automotive and recreational Vehicle sales/rental establishments include automobile, recreational Vehicle, and motorcycle dealerships and rental agencies.

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

"AXIS ROTOR, HORIZONTAL" means a large Wind Energy Conversion System (WECS) that has the rotor mounted on an axis parallel to the surface of ground.

"AXIS ROTOR, VERTICAL" means a large Wind Energy Conversion System (WECS) that has the rotor mounted on an axis perpendicular to the surface of the ground.

B

"BACKYARD COTTAGE" means Development of a Subordinate Use to a structure in which the Main Use is Single-Detached Dwelling consisting of a self-contained Dwelling Unit that provides separate, independent Living Quarters for one (1) household. Backyard Cottages may be attached, detached, and provide kitchen facilities, including cooking devices and 220-volt wiring. Backyard Cottages shall be located behind the Main Building and shall be located on the same Lot or Parcel as the Main Use. Garden Suites, Tiny Homes, and similar structures may be considered a Backyard Cottage at the discretion of the Development Authority.

"BARE LAND CONDOMINIUM" means a condominium Development subdivision containing Bare Land Condominium Units, created specifically through subdivision and registered as a condominium plan in accordance with the Condominium Property Act, RSA 2000, c. 22.

8.1 Definitions - B

"BARE LAND CONDOMINIUM UNIT" means a bare land unit as defined in the Condominium Property Act, RSA 2000, c. 22.

"BASEMENT" means the portion of a Development, which is wholly or partially below grade, having above grade no more than 1.8 m (6.0 ft.) of its clear height lying below the finished level of the floor directly above. The use of a Basement as a Secondary or Accessory Dwelling or Accessory Living Quarters in an existing house requires the Basement ceiling height to be 1.95m (6'-5") and must conform to Table 9.5.3.1 of the Alberta Building Code, 2014 and be a minimum of 1.85m (6'-1") to the underside of beams and ductwork.

"BED AND BREAKFAST ESTABLISHMENT" means a Development within a dwelling that contains a dwelling unit, where temporary sleeping accommodations, up to a maximum of three (3) bedrooms, with or without meals, are provided for remuneration to members of the public. A bed and breakfast establishment shall not include a boarding house.

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

"BLADE" means an element of a large Wind Energy Conversion System (WECS) rotor, which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.

"BLADE CLEARANCE", in reference to a Horizontal Axis Rotor, means the distance from grade to the bottom of the rotor's arc (see Arc, Rotor).

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

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

"BUILDING" includes any structure constructed or placed on, in, over, or under land, but does not include a highway or road or a bridge that forms part of a highway or road.

"BUILDABLE AREA" means the greatest horizontal area of a building above grade within the glass line of exterior walls, or within the glass line of exterior walls and the centerline of firewalls.

"BUILDING" includes a structure and any part of a building or structure placed in, on, or over land whether or not it is so affixed to become transferred without special mention by a transfer or sale of the land.

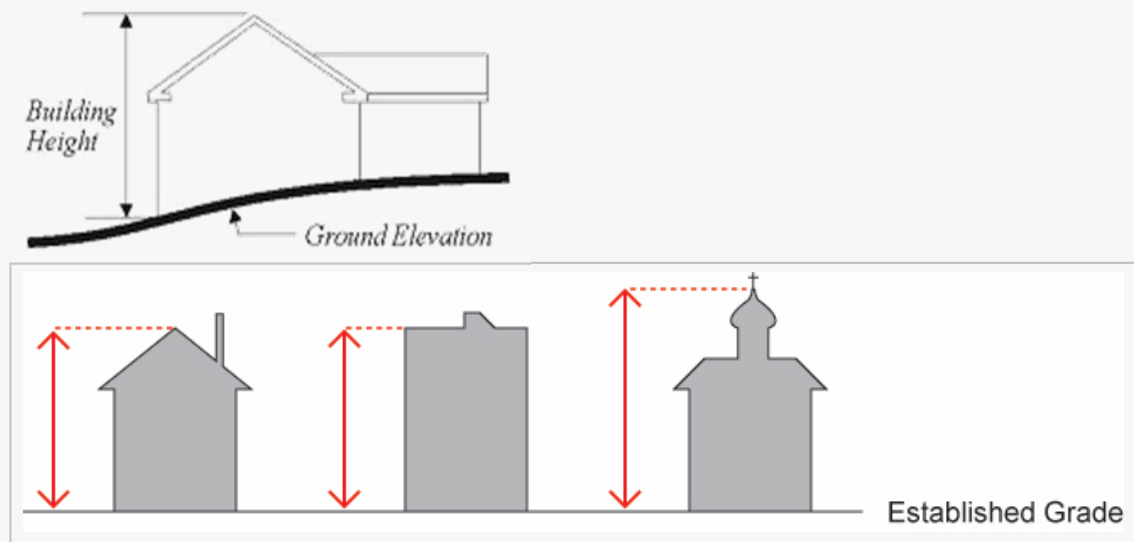
"BUILDING CONVERSION" means the act of changing an existing structure designed and built for non-residential use to residential uses or to a non-residential use other than the existing one within those allowed in the applicable Land Use District, but does not entail structural alterations to the existing structure.

8.1 Definitions - B

"BUILDING COVERAGE RATIO" means the sum of the ground floor areas of all buildings on a lot divided by the area of the lot, expressed as a percentage.

"BUILDING HEIGHT" means the vertical distance from the established grade to the highest point of a building, excluding a stairway entrance, an elevator housing, a mechanical skylight, ventilating fan, chimney, steeple, firewall, parapet wall, flagpole, radio antenna, or similar device not structurally essential to the building (see **Figure 13**).

Figure 13. Building Height.



"BUILDING MATERIAL" means all material accumulated on premises while constructing, altering, repairing, or demolishing any structure and includes, but is not limited to, earth, wood debris, vegetation, or rock displaced during such construction, alteration, or repair.

"BUILDING REHABILITATION" means the alteration, rehabilitation, renovation, repair, addition, or change in use of an existing building that entails structural alterations to the existing structure, but does not include demolition of an existing structure. Building Rehabilitation does not apply to new construction.

"BUILDING SEPARATION" means the minimum distance between two abutting Buildings measured from the final finish of Exterior Walls.

"BULK FUEL STORAGE AND SALES" means lands, buildings, and structures for the storage and distribution of fuels and oils including retail sales and key lock operations.

"BUSINESS SUPPORT SERVICES ESTABLISHMENT" means a Development providing support services to businesses. Business support services establishments are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of

8.1 Definitions - C

office security; or the sale, rental, repair or servicing of office equipment, furniture, and machines. Business support services establishments include printing establishments, film processing establishments, janitorial firms, and office equipment sales and repair establishments.

"BOULEVARD" means 'boulevard' as defined in the *Traffic Safety Act, RSA 2000*, as amended. A boulevard may have trees, grass, or flowers planted down its center or along its sides.

C

"CABIN" means a one-room structure (not including a washroom, bathroom, or toilet) intended for short-term occupancy, often rented for a short amount of time to the traveling or vacationing public. Cabin does not include Manufactured Homes, Recreational Vehicles, Motor Homes, and similar recreational Vehicles, nor Backyard Cottage, Tiny Home, Boarding House or similar uses.

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

"CAMPSITE" means a specified area or site within a Campground or other recreational area intended for occupancy by tents, tent Trailers, Recreational Vehicles, campers, Motor Homes, or other similar recreational Vehicles on a limited, short-term basis. This does not include sites, lots, or parcels for Manufactured Homes, Cabins, Motels, Hotels, or Boarding Houses.

"CANNABIS" means Cannabis plant, fresh Cannabis, dried Cannabis, Cannabis oil and Cannabis plant seeds and any other substance defined as Cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time, and includes edible products that contain Cannabis. This excludes industrial hemp licensed or exempt by the federal government under the Industrial Hemp Regulations (or other applicable Acts or regulations at the time of application).

"CANNABIS, NON-MEDICINAL" means Cannabis for recreational purposes that is not prescribed by a health care practitioner as defined by provincial or federal legislation.

"CANNABIS, MEDICINAL" means Cannabis prescribed by a health care practitioner as defined by provincial or federal legislation.

"CANNABIS ACCESSORY" means Cannabis Accessory as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time and includes, but is not limited to; rolling papers or wraps, holders, pipes, water pipes, bongs, vaporizers, or anything that is deemed to be used in the consumption of Cannabis.

CANNABIS ACCESSORY STORE means a retail store unlicensed by the Province of Alberta where Cannabis Accessories are sold at the premises and **does not** include the sale of Cannabis products nor does include Cannabis Lounge.

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"CANNABIS LOUNGE" means a development where the primary purpose of the facility is the sale of cannabis to the eligible public, for the consumption within the premises that is authorized by provincial or federal legislation. This does not include cannabis production and distribution

"CONDOMINIUM" means a form of legal ownership, containing Units and Common Property, created specifically through subdivision and registered as a condominium plan in accordance with the Condominium Property Act, RSA 2000, c. 22.

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

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

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

"CHILD CARE FACILITY" means a Development licensed by the Province that is intended to provide personal care, educational services, or supervision, without overnight accommodation, for seven (7) or more children at one time for more than three (3), but less than twenty-four (24) consecutive hours in a day. This definition includes daycare centres, drop-in centres, nursery schools, playschools, and out-of-school care for the provision of care before and after school hours, and during school holidays for both pre-school and school age children, but excludes family day homes.

"CLUSTERING" means a building pattern concentrating single or multi-storied lots or units on a particular portion of a parcel. Clustering can have a variety of configurations, including independent, back-to-back, interlocking, closed, or open clusters.

"CLUSTER DEVELOPMENT" means the subdivision of land for Single-Use or Mixed-Use Development that dedicates at least 40% of the gross-developable area as open space. Cluster Development density is determined for an entire specified area, rather than on a lot-by-lot basis, allowing for greater flexibility in designing and arranging lots or units, as long as the Development meets the total density requirement for the Land Use District, by Clustering lots or units together. Cluster Development incorporates Low Impact Development practices and requires preparation and approval of a Site Development Plan or Area Structure Plan for Development of more than four (4) lots. (See **Figure 14, a-b**)

8.1 Definitions - C

Figure 14, a-b. Examples of Commercial/Industrial cluster Developments.



(a) Industrial/Commercial Cluster Development Layout



(b) Industrial/Commercial Cluster Developments

8.1 Definitions - C

"CONCEPTUAL SCHEME" refers to a statutory document as identified in MGA, Part 17, Section 653(4.4)(b), for the purpose of which provides specific direction, on how an area is to develop, identifying the specific mix and density of land uses, utility services, as well as layout of streets, blocks, and lots needed to create a well-designed and successful community, business, commercial, or industrial area. Proponents of Area Structure Plans are directed to reference County Policy PD-011 for requirements in submitting an Area Structure Plan and are encouraged to hold a pre-application meeting with the County.

"CONSERVATION DEVELOPMENT" means the subdivision of land for Residential Use Development that dedicates at least 80% of the gross-developable area as open space, recreation, environmental, or agricultural uses, and which may have a higher net density than conventional multi-lot residential Development s by means of Clustering. Conservation Development incorporates Low-Impact Development practices and requires preparation and approval of a Site Development Plan or Area Structure Plan for Development of more than four (4) Lots or Parcels. (See **Figure 15, a-b**)

Figure 15, a-b. Example of a Residential Conservation Development.



"CO-LOCATION" means locating jointly on a site, tower, and accessory or ancillary buildings together with other Wireless Communications Operators.

"COMMERCIAL STORAGE" means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature. This use does not include outdoor storage and, does not include a Licensed Cannabis Storage and Distribution Facility.

"COMMERCIAL USE" means a business through which products, services, or entertainment are available to consumers, whether the public or other commercial establishments, and does not include the manufacturing of products. Without limiting the generality of the foregoing, commercial use shall include, in this Bylaw, uses such as animal hospitals, bed and breakfast establishments, business support services establishments, campgrounds, drive-in businesses, drive-in restaurants, eating and drinking establishments, entertainment establishments, general retail stores, greenhouses, health services, highway commercial uses, hotels, office uses, personal service shops, recreation camps, recreational Vehicle parks, and resorts. Commercial Use does not include a Licensed Cannabis Retail Sales Establishment, Cannabis Lounge, or Medical Cannabis Clinic.

"COMMERCIAL VEHICLE" means a motor Vehicle registered as a 'commercial Vehicle' pursuant to the *Traffic Safety Act*.

"COMMON AREAS" means amenities such as corridors, hallways, lobby, outdoor and/or indoor recreation areas, laundry, or similar facilities provided for the comfort and use of all occupants, owners, tenants, or users of a building or building complex.

"COMMON PROPERTY" means the components of a Multi-Unit project where use and ownership is shared amongst the individual unit owners, such as parking, lobbies, hallways, recreation facilities, etc.

"COMMUNITY GARDEN" means Property or Premises either public or private that are used for crop cultivation by individuals or collectively, and may be divided into multiple plots.

"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.

"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.

"CONFINED FEEDING OPERATION" means a confined feeding operation as defined in the *Agricultural Operation Practices Act*.

"CONSTRUCTION" means the temporary process of demolishing or building any structure, or repairing or improving a building that already exists, including landscaping, home repair, property improvement, and any work in connection with that process. Construction includes all manner of Development as defined in this Land Use Bylaw, as amended or repealed and replaced from time to time.

"CONSTRUCTION EQUIPMENT" includes, but is not limited to trenching machines, concrete mixers, backhoes and similar equipment.

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

8.1 Definitions - D

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

"COUNCIL" means the Council of the County of Vermilion River.

"COUNTRY RESIDENCE" refers to an individual, freestanding, unattached Dwelling Unit that is the main building on a lot, but does not include Residential Uses in a hamlet.

"COUNTRY RESIDENTIAL LOT OR PARCEL" means a subdivided Lot or Parcel of land, not including Lots within a hamlet, on which the main use is a Country Residential Use. In the case of vacant lot, parcel, and/or Farmstead separations, the main use will be a Country Residential Use under the Land Use District designated at time of subdivision.

"COUNTRY RESIDENTIAL USE" means Buildings used or designed for residence or limited residential use compatible with the natural character of the terrain, generating a density of not more than 0.25 du/ac.

"CULTIVATION" means prepare and use land to raise crops by ploughing it, planting seeds, and taking care of growing plants.

D

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

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

"DAY HOME" means a provincially licensed facility operated from a dwelling supplying childcare supervision to a maximum of six (6) children under the age of eleven (11) years or senior citizens, including any resident children and seniors, for periods of more than three (3) but not more than fourteen (14) consecutive hours. A day home may supply an outside recreation space that is both fenced and gated, and shall meet all fire regulations and health regulations.

"DAY-TIME" means the period beginning at 7 a.m. and ending at 11 p.m. of the same day Monday through Saturday.

8.1 Definitions - D

"DECK" means any open structure attached to a building having a height greater than 0.6 m (2.0 ft.) above grade, and thereby requiring stairs and railings as outlined in regulations approved under the Safety Codes Act. A deck shall not have railings higher than 1.25 m (4.1 ft.) or a roof nor can it have walls.

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

"DENSITY BONUS" means an incentive for developers to provide Inclusionary Housing, superior design standards, and additional recreational amenities within a Development in exchange for greater density level than allowed under existing Land Use District.

"DESIGNATED DISTRICT" means the Land Use District assigned to land or property within an area of the county and subject to the regulations for the Designated District within this bylaw.

"DEVELOPED PARCEL" means a lot or parcel of real property that has been altered by grading or filling of the ground surface or by Development or any improvement or other impervious surface area.

"DEVELOPMENT CONSTRAINTS" means those topographical features that present a barrier for the Development of the land without it resulting in an adverse impact to the environment or an adverse impact on the health and safety of person or property. Such topographical features that can present a barrier for subdivision or Development of land may include, but are not limited to, the following: treed areas, sloughs, poor quality farmland that is rocky or sandy land or slough areas, land with a farmland assessment ratio of 10% or less, or slopes in excess of 15% or slopes that are subject to slippage or mass movement. Development Constraints also refers to natural fragmenting features or topographical barriers identified by the County of Vermilion River Municipal Development Plan.

"DEVELOPER" means an owner, agent or any person, firm, or company required to obtain or having obtained a Development Permit to build on or improve on land or property.

"DEVELOPMENT" means:

- (a) a Natural Resource Extraction or Ground Disturbance Operations, as defined and regulated under this Bylaw and the provincial government, and the creation of either of them, or
- (b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
- (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building; or
- (e) the demolition or removal of a building; or
- (f) the placement of an already constructed or a partially constructed building on a lot or parcel of land; and

(g) without restricting the generality of the foregoing, includes:

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

"DEVELOPMENT AUTHORITY" means the Development authority of the County as established by the County's Development Authority Bylaw and appointed by Council.

"DEVELOPMENT AUTHORITY OFFICER" means the Development authority officer of the County as established by the County's Development Authority Bylaw.

"DEVELOPMENT PERMIT" means a document authorizing a Development issued pursuant to this Land Use Bylaw.

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

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

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

"DRIVE-IN BUSINESS" means a Development that serves customers traveling in motor Vehicles driven onto the site where such business is carried on, where normally the customer either remains in the Vehicle for service, or parks the Vehicle for a short period for doing business at the premises. Drive-in businesses include service stations, gas bars, drive-in restaurants, and drive-through Vehicle service establishments, such as lubrication shops, recycling depots, and Vehicle washing establishments.

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

"DUGOUT" means the excavation of land that results in man-made features that entrap water and includes excavation for a water supply. At its deepest point, a dugout shall have a depth of no less than 1.0 metre (3.28 feet). Anything designed for a depth shallower than 1.0 metre (3.28 feet) may be considered an ornamental pond for landscaping purposes. Dugouts shall be in conformance with provincial legislation.

"DWELLING" means a Building or a portion of a Building containing one (1) or more Habitable Dwelling Units and their respective accessory use areas such that each constitutes a complete Dwelling Unit, and which, except for Secondary Suites, Accessory Living Quarters, or similar, is not separate from direct access to the outside by another separate Dwelling Unit.

"DWELLING, APARTMENT" means a Dwelling containing three (3) or more Dwelling Units, but shall not mean Row Housing.

"DWELLING, COHOUSING" means a Development that combines the privacy of Single-Family Dwelling Units with extensive common facilities, such as kitchen, dining room, children's playroom, activity rooms, and laundry facilities, thus enhancing a sense of community. Residents often come together to identify a site and raise predevelopment funds, making the Development process much different from

8.1 Definitions - D

the usual Development of communities. Cohousing Dwellings shall be part of a community developed in a manner that is consistent to this process. Dwellings within a community developed through a different process, but with similar attributes, shall be considered “Cohousing inspired” communities.

Figure 16. Examples of Dwelling Types.

SINGLE-FAMILY FARM
RESIDENCE (A)



SINGLE-FAMILY DETACHED
DWELLING (CR-A, CR-M, CR-S)



SINGLE-FAMILY DETACHED
DWELLING (R)



SINGLE-FAMILY DETACHED
DWELLING (R1)



SINGLE-FAMILY DETACHED
DWELLING (R2)



SINGLE-FAMILY
ATTACHED/SEMI-DETACHED
DWELLING –
DOUPLEX/FOURPLEX/ROW
HOUSING (R1, R2)



COHOUSING DWELLING
(CR-M, R,R1, R2)



MULTI-FAMILY DWELLING
(R1, R2)



MANUFACTURED HOME
COMMUNITY (CR-M,R, R1, R2)

APARTMENT DWELLING (R1,R2)



"DWELLING CONVERSION" means a change in the use of a one (1) household Dwelling or an accessory area, such as a basement or attic, within an existing one (1) household-Dwelling into an additional Dwelling Unit through only minor, non-structural modifications.

"DWELLING, DUPLEX" means Development consisting of a building containing only two (2) Dwelling Units placed, whether in whole or in part, side by side or with one (1) dwelling placed over the other with individual and separate access from grade to each Dwelling.

"DWELLING, FOURPLEX" means Development consisting of a building containing only four (4) Dwelling Units placed, whether in whole or in part, side by side or with one (1) dwelling placed over the other with individual and separate access from grade to each Dwelling.

"DWELLING, MOVE-IN/RELOCATION" means the action of moving to a new place a Single-Detached Dwelling, which was built to meet Alberta Safety Codes and Alberta Building Code Standards and has been attached to a permanent foundation on the existing location for more than six (6) months, as defined in the Alberta Building Code. Relocation does not include placement of a Manufactured Home or Modular Dwelling.

"DWELLING, MULTI-FAMILY" means a building containing three (3) or more dwelling units typically located one over the other and including garden apartments, apartment buildings, and condominiums and that share common walls or floor/ceilings with one or more units. The land underneath the structure is not divided into separate Lots.

8.1 Definitions - D

"DWELLING, SEMI-DETACHED" means Development consisting of one (1) Dwelling Unit placed, whether in whole or in part, side by side or over the main Dwelling Unit with individual and separate access from grade to each Dwelling.

"DWELLING, SINGLE-FAMILY" or **"DWELLING, SINGLE-DETACHED"** means a standalone building consisting of one (1) Dwelling Unit intended or designed as a residence for one (1) household typically constructed on-site. However, a Single-Detached Dwelling may be constructed in pieces off-site, or even in one piece, with the piece(s) being transported to the site for assembly on-site, and thus may be a Modular Dwelling.

"DWELLING, ROW HOUSING" means a building designed and built to contain three (3) or more dwelling units, each located on its own Lot, with a separate exterior entrance at grade that shares no more than two (2) party walls with adjacent dwelling units, and a vertical party wall that is insulated against sound transmission separates the units. Row Housing does not share common floor/ ceilings with other Dwelling Units.

"DWELLING, STACKED ROW HOUSING" means a Development consisting of Row Housing, except that Dwellings may be arranged vertically two (2) deep, so that Dwellings may be placed over each other. Each Dwelling shall have separate and individual access, not necessarily directly, to Grade, provided that no more than two (2) Dwellings may share access to Grade.

"DWELLING UNIT" means a self-contained unit having sleeping, cooking, and toilet facilities, provides 220-volt wiring, and including accessory use areas, such as closets, hallways, laundry rooms, storage rooms, and utility spaces that is used or intended to be used exclusively for human habitation permanently, semi-permanently, or seasonally for one (1) household. This definition shall include Single-Family Dwellings, Duplexes, Semi-Detached Dwellings, Row Housing, Apartments, Modular Dwellings, Mobile and Manufactured Homes, and similar factory or site built housing types, but shall not include Recreational Vehicles of any kind.

"DWELLING UNIT, MAIN" means a Residential Use that is the Main Use on a Lot or Parcel of land.

"DWELLING UNIT, SECONDARY" means a standalone additional Dwelling Unit on a lot that is separate and subordinate to the main dwelling, the use of which is incidental to the main dwelling, which has a permanent foundation and is located on the same lot or parcel of land. Secondary Dwelling Unit and not contained within the same Building as the Main Dwelling or in an Accessory Building. A Secondary Dwelling Unit may be a Manufactured Home, Modular or Ready-To-Move Dwelling, or a Single-Detached Dwelling, and includes Backyard Cottages, Tiny Homes, and Accessory Living Quarters. Secondary Dwelling Unit does not include a Secondary Suite.

"DWELLING UNIT, TEMPORARY" means a temporary, portable detached Dwelling Unit, located on a lot containing an existing Single-Detached Dwelling.

"DWELLING UNIT, HABITABLE" means those areas of a Dwelling Unit, usually of residential occupancy, fit for human beings to live in on a permanent or temporary basis that provide for living, sleeping, eating, or cooking purposes, but does not include their accessory use areas, such as bathrooms, closets, hallways, laundry rooms, storage rooms, and utility spaces.

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 a Development where food and/or beverages are prepared and offered for sale to the public, for consumption either on the premises at an accessory, outdoor on-site seating area or off the site. An eating and drinking establishment does not include either a Drinking Establishment or an Entertainment Establishment unless otherwise provided for in an approved Development Permit. Eating and Drinking Establishment does not include either an Adult Entertainment Establishment or Adult Uses, nor does include Cannabis Lounge or Licensed Cannabis Retail Sales Establishment.

"ENTERTAINMENT ESTABLISHMENT" means a Development where persons are entertained by performance acts, such as music, theatre, or the like. An entertainment establishment includes theatre, dancing, or cabaret entertainment, whether recorded or live. An eating and drinking establishment may contain within it an Entertainment Establishment, but only if specifically provided for in an approved Development Permit. Entertainment Establishment does not include either an Adult Entertainment Establishment or Adult Uses, nor does include Cannabis Lounge or Licensed Cannabis Retail Sales Establishment.

"EQUIPMENT FABRICATION" means the assembly and required storage of industrial equipment, Trailers, and other similar equipment and may involve a sales component.

"EQUIPMENT RENTAL ESTABLISHMENT" means a Development where tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items are rented and serviced. Equipment rental establishments do not include Developments where motor Vehicles or industrial equipment is rented or serviced.

"ESTABLISHED GRADE" means the average of the highest (A) and lowest (B) elevation of finished surface of the ground where it meets the main Exterior Walls of a building or the average elevation of the finished grade of the ground immediately surrounding a structure, exclusive in both case of any artificial embankment or entrenchment (see **Figure 17**).

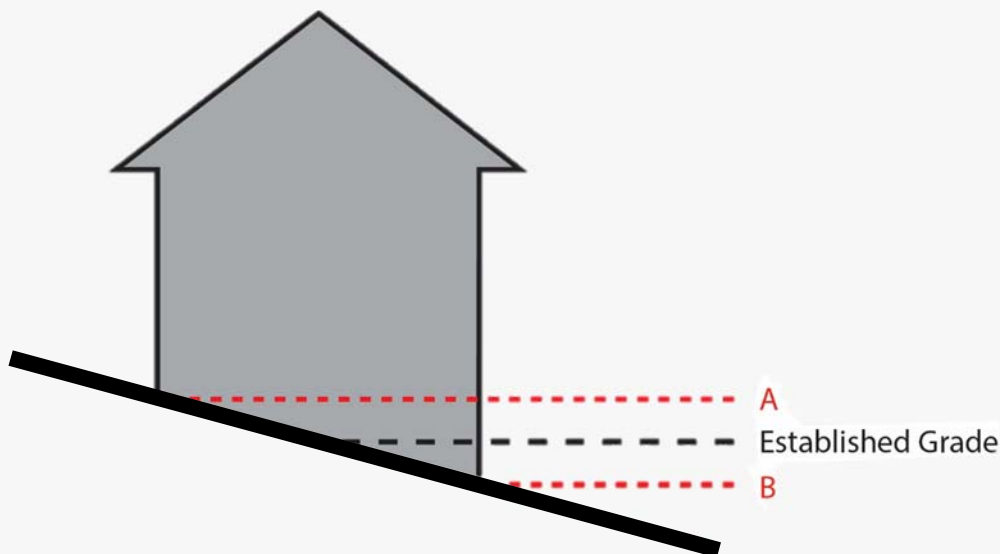
"ENVIRONMENTALLY SIGNIFICANT AREA" means those areas:

- (a) designated as Hazard Land.
 - (i) that perform a vital environmental, ecological, or hydrological function, such as aquifer recharge;
 - (ii) that contain unique geological or physiographic features;
 - (iii) that contain significant, rare or endangered plant or animal species;

8.1 Definitions - E

- (iv) that are unique habitats with limited representation in the region or are a small remnant of once large habitats that have virtually disappeared;
- (v) areas that contain an unusual diversity of plant and/or animal communities due to a variety of geomorphological features and microclimatic effects;
- (vi) areas that contain large and relatively undisturbed habitats and provide shelter habitat for species that are intolerant of human disturbance;
- (vii) areas that provide an important linking function and permit the movement of wildlife over considerable distances, including migration corridors and migratory stopover points;
- (viii) areas that are excellent representatives of one or more ecosystems or landscapes that characterize a natural region;
- (ix) areas with intrinsic appeal due to widespread community interest or the presence of highly valued features or species, such as game species or sport fish; and
- (x) areas with lengthy histories of scientific research.

Figure 17. Established grade.



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

8.1 Definitions - F

"EXTENSIVE AGRICULTURE" means the use of land or buildings, including one Dwelling in connection with an Agricultural Operation, but not including Intensive Agriculture or a Confined Feeding Operation, which requires either a registration or an approval under Part 2 of the Agricultural Operations Practices Act. Extensive Agriculture does not include Licensed Cannabis Production Facilities or Licensed Industrial Hemp Production Facilities.

"EXTENSIVE RECREATION" means a Development where the prime reason for location is to take advantage of natural features including the availability of large areas of land to provide for non-facility oriented recreational activities. In the context of a large area of land, that is, anything over 32 ha (79.1 ac.), Extensive Recreation may include activities such as hunting, trail riding, snowmobiling, hiking, and other similar uses. In the context of a smaller area of land, that is anything under 32 ha (79.1 ha), Extensive Recreation may include the provision of opportunities for viewing nature, fishing, relaxation, and rest; and may or may not include a site where only one (1) or two (2) recreational Vehicles or Campsites, and/or one (1) Cottage, Single-Family Dwelling, or Manufactured Home may be located.

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

F

"FAMILY CARE FACILITY" means a facility that provides resident service in a Dwelling to six (6) or fewer individuals who are not related to the resident household. These individuals are physically handicapped, aged, or disabled and in need of adult supervision for those reasons and are provided service and supervision in accordance with their individual needs. This category includes foster or boarding homes for children, but not group homes.

"FARM BUILDING" means "any improvement other than a residence, to the extent it is used for farming operations", as defined in the Matters Relating to Assessment and Taxation Regulation. Farm Building refers to an accessory building that:

- (a) does not contain a residential occupancy,
- (b) is used in connection with an Agricultural Operation and situated on the same lot or parcel of land in connection with such Agricultural Operations,
- (c) is not used or occupied by, or expected to be used or occupied by, the public or persons, other than the farmer or farmers that own the building, their immediate family, and/or their employees, that may be in the building from time to time during the natural course of farming operations,
- (d) and the building is used for:
 - (i) housing livestock,

- (ii) storing, sorting, grading, or bulk packaging primary agricultural products, or
- (iii) housing, storing, or maintaining machinery associated with the operation of the farm on which it is located.

"FARMING" means the use of land or buildings for an Agricultural Operation, but does not include Intensive Agriculture or Confined Feeding Operations.

"FARMLAND" means "land used for farming operations as defined in the regulations", as defined in the Municipal Government Act and the Matters Relating to Assessment and Taxation Regulation, and is assessed based on its productivity level based on regulated rates developed by Alberta Municipal Affairs.

"FARMING OPERATIONS" means "the raising, production and sale of agricultural products, as defined in the Municipal Government Act and the Matters Relating to Assessment and Taxation Regulation, and includes:

- (a) Horticulture, aviculture, apiculture, and aquaculture,
- (b) The production of horses, cattle, bison, sheep, swine, goats, fur bearing animals raised in captivity, domestic cervids within the meaning of the "Livestock Industry Diversification Act", and domestic camelids, and
- (c) The planting, growing and sale of sod."

"FARM RESIDENCE" refers to an individual, freestanding, unattached Single-Dwelling Unit with improvements accessory to the Dwelling Unit and situated on a subdivided parcel of land used in connection with Farming or Agricultural Operations.

"FARMSTEAD" means a Dwelling Unit together with improvements used in connection with Farming or Agricultural Operation and situated on an unsubdivided parcel of land in connection with such Farming or Agricultural Operations used.

"FARMSTEAD, ABANDONED" means an unoccupied farmyard that contains two (2) or more of the following: an abandoned residence, developed potable water source, an established sewage collection system, an existing shelterbelt, or any other features that would indicate a previously developed Farmstead and situated on a subdivided parcel of land used in connection with Farming or Agricultural Operations.

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

"FLOOD PLAIN" means the area of land Adjacent to a water body or man-made body of water that has been or may be covered by the 1:100 year flood or highest and most frequent rain event series relevant to flooding of the land.

"FLOODWAY, 1:100 YEAR" means the channel of a river or stream and the parts of the floodplain adjoining the channel that are reasonably required to efficiently carry and discharge the floodwater or flood flow of a river or stream. Although it can be referenced to as a 1:100 year flood, this does not mean

8.1 Definitions - G

that it will occur once every hundred years. A 1:100 year flood has a one percent (1%) chance of being equaled or exceeded in any given year.

"FLOOR AREA" means the total area of all floors of a building above grade measured from within the final finish of exterior walls, but not including the floor area of basements, attached garages, sheds, open porches, or breezeways. All Dwelling Units in an Apartment shall be included in the calculation of Floor Area. In the case of Attached, Semi-Detached, or Accessory Living Quarters, Floor Area shall be measured at the centerline for shared walls.

"FRAGMENTED PARCEL" means a parcel of land or a portion of a parcel of land that is separated from the balance of a titled parcel by a natural barrier such as a river or a coulee, or by a physical barrier such as a highway, road, or railroad, which impedes reasonable or normal access.

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

G

"GAME FENCE" means a fence specifically designed to keep exotic livestock such as bison, elk, deer, llama, emu, and similar animals within a confined space in an agricultural operation.

"GARAGE" means a building to be used solely for the storage of Vehicles such as a passenger car, a Truck with a gross Vehicle weight of two (2) tonnes or less, a recreational Vehicle, a boat, or similar belongings.

"GARBAGE" means discarded or rejected ashes, bottles, metal cans or tins, crockery, glass, grass cuttings and other garden refuse, cloth, paper, food and food waste, trees, branches, wrappings, sweepings and other items of household refuse, but does not include human or animal excrement, or industrial/commercial waste or dead animals therefrom.

"GENERAL RETAIL ESTABLISHMENT" means a Development where, among other goods, groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationary, second hand goods, and similar goods are bought, rented, and/or sold, except for any and all types of alcoholic beverages. Minor public services such as postal services and film processing depots may also be provided.

"GEOTHERMAL ENERGY" means a renewable source of energy that employs the use of a heat pump to warm or cool air by utilizing the constant temperatures of the earth.

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

8.1 Definitions - H

"GRAIN ELEVATOR" means an agricultural facility designed to stockpile or store grain. Grain Elevator does not include a Grain Handling Facility.

"GRAIN HANDLING FACILITY" means a facility for the cleaning, collection, grading, sorting, storage, and transshipment of grains or other food crop. Grain Handling Facility does not include the manufacturing, processing, or wholesaling of Hemp, Cannabis, grains, or food crops.

"GRAVEL PIT" means an open-pit mine for the long term mining extraction of gravel.

"GREENHOUSE" means a commercial establishment, with or without a building, where vegetables, flowers and other plants are grown for sale as plants, and which may include a market garden or plant nursery, and does not include a Licensed Cannabis Production Facility and/or Industrial Hemp Production Facility.

"GROUND DISTURBANCE OPERATIONS" means any work, operation or activity that results in the penetration of the ground, whether using mechanical excavation or hand tools, including driving posts or stakes, drilling, digging, trenching, blasting, grading, and similar activities.

"GROUP CARE FACILITY" means a facility that provides resident services to seven (7) or more individuals of whom one or more may be related. These individuals are physically handicapped, aged, or disabled, and in need of adult supervision for those reasons and are provided service and supervision in accordance with their individual needs. This category includes foster or boarding homes for children, but not group homes.

"GUEST HOUSE" means an accessory building to a single-family dwelling, which contains a dwelling unit or part of a dwelling unit, which is used solely by members of the family or by temporary guests of the family occupying the Single-Family Dwelling.

"GUEST RANCH" means a working ranch where tourists are accommodated on a temporary basis for the purpose of experiencing and participating in the daily operation of the ranch, and may include temporary sleeping accommodation for no more than forty-five (45) tourists, physical/health fitness rooms and a restaurant limited to the seating of no more than forty-five (45) guests.

H

"HARDSHIP" means an existing condition that makes it onerous to comply with the regulations of the Land Use Bylaw. This may be because of some unique aspect of the property itself, be it shape or Development Constraints whether natural or man-made. A Hardship does not relate to the personal needs of the landowner and cannot be "self-created".

"HAZARD LANDS" means lands that are unsafe for Development in their natural state such as floodplains and steep and unstable slopes; or that pose severe constraints on Development such as aeolian surficial deposits (a deposit that forms as a result of the accumulation of wind-driven products of the weathering of solid bedrock or unconsolidated alluvial, lacustrine, marine, or other deposits); and permanent wetlands, which may be prone to flooding, shoreline erosion, or slope instability hazards; or

8.1 Definitions - H

any hazard that may result in life loss or injury, property damage, social, and economic disruption or environmental degradation such as floodways and lands in proximity to water bodies; and water courses with slopes greater than 10%.

"HEALTH SERVICES" means a Development where physical or mental health services are provided on an outpatient or on an in-patient basis. If the services are provided on an in-patient basis, the use may also include accessory staff residences. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Health services include medical, chiropractic, and dental offices, health clinics and counseling services, hospitals, sanitariums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

"HEAVY TRUCK AND EQUIPMENT STORAGE" means the on-lot storage, inside a single accessory building, of heavy Trucks and equipment owned and operated by a resident or residents of the Single-Family Dwelling or Manufactured Home situated on the same lot.

"HEAVY VEHICLE" means a commercial Vehicle as defined in the Traffic Safety Bylaw (Bylaw 14-04, as amended), but excludes farm equipment designed and intended for use in farming operations, other than a Truck, Trailer or semi-Trailer, with or without a load, being or exceeding anyone of the following:

- (a) 8 meters (26 ft.) in length, or
- (b) a registered gross Vehicle weight of 22,500 kg or more; or
- (c) tractor units, which form by attaching as a power unit to semi-Trailer(s); except a Truck, tractor unit, Trailer, motor bus, or semi -Trailer that is a public service Vehicle; or
- (d) Recreational Vehicles.

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

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

"HIGHWAY SERVICES" means those facilities and services located on lands along a Highway or Road or at an access point or Road, which cater to traveling traffic and the local infrastructure. Highway Services may include rest areas, maintenance yards, emergency services, signs, weigh scales, travel accommodations or campsites.

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

"HOME, MANUFACTURED" means a detached, factory-built, Single-Family Dwelling placed on a permanent foundation and manufactured in full compliance with both the Canadian Standards

Association (CSA) Z-240 MH National Mobile Home Standard and the Alberta Building Code (ABC), bearing a prominently displayed CSA Z240MH Mobile Home label AND an Alberta Municipal Affairs label that certifies compliance to the ABC. Notwithstanding the requirement regarding labels, should a Building not have a label, it can still be considered a Manufactured Home for the purposes of this Bylaw should the inspection and upgrading procedures outlined in **Section 4.18(8)** of this Bylaw be followed.

“HOME, MOBILE” means a Manufactured home that is designed for transportation after fabrication on streets and highways on its own wheels to the site where it is to be occupied as a Dwelling Unit for one (1) household, ready for occupancy except for minor and incidental unpacking and assembling operations, location on permanent or semi-permanent foundations, connection to utilities and the like.

“HOME, MODULAR” or **“READY-TO-MOVE”** means a Single-Detached Dwelling constructed off-site, and under controlled conditions in large sections, but such sections or units have neither chassis, running gear, nor its own wheels, and the sections may be stacked side-by-side or vertically. It does not refer to a type of Dwelling, but rather to a method of construction, and extends to Manufactured Homes, Mobile Homes, and Single-Detached Dwellings.

“HOME, MOTOR” means a motor Vehicle equipped with living quarters behind the driver's compartment, with kitchen facilities, beds, etc. for Recreational Use.

“HOME OCCUPATION, MAJOR” means Development consisting of the use of an approved dwelling and/or accessory building, by an occupant of that dwelling, for one or more activities in connection with any occupation, trade profession, or craft carried on by an occupant of a dwelling as a use secondary to the Residential Use of the building, and which does not change the character of or have any exterior evidence of such secondary use other than a sign as allowed in this Bylaw, and would normally attract more than five (5) clients per week, but does not include the on-site employment at the dwelling or accessory buildings of more than two (2) paid assistants other than the occupant and the occupant's family. Major Home Occupation does not include Licensed Cannabis Production Facility or Licensed Cannabis Retail Sales Establishment.

“HOME OCCUPATION, MINOR” means Development consisting of the use of an approved dwelling and/or accessory building, by an occupant of that dwelling, for one or more activities in connection with any occupation, trade profession, or craft carried on by an occupant of a dwelling as a use secondary to the Residential Use of the building, and which does not change the character of or have any exterior evidence of such secondary use other than a sign as allowed in this Bylaw, and would not normally attract more than five (5) clients per week, nor include the employment at the dwelling or accessory buildings of any paid assistant, other than the occupants of the dwelling. Minor Home Occupation does not include Licensed Cannabis Production Facility or Licensed Cannabis Retail Sales Establishment.

“HOME, PANELIZED” means homes built with pre-fabricated wall, floor and/or roof assemblies. Panels may be partially or fully completed in the factory, with windows, doors and siding often installed already. They are shipped flat to the site where they are assembled, and the home is finished inside and out. The use of panels reduces on-site construction time significantly. Panelized Home shall comply with the same standards as a Manufactured Home.

“HOME, PRE-ENGINEERED” means essentially "pre-packaged" homes. All major building components are prepared in the factory and shipped to the building site ready for assembly; including framing

8.1 Definitions - H

materials, doors, windows, roofing, siding, interior wall partitions and sub-flooring. The pre-engineered building system emphasizes precision design and pre-cutting, and can be used for virtually any home design. Pre-engineered Home shall comply with the same standards as a Manufactured Home.

"HOME PARK, MANUFACTURED" means a parcel of land under single ownership, which has been planned and divided into rentable spaces or lots for the long-term accommodation of Manufactured Homes.

"HOME, SITE-BUILT" means a dwelling that is constructed primarily on the site on which it is to be located. Although some components may be prefabricated off-site, the dwelling is erected, framed, and finished by workers on location using stock materials.

"HOME, TINY" means a Development intended for separate, independent Living Quarters for one (1) household that is a detached, self-contained Dwelling Unit the design and the structure of which, at the discretion of the Development Authority, is compatible with the Main Building and the neighborhood. Tiny Home shall comply with the same standards as a Manufactured Home and shall be placed on a permanent foundation. A Tiny Home shall be located behind the Main Building.

"HORTICULTURAL DEVELOPMENT" means the intensive growing of specialized crops, either enclosed or not, and without restricting the generality of the above, may include:

- (a) Greenhouses;
- (b) Nurseries;
- (c) Tree farms;
- (d) Market gardens; and
- (e) Other similar uses.

Horticultural Development does not include a Licensed Cannabis Production Facility.

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

"HOUSEHOLD" means:

- (a) a person, or
- (b) two (2) or more persons related by blood, marriage, a common law relationship, or adoption, or

- (c) a group of not more than five (5) persons who are not related by blood, marriage, or adoption,

all living together as a single housekeeping group and using cooking facilities shared in common. A household may also include bona fide servants, up to two (2) boarders or lodgers, or up to four (4) foster children.

"HOUSEHOLD REPAIR SERVICE" means a Development where goods, equipment and appliances normally found within a dwelling unit may be repaired. Household repair services include radio, television, appliance and electronics repair shops, and furniture refinishing and upholstery shops, but not personal service shops. Household repair services do not have any outdoor storage.

I

"IDLE" or "IDLING" means the operation of the engine of a motor Vehicle while the motor Vehicle is not in motion.

"IMPACT, SIGNIFICANT" means the presence or reasonable likelihood of Adverse Effects to occur upon a Land Use as a result of an adjacent or nearby Development within the same or another Land Use. In determining whether a Significant Impact will occur, the timing and magnitude of effects should be related to the Land Uses normal use period(s).

"INCLUSIONARY HOUSING" means "inclusionary housing" as defined in the *Municipal Government Act and Regulation*, as amended or repealed and replaced from time to time.

"INDUSTRIAL HEMP" means "Cannabis plants and plant parts, of any variety, that contains 0.3% tetrahydrocannabinol (THC) or less in the leaves and flowering heads," as defined in *Industrial Hemp Regulations*, as amended.

"INDUSTRIAL PARK" means an area designed and districted for the purposes of accommodating industrial Cluster Development.

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

"INDUSTRIAL USE, LIGHT" means a Development that, in the opinion of the Development Authority, may be able to co-exist compatibly in proximity to other uses or population concentrations. Light industry is usually less capital intensive than heavy industrial or medium industrial uses, and is more

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consumer-oriented than business-oriented. Light industries require only a small amount of raw materials, area, and power. Light Industrial Use is where any of the following:

- (a) Processing of raw materials, and/or
- (b) Manufacture and/or assembly of semi-finished or finished goods, products, or equipment, and/or
- (c) Cleaning, servicing, repairing, salvaging, and/or testing of materials, goods, and equipment normally associated with industrial or commercial business, and/or
- (d) Cleaning, servicing, and/or repairing of goods and equipment associated with personal or household use, and/or
- (e) Storing and/or transshipping of materials, goods, and equipment, and/or
- (f) Distribution and/or sale of materials, goods, and equipment to institutions and/or industrial and commercial businesses for their direct use and/or to general retail establishments and/or other retail establishments for resale to individual customers, and/or
- (g) Training of personnel in general industrial operations,

takes place in such a manner that, in the opinion of the Development Authority, an adverse environmental impact is not created beyond the building or structure in which the light industry is located. Light Industrial Uses do not produce significant toxic or noxious by-products as a result of the activity generated by the use or uses of the lot, and said use is compatible with other industrial and commercial uses in a concentrated setting. Light Industrial Uses include motor Vehicle body and paint shops, but do not include the preparation of food and/or beverages for direct sale to the public.

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

“INDUSTRIAL USE, MEDIUM” means Development that may involve the manufacturing, processing, fabrication, storage, transportation, distribution, or wholesaling of goods and services, and which does not emit noise, smoke, odour, dust, or vibration beyond the boundaries of the lot on which the Medium Industrial Use is located. For the purpose of this Bylaw, dust refers to matter in fine, powdery, dry particles produced as a direct result of the activity generated by the Medium Industrial Use on the lot rather than that produced because of travel that takes place to and from the Lot. A Medium Industrial Use may also include the retail of goods and/or services to the public, so long as any such retail component is accessory to the Main Medium Industrial Use. The total floor area of such accessory activities shall not exceed thirty-three percent (33%) of the total floor area of the building or buildings devoted to the Medium Industrial Use

8.1 Definitions - K

"INDUSTRIAL VEHICLE AND EQUIPMENT SALES/RENTALS ESTABLISHMENT" means a Development where new or used heavy Vehicles, machinery, or mechanical equipment typically used in building, road, pipeline, oilfield, and mining construction, manufacturing, assembling, and processing operations and/or agricultural operations are sold or rented, together with incidental maintenance services and sale of parts. Industrial Vehicle and equipment sales/rental establishments do not include Truck and recreational Vehicle sales/rental establishments or automotive sales/rental establishments.

"INSTITUTIONAL USE" means Development which is used for a public or non-profit purpose and, without limiting the generality of the foregoing, may include such uses as schools, places of religious assembly, indoor recreation facilities, libraries, community centres, hospitals, public offices and senior citizen housing.

"INTENSIVE AGRICULTURE" means an agricultural operation that operates on an intensive basis, and due to the nature of the operation, can use smaller tracts of land. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, and kennels, but does not include confined feeding operations, and does not include a Licensed Cannabis Production Facility and/or Industrial Hemp Production Facility.

"INTENSIVE RECREATION" means high-density recreational activities such as fishing lodges, beach areas, marinas, riding stables, racetracks, sports fields, golf courses, arenas, swimming pools, tennis courts, and other similar activities.

K

"KENNEL" means the grooming, boarding, or selling or any combination thereof, of household pets. For additional provisions applicable to Kennels, see **"ANIMAL BREEDING AND/OR BOARDING FACILITY"**.

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.

"LANDFILL, CLASS II" means a Landfill for the disposal of waste, not including hazardous waste.

"LANDFILL, CLASS III" means a Landfill for the disposal of waste:

- (a) that is solid;
- (b) that, on disposal in a Landfill, is not reasonably expected to undergo physical, chemical or biological changes to such an extent as to produce substances that may cause an adverse effect, and includes but is not limited to demolition debris, concrete, asphalt, glass, ceramic materials, scrap metal and dry timber or wood that has not been chemically treated, but does not include hazardous waste.

"LANDSCAPING" means the modification and enhancement of a Site through the Use of any or all of the following elements:

- (a) vegetation such as lawns, trees, shrubs, hedges, ground cover, ornamental plantings, or similar.
- (b) architectural such as Fences, Screening, walks, or other structures and materials used in landscape architecture.

"LAND SUITABILITY ANALYSIS" is a GIS-based process applied to determine the suitability of a specific site for considered Use, in other words it reveals the suitability of an area regarding its intrinsic characteristics (suitable or unsuitable) for a specific Use (residential, non-residential). A Land Suitability Analysis (LSA) may also consider other criteria, including environmental, social and economic factors.

"LAND USE" means the various ways in which human beings make use of and manage the land and its resources for different types of activities, such as economic, residential, recreational, conservational, and governmental purposes.

"LAND USE BYLAW" means a County Bylaw that divides the County into Land Use Districts and establishes procedures for processing and deciding upon Development applications. It regulates the Use and Development of both land and Buildings within the Municipality, in order to ensure orderly, efficient Development. A Land Use Bylaw is required for every Municipality in Alberta as per the requirements in the Municipal Government Act, as amended.

"LAND USE DISTRICT" means a classification that determines what type of activities are allowed to occur on the land and properties located within an area of the County with the Use of land or Property within each Land Use District being reasonably uniform.

"LAND USE, SENSITIVE" means land or Buildings where routine or normal activities occurring at reasonably expected times would experience one or more Adverse Effects generated by a nearby Development. Sensitive Land Uses may be a part of the natural or built environment. Sensitive Land Uses and associated activities may include one or a combination of the following:

- (a) residences or facilities where people sleep (e.g., single and multi-unit dwellings, nursing homes, hospitals, Trailer parks, camping grounds, etc.). These uses are considered to be sensitive 24 hours/day.
 - (i) a permanent structure for non-facility related use, particularly of an institutional nature (e.g., schools, churches, community centres, day care centres).
 - (ii) certain outdoor recreational uses deemed by municipality or other level of government to be sensitive (e.g., Trailer park, picnic area, etc.).
 - (iii) certain agricultural operations (e.g. cattle raising, mink farming, cash crops, and orchards).

(iv) vegetation/wildlife habitats or corridors.

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

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

"LEADING WALL" means the outermost part of a wall, including any bay window or cantilevered section of wall, the outer wall of a fireplace chase, etc.

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

"LICENSED INDUSTRIAL HEMP PRODUCTION FACILITY" means the Use of land, Buildings, or structures licensed and/or authorized to possess, sell, provide, ship, deliver, transport, destroy, produce, export and/or import Industrial Hemp, including related research, under the *Industrial Hemp Regulations*, as amended, or any subsequent legislation that may be enacted in substitution.

"LICENSED INDUSTRIAL HEMP PRODUCTION FACILITY PREMISES" means a location registered under the *Industrial Hemp Regulations*, or as amended, as an Licensed Industrial Hemp Production Facility and includes all areas of the Site that are used in the business operated at the Site, including offices, kitchens, washrooms, storerooms, and including all public and private areas where individuals are permitted to be present. Premises also shall include the Parking Areas and the landscaped areas located outside of the Building or Buildings, which accommodate the primary activities of the Licensed Industrial Hemp Production Facility.

"LICENSED CANNABIS PRODUCTION FACILITY" means the Use of land, Buildings, or structures licensed by the Federal Government, where Cannabis is grown for distribution (for medical or private retail purposes), and typically includes the cultivating, propagating and/or harvesting of the Cannabis plant. Other processes may include related research, deliver, transport, produce, destroy, export and/or import, packaging, shipping, testing, and storage of Cannabis and Cannabis related products.

"LICENSED CANNABIS PRODUCTION FACILITY PREMISES" means a location registered under the *Access to Cannabis for Medical Purposes Regulations*, the *Gaming, Liquor, and Cannabis Act* and the *Cannabis Act (Canada)*, or as amended, as a Licensed Cannabis Production Facility; and includes all areas of the Site that are used in the business operated at the Site, including offices, kitchens, washrooms, storerooms, and including all public and private areas where individuals are permitted to be present. Premises also shall include the Parking Areas and the landscaped areas located outside of the Building or Buildings, which accommodate the primary activities of the Licensed Cannabis Production Facility.

"LICENSED CANNABIS RETAIL SALES ESTABLISHMENT" means a retail establishment licensed by the Province of Alberta where non-medicinal cannabis and cannabis accessories are sold to individuals who attend at the premises.

"LICENSED CANNABIS RETAIL SALES ESTABLISHMENT PREMISES" means a location registered under the *Gaming, Liquor, and Cannabis Act* and the *Cannabis Act (Canada)*, or as amended, as a Licensed Cannabis Retail Sales Establishment; and includes all areas of the Site that are used in the business operated at the Site, including offices, kitchens, washrooms, storerooms, and including all public and private areas where individuals are permitted to be present. Premises also shall include the Parking Areas and the landscaped areas located outside of the Building or Buildings, which accommodate the primary activities of the Licensed Cannabis Retail Sales Establishment.

"LICENSED CANNABIS STORAGE AND DISTRIBUTION FACILITY" means an enclosed building, licensed by the Provincial Government, where Cannabis is stored, but not grown (for medical or private retail purposes), and may include processes such as the packaging, shipping, storage and distribution of Cannabis and Cannabis related products.

"LICENSED MEDICAL CANNABIS CLINIC" means any business or enterprise whether or not operated for profit intended to serve as a means of distributing or providing cannabis for medical purposes as defined by provincial or federal legislation.

"LIQUOR OR GAMBLING ESTABLISHMENT" means a facility licensed under the *Gaming and Liquor Act*, *RSA 2000*, and *Regulation*, as amended and repealed or replaced from time to time.

"LIQUOR SALES AND STORAGE ESTABLISHMENT" means a Development or a part of a Development used for the retail sale of any and all types of alcoholic beverages to the public for consumption off Premises. This Use may include the retail sales of related products such as soft drinks and snack foods.

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

"LIVESTOCK SALES YARD" means any enclosed area of land, with or without Accessory Buildings or structures, upon which Livestock is collected for sale or for market distribution.

"LIVING QUARTERS" means a self-contained Habitable Dwelling Unit, but does not include Basement, Garage or Carport, Patio, or atrium.

"LOT" means a recognized Subdivision of Property with a written legal description that addresses permissions or constraints upon its Development. It is common for a Lot and a Parcel of Land to share the same space and have common boundaries, but this is not always the case. For instance, it is possible for a Parcel of Land to contain more than one Lot, or portions of Lots. A Lot may be:

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

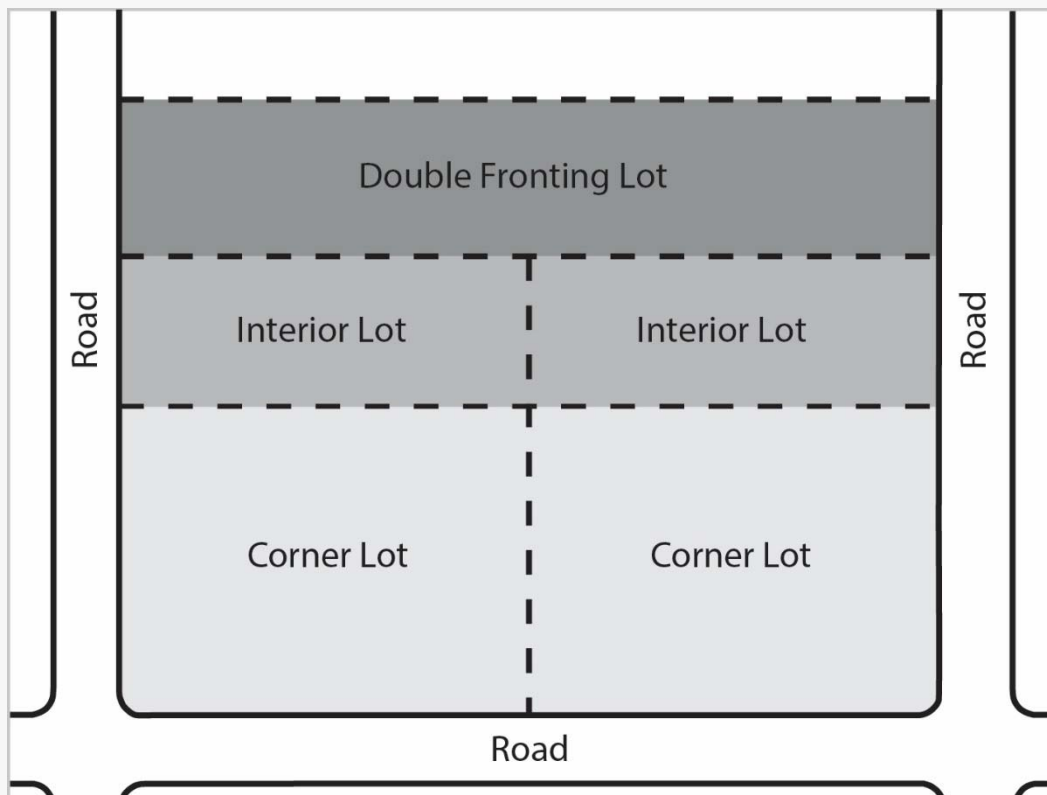
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- (c) a separate Ownership of a space or Unit within a Building or on bare land described in a Certificate of Title, if the boundaries of the portion are described in the Certificate of Title by reference to a plan of Subdivision;
- (d) settlement Lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a Land Titles Office; or
- (e) a portion of a Parcel of Land described in a Certificate of Title, if the boundaries of the portion are described in the certificate of title by reference to a plan of Subdivision.

"LOT, AGRICULTURAL" means an unsubdivided Lot approved by the Alberta Farm Fuel Benefit Program (AFFB), as provided for in the Fuel Tax Act, evidenced by a valid AFFB Program registration number.

"LOT, CORNER" means a Lot having frontage on two or more rights-of-way, other than lands, or in the case of a Bare Land Condominium Development, a Unit as described in the Condominium Property Act having two contiguous Property Lines Abutting Common Property used as Road access. For the purposes of this definition, a Road shall not include a Lane (see Figure 20).

Figure 18. Illustration of Lot Definitions: Corner Lot, Double Fronting Lot, and Interior Lot.



"LOT COVERAGE" means the percentage of a Lot covered by all Buildings on the Lot.

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"LOT, DOUBLE FRONTING" means a Lot that Abuts two Roads, which has frontage on each Road; except alleys as defined in the Traffic Safety Act, R.S.A. 2000, as amended, which are parallel or nearly parallel where Abutting the Lot, but does not include a Corner Lot (see Figure 7).

"LOT, INTERIOR" means a Lot, which abuts a Road only on the Front Line (see Figure 7).

"LOT, LAKE FRONT" means a developable Lot or Parcel that is adjacent to a river or water body or, whether or not separated by a conservation or environmental reserve Easement.

"LOT LINE" means the boundary (Property) line of a Lot or Parcel of Land, including the Front Line, Rear Line, and Side Line of the Lot.

"LOT LINE, FRONT" means the boundary line of a Lot lying adjacent to a Highway or Road. In the case of a Corner Lot, the shorter of the two boundary lines adjacent to the Highway or Road shall be considered the Front Line or as required by the Development Authority.

"LOT LINE, REAR" means the boundary line of a Lot lying opposite to the Front Line of the Lot and/or farthest from a Highway or Road.

"LOT LINE, SIDE" means the boundary line of a Lot lying between a Front Line and a Rear Line on a Lot or Parcel. In the case of a Corner Lot, the longer of the two boundary lines adjacent to the Highway or Road shall be considered a Side Line or as required by the Development Authority.

"LOT, MINIMUM AREA" means the minimum area required to ensure there is adequate space to accommodate the Building area, water, drainage or sewage disposal, and any required systems to provide servicing after accounting for the Setback requirements from the County, relevant agencies, Provincial policies, and any other applicable Setbacks or required Easements.

"LOT, RESERVE" means a dedication of land as outlined in the Municipal Government Act.

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

"LOT, VACANT" means an unoccupied Parcel of Land, developed or undeveloped, at time of Subdivision.

"LOT WIDTH" means the distance between the Side Lines of a Lot measured at a distance from the Front Line equal to the minimum required Front Yard for the applicable Land Use District where the Lot or Parcel of Land is located. In a Lot with a curved Front Line, the Lot Width shall be measured from the mid-point of the Front Line and the mid-point of the Rear Line, at a distance from the Front Line equal to the minimum required Front Yard for the applicable Land Use District where the Lot or Parcel of Land is located.

"LOW-IMPACT DEVELOPMENT (LID)" means a land-planning and engineering design approach to managing storm water runoff, which emphasizes use of on-site natural features to protect water quality. Low Impact Developments are designed to reflect natural hydrology, minimize impervious surfaces, treat storm water in small-decentralized structures, preserve portions of the Site in natural conditions, and use natural topography for drainage ways and storage.

M

"MAIN BUILDING" means a building in which, in the opinion of the Development Authority, within the Designated District is conducted the Main Use or uses of the site on which it is erected.

"MAIN USE" means a use that, in the opinion of the Development Authority, within the Designated District is the main purpose for which the site is ordinarily used.

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

"MANUFACTURING" means establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products.

"MANURE STORAGE FACILITY" means a manure storage facility as defined in the Agricultural Operation Practices Act.

"MIXED-USE DEVELOPMENT" means a Development designed to accommodate more than one type of use on the same site or building with no more than 60% of the gross floor area (GFA) devoted to any single land use category (e.g., residential, commercial, industrial). The composition of uses typically may be retail or office on the main floor, with residential uses above. In these Developments, residential uses are not generally considered appropriate to be on the same floor as commercial uses; however, residential uses may be allowed on the main floor at the discretion of the Development Authority, and provided that the commercial use is located at the street front and the uses have separate entrances.

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

"MUNICIPAL GOVERNMENT BOARD" means the Municipal Government Board established under Part 12 of the Municipal Government Act, and includes any panel of the Board.

"MUNICIPALITY" means the County of Vermilion River.

N

"NATURAL AREA" means an area of land and/or water especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed

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through legal or other effective means. Areas such as groomed parks, recreational areas for sports, and schoolyards are not included in this definition.

"NATURAL RECREATION USE" means a natural area for recreational Development conducted on a single site where the prime reason for location is to take advantage of natural physical features, including the availability of large areas of land, to provide an area for Passive Recreation and a wilderness retreat with the exclusion of off-highway Vehicles.

"NATURAL RESOURCE EXTRACTION INDUSTRY" means Development for the on-site removal, extraction, and primary processing of raw materials found on or under the site. Typical uses include gravel or sand pits, clay pits, oil and gas wells, and stripping of topsoil. This use does not include the processing of raw materials transported to the site and, does not include a Licensed Cannabis Production Facility and/or Industrial Hemp Production Facility.

"NIGHT-TIME" means the period beginning at 11:00 p.m. and ending the following day at 7:00 a.m. Sunday through Friday.

"NON-CONFORMING BUILDING" means a building:

- (a) that is lawfully constructed or is lawfully under construction at the date a land use bylaw, or any amendment thereof, affecting the building or the land on which the building is situated becomes effective, and
- (b) that on the date this land use bylaw becomes effective does not, or when constructed will not, comply with this land use bylaw.

"NON-CONFORMING USE" means a lawful specific use:

- (a) being made of land or a building, or intended to be made of a building lawfully under construction, at the date a land use bylaw, or any amendment thereof, affecting the land or building becomes effective, and
- (b) which on the date that this land use bylaw becomes effective does not; or in the case of a building under construction, will not; comply with this land use Bylaw.

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

O

"OBNOXIOUS" means, when used in reference to a Development , a use that by its nature, from the manner of carrying on the same, may, in the opinion of the Development Authority, create noise,

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vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, or creates a condition which, in the opinion of the Development Authority, may be or may become a nuisance, or which adversely affects the amenities of the neighbourhood, or which may interfere with the order and enjoyment of any community, land, or building.

"OCCUPANCY" means the utilization of a building, land, or property or part thereof for the Use or Uses for which it has been approved under an Occupancy Permit and the conditions contained therein, including, but not limited to, the shelter or support of persons or property.

"OCCUPANCY, PERMIT" means the final permit required from the County before any Development may be utilized; as a means of assuring that all work has been completed in accordance with the approved plans, and all permit conditions have been fulfilled and that all work has been inspected and conforms to the requirements of all applicable regulations, and indicating it to be in a condition suitable for Occupancy.

"OCCUPANT", "OCCUPY", or "OCCUPIES" means any person other than the registered owner who is in possession or having control over the condition of any property and the activities conducted on any property, including but not restricted to, such person being a tenant, or agent of the owner; whether such person resides thereon or conducts a business thereon.

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

- (a) 4-wheel Vehicles;
 - (i) Low pressure tire Vehicles;
 - (ii) Motorcycles and related 2-wheel Vehicles;
 - (iii) Amphibious machines;
 - (iv) All-terrain Vehicles;
 - (v) Miniature motor Vehicles;
 - (vi) Snow Vehicles;
 - (vii) Mini-bikes; and
 - (viii) Any other means of transportation that is propelled by any power other than muscular power or wind; but does not include motor boats or any other Vehicle exempt from being an off-highway Vehicle by regulation.

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

8.1 Definitions -

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

"OFFICE USE" means a Development where government, professional, management, administrative, consulting, and financial services may be provided. Office Uses include the offices of lawyers, accountants, engineers, architects, and realtors. Office Uses also include insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; banks, credit unions, loan offices, and similar financial institutions as well as the offices of governmental and public agencies.

"OPEN SPACE" means land and water areas that are retained in an essentially undeveloped state and often serve one or more of the following uses: conservation of resources, ecological protection, recreation purposes, historic or scenic purposes, enhancement of community values and safety, or maintenance of future land use options.

"OWN", "OWNS", or "OWNER" means:

- (a) In the case of land, any Person registered as the Owner of Property under the *Land Titles Act, RSA. 2000*, as amended or repealed and replaced from time to time; or
- (b) a Person who is recorded as the Owner of Property on the Assessment Roll of the County.
- (c) In the case of personal property, to be in lawful possession or have the right to exercise control over it or to be the registered owner of it;
- (d) a Person who has become the beneficial Owner of the Property, including by entering into a Purchase and Sale Agreement, whether they have purchased or otherwise acquired the Property directly from the Owner or from another Purchaser, and who has not yet become the registered Owner thereof;
- (e) a Person in control of Property under Construction; or
- (f) A person who is the occupant of the property under a lease, license, or permit.

P

"PARCEL" or "PARCEL OF LAND" means the aggregate of one or more areas of land, identified for taxation purposes, as described in certificate of title or described in a certificate of title by reference to a plan filed or registered in a Land Titles office.

"PARCEL, RESIDENTIAL" means a parcel of land, which has been created for, or is being principally utilized for, Residential Use, as defined in this Land Use Bylaw and the County of Vermilion River Municipal Development Plan, as amended or repealed and replaced from time to time.

"PARK MODEL" means a type of recreational Vehicle allowed only in Districts where it is provided for either as a permitted or a discretionary use. However, Park Models may be used as Temporary Dwelling Units within the municipality subject to a Development Permit being issued that specifically identifies the period allowed for the Temporary Dwelling Unit use and approves the Park Model from the two types described below, as recognized by the recreational Vehicle industry:

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

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

"PARKING LOT" means a parking area, which is located on a lot and not accessory to a particular use or Development.

"PARKING SPACE" means an area set aside for the parking of one (1) Vehicle.

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

"PERSON" includes an individual, an association, trustee, corporation, and their heirs, executors, administrators, or other legal representatives of an individual, group of individuals, including a firm, a partnership, or corporate body whether for profit or non-profit.

"PERSONAL SERVICE SHOP" means a Development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to persons. Personal service shops include barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments, and Laundromats.

"PREMISES" means all land associated with a single assessment unit's location. Premises also shall include the parking areas and the landscaped areas located outside of the building or buildings, which accommodate the primary uses as defined in the *Trespass to Premises Act, RSA. 2000, T-7*.

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

"PROPERTY" means any lands, including any buildings, structures, or Premises, or any personal property located thereupon within the County boundaries as defined in section 284(1)(r) of the *Municipal Government Act; RSA 2000 c. M26*, as amended or repealed and replaced from time to time.

"PROPERTY LINE" means either a natural object, like a river or lake, or an imaginary line that defines the perimeter of a Lot or Parcel of land.

"PROTECTIVE AND EMERGENCY SERVICES" means a Development where the administration of the protection of persons and property from injury, harm, or damage takes place, and where the equipment necessary for such activities is stored, maintained, and supplied. Protective and emergency services include police stations, detention centres, fire stations, and accessory training facilities.

"PUBLIC EDUCATION FACILITY" means a Development where educational, training, or instruction occurs under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Division. Public education facilities include the administration offices, storage, and maintenance operations of the School Division. Public education facilities include public and separate schools, community colleges, universities, technical and vocational schools, and private academies or "charter schools", and their administrative offices and maintenance facilities. Public Education Facility does not include Government Services.

"PUBLIC OR QUASI-PUBLIC BUILDING" means a building which is owned or leased by a department or agency of the federal or provincial government, or the Municipality for purposes of public administration and services and shall also include a building for the purpose of assembly, instruction, culture or enlightenment, or for community activities. Public or Quasi-Public Building may include protective and emergency services, and major and minor utility service agencies. Public or Quasi-Public Building does not include Government Services.

"PUBLIC OR QUASI-PUBLIC USE" means a use by a department or agency of the federal or provincial government, or the Municipality, for public administration and services and shall also include uses for the purpose of assembly, instruction, culture, or enlightenment, or for community related activities. Public or Quasi-Public Use may include protective and emergency services, and major and minor utility services. Public or Quasi-Public Use does not include Government Services.

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

"PUBLIC PLACE" includes:

- (a) a place or building to which the public has or is permitted to have access;
- (b) a place of public recreation;
- (c) a place of public gathering; and
- (d) a Vehicle in a public place.

"PUBLIC PROPERTY" means any land owned by or under the control of the County, and dedicated to Public Use.

"PUBLIC USE" means the use of land, buildings, or structures for purposes designated as beneficial to the public.

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

"PUBLIC UTILITY" means a public utility as defined in the Act.

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

R

"REASONABLE STATE OF REPAIR" means the condition of being:

- (a) structurally sound;
- (b) free from significant damage;
- (c) free from rot or other deterioration;
- (d) safe for its intended use; and
- (e) not presenting an unsightly condition or appearance.

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

"RECREATION FACILITY, INDOOR" means a Development for sports and active recreation within an enclosed building. Indoor recreation facilities include such facilities as ice arenas, gymnasiums, curling rinks, swimming pools, and similar, though smaller, facilities. Indoor Recreation Facility may also include meeting rooms, eating, and drinking establishments as accessory uses.

"RECREATION, PASSIVE" means opportunities for low-impact, non-motorized activities that occur in a natural setting that require minimal Development or facilities, and the importance of the environment or setting for the activities is greater than in developed or active recreation settings.

"RECREATION SERVICES, INDOOR" means Development whose main use is to offer equipment, instruction in, or programs for physical fitness and recreation where the clients participate in the recreation activities and may include the supplementary retail sale of associated products. A restaurant may be incorporated as an accessory use. Such uses may include dance studios, fitness centres, gyms, martial arts clubs, shooting ranges, and yoga or cross-fit studios.

"RECREATIONAL USE" means a Development conducted on a unified basis on a single site where the prime reason for location may be to take advantage of natural features. A recreational use may include the provision of day to day sporting and athletic facilities and the structures incidental thereto such as ski slopes, golf courses, archery, trap and rifle ranges, racetracks, boating, swimming, picnicking, athletic, and similar uses, and may include a refreshment stand incidental to the primary use. However, recreational use does not include extensive recreation, or a campground, a recreational Vehicle park or a recreation camp.

"RECREATIONAL VEHICLE" means a vehicular type primarily designed to provide temporary Living Quarters for recreational camping or travel use, which has its own motor or is mounted or drawn by another Vehicle. Recreational Vehicle includes travel Trailers, camping Trailers, Truck campers, fifth wheels, or Motor Homes and duly licensed travel Trailers, slide-in campers, chassis-mounted campers, boats, personal watercraft, all-terrain Vehicles, snowmobiles, and tent Trailers mounted on any sort of transportation device such as skids or wheels up to a maximum interior space of 75 m² (807.3 sq. ft.). Recreational Vehicle does not include Manufactured Homes, Park Models, a garage package, or a Cabin. Any Vehicle larger than 75 m² (807.3 sq. ft.) in interior space is a Manufactured Home for the purposes of this Bylaw. Recreational Vehicles conform to the CSA Z-240 and CSA Z-241 Standards for recreational Vehicles and requires issuance of a Use and Occupancy Permit under this Bylaw.

"RECREATIONAL VEHICLE PARK" means a Development on which three or more recreational Vehicles are harboured, without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, Vehicle or enclosure used or intended for use as part of the equipment of such recreational Vehicle park. A recreational Vehicle park may include within it a campground.

"RECREATIONAL VEHICLE CAMPGROUND" means a Development consisting of stalls or sites for the location of more than three (3) recreational Vehicles, for more than four (4) consecutive days and not

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normally more than twenty (20) days in a year, and may include sites for the erection of tents for similar periods.

"RECREATIONAL VEHICLE CAMPGROUND, SEASONAL" means a Development consisting of stalls or sites for the location of more than three (3) recreational Vehicles, for more a minimum of four (4) consecutive days and normally for no longer than an entire season operating between April and October.

"RECREATIONAL VEHICLE CAMPGROUND, WORK CAMP" means a Development consisting of stalls or sites for the location of more than three (3) recreational Vehicles, used to house camp workers by various contracting firms on a temporary basis. The units may be dismantled and moved from the site from time to time.

"RECREATIONAL VEHICLE STORAGE" means a Development, which provides fenced or indoor, secure, on-site storage of more than three (3) recreational Vehicles, boats and off-highway Vehicles.

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

"RECYCLING DROP-OFF" means a Development used for the collection and temporary storage of recyclable materials. Recyclable materials include, but are not limited to cardboard, newspapers, plastics, paper, metal, and similar household goods. Recyclable material left at the drop-off centre shall be periodically removed and taken to larger, permanent recycling operations for final recycling.

"REFUSE" includes:

- (a) all solid and liquid waste, debris, junk or effluent belonging to or associated with a house or household or any industry, trade or business;
 - (i) Vehicle parts or accessories;
 - (ii) furniture, appliances, machinery or parts thereof;
 - (iii) animal excrement; and
 - (iv) any unused or unusable material that by reason of its state, condition or excessive accumulation, in the opinion of Designated Officer, appears:
 - (v) to have been discarded or abandoned; or
 - (vi) to be useless or of no particular value; or
 - (vii) to be used up or worn out in whole or part.

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

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

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

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

"RESTRICTED EXTENSIVE RECREATIONAL USE" means hiking trails, cross-country ski trails, minimum facility campgrounds, picnic grounds, golf courses and driving ranges providing no accessory facilities.

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

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

"ROAD, ARTERIAL" means an arterial road as designated in the County's Municipal Development Plan.

"ROAD, COLLECTOR" means a collector road as designated in the County's Municipal Development Plan.

"ROAD, INTERNAL" means a contributed asset, public Road the primary function of which is to provide access to individual lots within a multi-lot subdivision.

"ROOF" means the top of any enclosure, above or within the vertical walls of a Building.

"RURAL INDUSTRY" means light and/or medium industry that provides services to agricultural operations and natural resource extraction and the oil and gas sector in the municipality. Notwithstanding the generality of the foregoing, rural industries shall include sawmills, fertilizer plants, sand, gravel, and mineral processing and stockpiling, and other agricultural and resource processing oriented facilities, including business establishments engaged in servicing, repairing or retailing of goods the use of land and/or buildings for the purpose of the supply of goods, materials or services directly and primarily to agricultural operations and natural resource extraction industries. This also includes, but is not limited to, the sale and storage of seed, fertilizer, chemical products, fuel, and agricultural machinery.

S

"SALVAGE YARD" means land or buildings where motor Vehicles, tires, machinery, and parts are disassembled, repaired, stored, and/or resold.

"SAND PIT" means an open-pit mine for the long-term mining extraction of sand.

"SCREENING" see **"BUFFER"**.

8.1 Definitions - S

"SEA CAN" means a container, including a sea/land/rail shipping container, which is used as an accessory building and/or use subordinate to the main building or use on a lot or parcel. A sea can shall not be used for a dwelling or any part of a dwelling; and, notwithstanding any other provision of this Bylaw to the contrary, not attached, in any way, to a main building unless an approved Development Permit for Building Conversion has been issued and the relevant permits under the Safety Codes Act have been obtained. Use and/or occupancy of a sea can for Residential Use requires issuance of a Use and Occupancy Permit pursuant to the provisions of this Bylaw.

"SEPARATION" means the linear distance between a Development and a Sensitive Land Use, which is adequate to minimize or prevent the Adverse Effects of one land use upon the other, so that there is no Significant Impact.

"SERVICE STATION" means a Development where gasoline, lubricating oils, and other automotive fluids and accessories for motor Vehicles are bought and sold. Service stations may also include facilities for the servicing or repairing of motor Vehicles, and a towing service dispatch point, but not including body repair or paint shops. Service stations, which do not include any facilities for servicing or repairing of motor Vehicles, are often referred to as gas bars.

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

"SHED" means a simple roofed building with one or more sides unenclosed, typically made of wood or metal, used as a Farm Building. Shed may include hut, lean-to, outhouse, outbuilding, shack; potting shed, woodshed, and tool shed, and garden shed.

"SHIPPING CONTAINER" see **"SEA CAN"**.

"SHOOTING RANGE, INDOOR" means a building designed to be used as a shooting range, as defined in the *Shooting Clubs and Shooting Ranges Regulations (SOR/98-212)*, in connection with a business licensed under the *Firearms Act (S.C. 1995, c. 39)*.

"SHOOTING RANGE, OUTDOOR" means a specialized facility designed to be used as a shooting range, as defined in the *Shooting Clubs and Shooting Ranges Regulations (SOR/98-212)*, in connection with a business licensed under the *Firearms Act (S.C. 1995, c. 39)*.

"SHOP" means a building designed and built for Light Industrial Use or the storage of Vehicles larger than that allowed in a garage.

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

"SIGN" means any visual medium, including its structure and other component parts, used on a permanent or temporary basis to convey information, to advertise, or to attract attention to a product, service, place, activity, person, institution or business. Without limiting, the generality of the foregoing,

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signs shall include banners, placards, and painted messages, but not national flags, interior window displays of merchandise, or signs painted on or attached to a licensed motor Vehicle.

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

"SIGN, A-FRAME" means a type of sign commonly referred to as "sandwich boards", composed of two hinged or otherwise joined boards, which leans on the ground (see **Figure 8, a-b**).

"SIGN, CANOPY" means a sign which is part of or attached to the outside edge of a canopy but which does not extend below the bottom edge or surface of the canopy (see **Figure 8, a-b**).

"SIGN, FREESTANDING" means a sign supported by one or more uprights, braces, or pylons, and stands independently of another structure (see **Figure 8, a-b**).

"SIGN, INFLATABLE" means a sign made of flexible material or fabric that is made to take on a three-dimensional shape (to blow up like a balloon) when filled with a sufficient volume of air or gas. Commonly used as a temporary sign for special events or promotions (see **Figure 8, a-b**).

"SIGN, MULTI-TENANT" means a Freestanding Sign containing sign areas for two or more tenants or occupants located on the same non-residential site or in the same non-residential building in a designated single, shared sign area. A Multi-tenant Sign may include changeable sign areas (see **Figure 8, a-b**).

"SIGN, OFF-SITE" means a sign that advertises goods, products, services, or facilities not available on the site where the sign is located, and which also may direct persons to another location (see **Figure 8, a-b**).

"SIGN, PROJECTING" means a sign affixed to a building or part thereof and extending beyond the building by more than 0.3 m (1.0 ft.). This does not include a sign attached to the ground (see **Figure 8, a-b**).

"SIGN, ROOF" means a sign erected upon, against or directly above the roof of a building or the top of a parapet wall (see **Figure 8, a-b**).

"SIGN, TEMPORARY/PORTABLE" means a sign on a standard or column fixed to its own self-contained base and capable of being moved manually (see **Figure 8, a-b**).

"SIGN, TRAILER" means a sign affixed to the sides or top of a commercial Trailer for the purposes of advertisement, where the Trailer is parked and disconnected from the Vehicle for longer than seven (7) days in one location (see **Figure 8, a-b**).

"SIGN, UNDER-CANOPY" means a sign that is attached to the bottom surface or edge of a canopy (see **Figure 8, a-b**).

8.1 Definitions - S

"SIGN, WALL" means a sign attached to or placed flat against an exterior vertical surface of a building, and projects no more than 0.3 m (1.0 ft.) from the surface of the building, and does not project above the roof or parapet (see **Figure 8, a-b**).

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

"SINGLE-USE DEVELOPMENT" means a Development designed to accommodate only one (1) type of land use on the same Site.

"SITE" means the land, whether Lot(s) or Parcel(s), where a Development is built.

"SITE DEVELOPMENT PLAN" refers to a non-statutory document that provides specific direction on how an area is to develop, identifying the specific mix and density of land uses, utility services, as well as layout of streets, blocks, and lots needed to create a well-designed and successful community, business, commercial, or industrial area. Proponents of Site Development Plans are directed to reference County Policy PD-011 for requirements in submitting a Site Development Plan and are encouraged to schedule a pre-application interview with the County.

"SOLAR ARRAY" means multiple solar panels used in conjunction to produce electricity.

"SOLAR COLLECTOR, GROUND MOUNT" means a device used to convert energy contained within the sun's rays into electrical (photovoltaic) or heat energy and may be a single unit or an array of units into a single collector as a standalone structure mounted on the ground or a tower/pole.

"SOLAR COLLECTOR, ROOF MOUNT" means a device used to convert energy contained within the sun's rays into electrical (photovoltaic) or heat energy and may be a single unit or an array of units into a single collector mounted on the roof of a main or accessory building.

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

"STOCKPILE SITE" means an open land area where one or a combination of sand, gravel, soil and rock fragments are stored for off-site use.

"STORAGE, INDOOR" means a self-contained building or group of buildings available for the storage of goods. This use includes mini-storage or private storage facilities. Indoor Storage does not include "warehouse".

"STORAGE, OUTDOOR" means a Development where a site or a portion of a site is designed for the more or less permanent or continuous storage of goods, materials and/or equipment, or the display and sale of goods and materials, including Vehicles for hire or sale, located outside permanent buildings or structures on the site. Typical uses may include lumber storage and lumberyard, pipe yards, or Vehicle or heavy equipment storage compounds, but does not include a Salvage yard or a parking lot. Outdoor Storage covering 50% or more of a site is considered a Main Use.

"STORAGE SITE" means a waste management facility where waste other than hazardous waste is:

- (a) stored,
- (b) stored, compacted, shredded, ground or processed, or
- (c) collected and held for removal to another waste management facility.

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

"STRATA SPACE" means a volumetric space, namely a strata unit or lot, independent of physical structures and determined by planes or curved surfaces having a defined geodetic elevation divided by property lines that are registered in a Strata Space Plan, as defined in the Land Titles Act, RSA 2000, c. L-4. Strata allow ownership of lots or parcels that may be side-by-side or one above the other or overlapping in many different configurations.

"STRATA SPACE PLAN" means a type of subdivision plan and a form of legal ownership containing Strata Spaces created specifically through subdivision, and registered as a strata space plan in accordance with the Land Titles Act, RSA 2000, c. L-4.

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

"SUBDIVISION" means a division of land that will result in the creation of a surface parcel or the rearrangement of the boundaries or limits of a surface parcel.

"SUBDIVISION AND DEVELOPMENT APPEAL BOARD" means a Subdivision and Development Appeal Board appointed pursuant to County's Subdivision and Development Appeal Board Bylaw and the Act.

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

"SUBORDINATE BUILDING" means a building, or structure that is incidental and dependent on the Main Building on site. Subordinate Buildings consist of less than 40% of the net buildable area of the Main Building and are located in the same Lot or Parcel as the Main Building they serve.

"SUBORDINATE USE" means a use of a lot, parcel, building, or structure that is incidental and dependent on the Main Use on site. Subordinate Uses occupy less than 40% of the net buildable area than the Main Use and are located in the same Lot, Parcel, Building, or Structure as the Main Use they serve.

"SUITE, CAREGIVER" means a self-contained dwelling unit, located within the main Habitable Dwelling Unit for the sole occupancy of one (1) or two (2) adult persons whose function is to provide assistance to a person or persons residing in the main Dwelling Unit or with challenges resulting from illness, disability or aging .

"SUITE, GARAGE" means a self-contained Dwelling Unit located above a detached garage, which is located in a rear yard and is a Subordinate Use to a Single-Detached Dwelling. Garage Suites have an entrance, which is separated from the Vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the Accessory Building.

"SUITE, GARDEN" see **"BACKYARD COTTAGE"**

"SUITE, IN-LAW" see **"ACCESSORY LIVING QUARTERS"**

"SUITE, SECONDARY" means Development consisting of a self-contained Habitable Dwelling Unit located within, and accessory to, a structure in which the main use is Single-Detached Dwelling, which may or may not share access to the outside and/or other facilities with the main dwelling unit.

"SUITE, SURVEILLANCE" means a dwelling unit for the sole occupancy of one (1) or two (2) adult persons whose function is to provide surveillance for the maintenance and security of the Development, provided that the dwelling unit is specifically used in conjunction with the protection of private property.

T

"TEMPORARY DEVELOPMENT" means a Development for which a Development Permit has been issued and which is to exist for a limited time only.

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

"TRAILER" means a Trailer as defined in the *Traffic Safety Act, RSA 2000*, as amended or repealed and replaced from time to time.

"TRANSPORTATION FACILITIES" means the use of land or buildings for public transportation related activities.

"TRUCK" means any Vehicle with a gross Vehicle weight of more than 3,000.0 kg (6,613.9 lbs.) as listed on the official registration certificated issued by the government of the Province of Alberta, regardless of the Vehicles' actual weight at the specific time and includes a Truck-Tractor and Tractor-Trailer, and Refrigeration Unit.

"TRUCKING AND CARTAGE ESTABLISHMENT" means a Development where goods shipped by Truck are transferred from one Truck to another, or where Trucks are dispatched to pick up and/or deliver goods. Trucking and cartage establishments may include dispatch offices or storage compounds for the temporary storage of goods, and include moving or cartage firms involving Vehicles with a gross Vehicle weight of more than 3,000.0 kg (6,613.9 lbs.).

U

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

"UNIT", other than when referred to as a dwelling unit, means the portions of land or a building designated with a right of exclusive use within a condominium or strata subdivision plan, registered in the name of an owner on a certificate of title.

"UNSERVICED INDUSTRIAL USE" means an industrial use dependent on on-site servicing similar to and compatible with the other uses prescribed in the Crossroads Direct Control (CDC) District requiring a relatively large lot where any actual or potential nuisance factor generated by the use/Development is contained within the boundaries of the site.

"UNSERVICED INDUSTRIAL PARK" means an area planned for the Development of multiple lots for unserviced industrial uses, which may include an internal public road.

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

V

"VARIANCE" means an alteration, departure, or change from any provision, regulation, or standard prescribed by the Land Use Bylaw or any statutory or non-statutory plan and relevant policy adopted by the County for a specific lot or parcel, except use, without changing the provisions of the Land Use Bylaw, Plan, or Policy or the land use designation of the lot or parcel. A Variance may only be granted upon demonstration of a hardship based on the peculiarity of the property in relation to other properties in the same Land Use District. Variances cannot be granted to allow a use that is not already permitted within the land use District nor can a Variance be used to provide relief from a self-induced hardship or be based solely on economic hardship.

"VARIANCE, MAJOR" means a special permission granting relief from one or more regulations or standards of the Land Use Bylaw that, in the opinion of the Development Authority, such relaxation could impede the proposed Development to conform to the general intent and purpose of the Land Use Bylaw or any statutory or non-statutory plan and relevant policy adopted by the County applicable to the location of a proposed Development. A major Variance is recognized as having potential impact on the larger area and may affect enforcement of the Land Use Bylaw elsewhere in the County, therefore requiring approval from County Council and a public hearing.

"VARIANCE, MINOR" means a special permission granting relief from one or more regulations or standards of the Land Use Bylaw that, in the opinion of the Development Authority, such relaxation does not impede the proposed Development to conform to the general intent and purpose of the Land Use

8.1 Definitions - W

Bylaw or any statutory or non-statutory plan and relevant policy adopted by the County applicable to the location of a proposed Development.

"VEHICLE" means a device in, on or by which a Person or thing may be transported or drawn on a Highway, pursuant to the *Traffic Safety Act, RSA 2000, c T-6*, as amended or repealed and replaced from time to time.

"VEHICLE REPAIR ESTABLISHMENT" means Development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles, recreational Vehicles, and Trucks, including the sale, installation or servicing of related accessories and parts. This use class includes transmission shops, muffler shops, tire shops, automotive glass shops, upholsterer shops, and body repair and/or paint shops.

"VETERINARY CLINIC" means a Development used for the care and treatment of animals where the service primarily involves in-patient care and major medical procedures involving hospitalization for periods of time. This use includes animal shelters and animal crematoriums.

W

"WAREHOUSE SALES ESTABLISHMENT" means a Development used for the storage and distribution of goods, merchandise, substances or articles, and may include facilities for a retail outlet, but shall not include manufacturing. Warehouse sales establishments include furniture stores, carpet stores, major appliance stores, and building materials stores.

"WAREHOUSE FACILITIES" means a Development for the storage and distribution of raw materials, processed or manufactured goods, and establishments providing servicing for those purposes.

"WIND ENERGY CONVERSION SYSTEM, TOTAL HEIGHT" means the height from grade to the highest vertical extension of the rotor's arc (see Arc, Rotor) in a large Wind Energy Conversion System (WECS).

"WIND ENERGY CONVERSION SYSTEM, LARGE" means a wind energy conversion system consisting of a wind turbine, tower and associated control or conversion electronics, which has a rated capacity equal to or greater than 300 Kw, whose primary purpose is to generate and provide electrical power for resale.

"WIND ENERGY CONVERSION SYSTEM, MICRO" means a small-scale wind turbine, which is small in height and diameter and can be installed on the roof of a building or structure.

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

"WIND TURBINE TOWER" refers to the guyed or freestanding structure that supports a wind turbine generator above grade.

8.1 Definitions - Y

"WIND TURBINE TOWER HEIGHT" means height above grade of the fixed portion of the wind turbine tower, excluding the wind turbine and blades.

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

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

Y

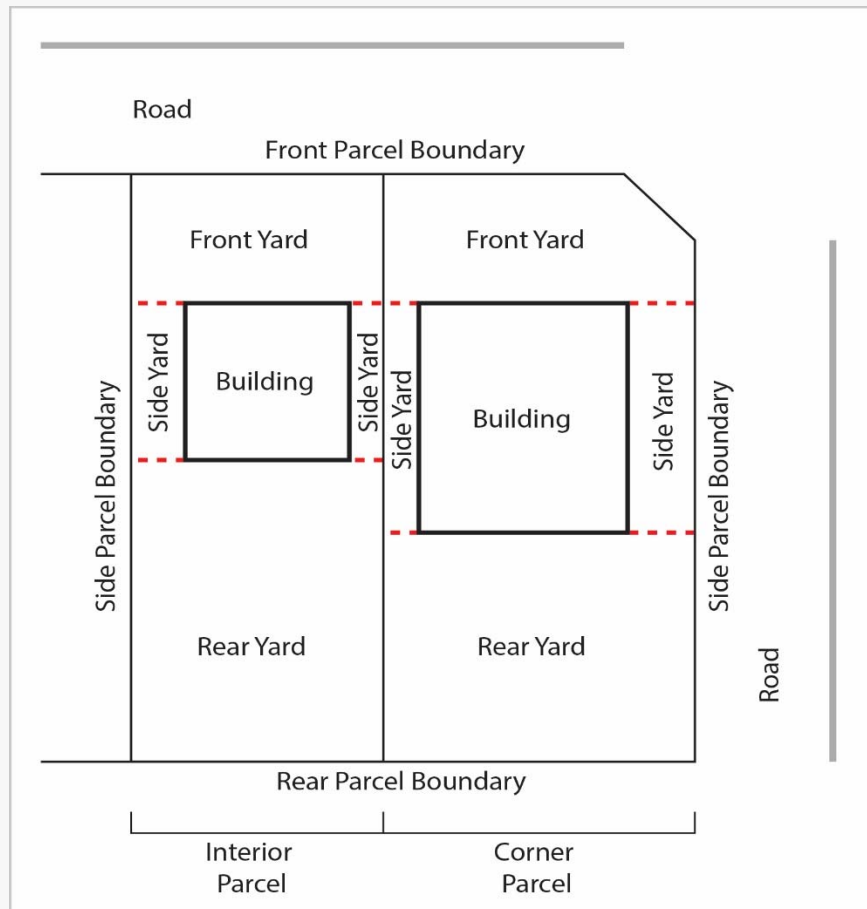
"YARD" means a portion of a parcel required as open space that is to remain unoccupied by any Building, unless otherwise provided for in this Bylaw.

"YARD, FRONT " means a Yard extending across the full width of a lot, from the Front Line to the nearest exterior wall of the Main Building situated on the lot. In the case of a curved Front Line, the Front Yard will also form a curve.

"YARD, REAR" means a Yard extending across the full width of a lot, from the Rear Line of the lot to the nearest wall of the Main Building situated on the lot. In the case of a curved Rear Line, the Rear Yard will also form a curve.

"YARD, SIDE " means a Yard extending across the length of a lot, from the nearest wall of the Main Building situated on a lot to the Side Line, and lying between the Front Yard and Rear Yard on the lot.

Figure 19. Location of Yards.



- (3) All other words and expressions have the meanings respectively assigned to them in the Act, Regulation, or in common law.

8.2 DEFINITIONS NOT PROVIDED

- (1) In instances where specific land uses:
- (a) Do not conform to the wording of any land use; or
 - (b) Generally conform to the wording of two or more land uses;

8.3 DISCRETIONARY PROVISIONS

- (1) The Development Authority Officer shall use his/her discretion to include these land uses in a land use category that is most appropriate in character and purpose.



PART 9.0
LAND USE MAPS

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9.1 COUNTY MAP

9.2 URBAN CENTRES

9.2.1 CITY OF LLOYDMINSTER

9.2.2 TOWN OF VERMILION

9.2.3 VILLAGE OF DEWBERRY

9.2.4 VILLAGE OF KITSCOTY

9.2.5 VILLAGE OF MARWAYNE

9.2.6 VILLAGE OF PARADISE VALLEY

9.3 HAMLETS

9.3.1 HAMLET OF BLACKFOOT

9.3.2 HAMLET OF CLANDONALD

9.3.3 HAMLET OF ISLAY

9.3.4 HAMLET OF MCLAUGHLIN

9.3.5 HAMLET OF RIVERCOURSE

9.3.6 HAMLET OF STREAMSTOWN

9.3.7 HAMLET OF TULLIBY LAKE

9.3 Hamlets

9.3 Hamlets

9.3 Hamlets

9.3 Hamlets

9.3 Hamlets

9.4 RESIDENTIAL AREA STRUCTURE PLANS

9.4.1 ABERDEEN PLAINS ESTATES

9.4.2 BRENNAN ACRES

9.4.3 CLOVER VIEW ACRES

9.4.4 COUNTRY AIR ESTATES

9.4.5 CREEKSIDE ESTATES

9.4.6 DEERFOOT ESTATES

9.4.7 DENWOOD ACRES

9.4.8 GRANDVIEW ESTATES

9.4.9 HAWKSTONE

9.4.10 HORIZONVIEW ACRES

9.4.11 INDIAN LAKE MEADOWS

9.4.12 LAKEVIEW ACRES

9.4.13 MORNING GOLD ESTATES

9.4.14 RAVINE VIEW

9.4.15 ROBINWOOD ACRES

9.4.16 SANDPIPER ESTATES

9.4.17 SILVER WILLOW ESTATES

9.4.18 WILLOW CREEK

9.5 NON-RESIDENTIAL AREA STRUCTURE PLANS

9.5.1 CORRIDOR BUSINESS PARK

9.5.2 COUNTY ENERGY PARK

9.5.3 DEVONIA BUSINESS PARK

9.5.4 KAM'S INDUSTRIAL PARK

9.5.5 REINHART BUSINESS PARK

9.5.6 REINHART INDUSTRIAL PARK

9.6 SITE DEVELOPMENT PLANS

9.6.1