

# *Bylaw 2013-50*

## *Land Use Bylaw*

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The County of  
**ST. PAUL NO. 19**



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## PART 1 - INTRODUCTION

### 1.1 TITLE

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

### 1.2 PURPOSE

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

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

### 1.3 DEFINITIONS

For the purposes of this Bylaw:

- (1) "**accessory building or use**", means a building or use which is subordinate to, exclusively devoted to, and located on the same site as the principle building or use.
- (2) "**Act**" means the Municipal Government Act, R.S.A. 2000, as amended;
- (3) "**adjacent land**" refers to those lands that are next to the parcel of land that is subject to a development permit or subdivision application and includes lands that would be next to the subject parcel if not for a river, stream, road, utility right-of-way, or reserve land;
- (4) "**agricultural land**" means the land upon which an agricultural operation operates;
- (5) "**agricultural operation**" means an agricultural operation as defined in the Agricultural Operation Practices Act, but does not include a confined feeding operation;
- (6) "**agricultural service centre**" means a business which provides non-industrial, agriculturally-oriented services to the rural community. Without restricting the generality of the foregoing, this shall include the retailing, servicing, and/or repairing of agricultural implements and goods such as farm machinery dealers, grain elevators, and fertilizer sales;

- (7) "**amusement establishment, indoor**" means a development providing recreational facilities with table games and/or electronic games, used by patrons for entertainment. Indoor amusement establishments include billiard parlours, electronic games arcades with tables and/or games and bowling alleys, and other similar uses;
- (8) "**amusement establishment, outdoor**" means a development providing recreational facilities outdoors played by patrons for entertainment. Outdoor amusement establishments include amusement parks, go-cart tracks, miniature golf courses, and other similar uses;
- (9) "**apartment building**" means a dwelling containing five (5) or more dwelling units and which share a common entrance, and which is not a rowhouse or a work camp;
- (10) "**applicant**" means the person applying for a development permit, who shall be the registered owner(s) of the land to be developed or the representative or agent of the owner(s), duly authorized by the owner in writing to make application on behalf of the owner(s) as evidenced on the application form;
- (11) "**auto wrecker**" means a use where the primary activity is the storage and wrecking of vehicles, usually for parts of scrap metal re-sale.
- (12) "**basement suite**" means a self-contained dwelling unit, in the basement of a single detached dwelling;
- (13) "**bed and breakfast establishment**" means a development in a single detached dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of three (3) bedrooms, with or without meals, are provided for remuneration to members of the public;
- (14) "**bingo hall**" means a building or a portion of a building where the game of bingo and other similar board games may be played. Bingo halls may include an eating and drinking establishment as an accessory use;
- (15) "**building**" is defined by the Act and for the purposes of this Bylaw includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge that forms part of a highway or road;
- (16) "**Cannabis**" means cannabis as defined by the Cannabis Act of Canada and its regulations;
- (17) "**Cannabis Production Facility**" means a building or structure used for the cultivation, harvesting, testing, processing, storage and shipment of cannabis;
- (18) "**Cannabis Retail Establishment**" means a development that is licensed by the Province of Alberta, where cannabis is sold to the public to be consumed offsite;

- (19) "**commercial service centre**" means a business establishment involved in the servicing, retailing or repairing of goods. Without restricting the generality of the foregoing, this includes a service station, general retail establishments, eating and drinking establishments, entertainment establishments, auto sales outlets, and offices but does not include a cannabis retail establishment;
- (20) "**commercial vehicle**" means a vehicle, other than an automobile truck, that is used for an activity that has its main purpose financial gain, and which vehicle has a specified load capacity of over one (1) ton;
- (21) "**communication tower**" means a structure for transmitting or receiving television, radio, telephone, internet or other electronic communications which may be regulated by Industry Canada.
- (22) "**confined feeding operation**" means a confined feeding operation as defined in the Agricultural Operation Practices Act;
- (23) "**corner lot**" means a lot with boundary lines on two separate roads or highways, or a single road or highway that curves at an angle of 60 degrees or more at the subject lot. For the purposes of this definition, a road or highway shall not include a lane;
- (24) "**Council**" means the Council of the County of St. Paul No. 19;
- (25) "**country residential use**" means a development comprising a single detached dwelling or manufactured home located in the Agriculture (A) or Urban Expansion (UX) District which is situated on a parcel used for residential uses and uses accessory to residential uses. The dwelling may be occupied permanently or seasonally;
- (26) "**day care facility**" means a building that is used to provide non-overnight supervision of person under the age of eighteen (18);
- (27) "**deck**" means the paved, wooden or hard-surfaced area adjoining a house, more than 0.6 m above grade, used for outdoor living;
- (28) "**density**" means a quantitative measure of the average number of persons, families or dwelling units per unit of area;
- (29) "**designated officer**" means that person appointed to a position pursuant to the Act"
- (30) "**development**" means
- a. an excavation or stockpile and the creation of either of them, or
  - b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or

- c. a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
  - d. a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;
- (31) "**Development Authority**" means the development authority of the County as established by this Bylaw;
- (32) "**Development Officer**" means a person appointed as a Development Officer pursuant to this Bylaw;
- (33) "**development permit**" means a document authorizing a development issued pursuant to this Land Use Bylaw;
- (34) "**discretionary use**" means the use of land or a building provided for in this Land Use Bylaw for which a development permit may be issued upon an application having been made;
- (35) "**domestic pet**" means an animal which is normally kept inside a dwelling. Domestic pets includes, dogs, cats, parrots, and similar-sized animals, but does not include livestock;
- (36) "**dugout**" means a structure of earth, rock, concrete or other material designed to retain water for household, recreation or general agricultural purposes and does not include a lagoon for the purposes of processing wastewater;
- (37) "**duplex**" means a dwelling containing two (2) dwelling units which share a common wall, and which are located either side by side or one above the other, provided that in the case of a dwelling unit located below another, the dwelling unit below is not a basement suite as defined in this Bylaw;
- (38) "**dwelling or dwelling unit**" means a building or self-contained portion of a building, set or suite of rooms which contains sleeping, washrooms, and a kitchen intended for residential use, and is used or intended to be used permanently or semi-permanently for a household. This use does not include a recreational vehicle or a room in a motel or hotel;
- (39) "**eating and drinking establishment**" means a development where food and/or beverages are prepared and offered for sale to the public, for consumption within the premises, at an accessory outdoor seating area on the site, or off the site;
- (40) "**entertainment establishment**" means a development where persons may be entertained by music, theatre, or the like. An entertainment establishment includes theatre, dancing or cabaret entertainment, whether recorded or live. An eating and drinking establishment may contain within it an entertainment establishment, but only if specifically provided for in an approved development permit;

- (41) "**extensive agriculture**" means the use of land or buildings, including the dwelling, for an agricultural operation, but not including intensive agriculture or a confined feeding operation which requires either a registration or an approval under Part 2 of the Agricultural Operations Practices Act;
- (42) "**extensive recreation**" means a recreational development where the prime reason for the location is to take advantage of natural physical features and to provide for non-facility-oriented recreational activities. Without restricting the generality of the foregoing, this shall include hunting, trail riding, snowmobiling, hiking, cross-country skiing, rustic camping, and similar uses;
- (36) "**farm building**" means a building located on agricultural land as defined in the Agricultural Operation Practices Act that is occupied for an agricultural operation as defined in the Agricultural Operations Practices Act including, but not limited to: housing livestock; storing, sorting, grading or bulk packaging of agricultural products that have not undergone secondary processing; and housing, storing or maintaining machinery that is undertaken in the building;
- (37) "**farmstead**" means that area of land in an agricultural operation on which is situated a dwelling, barns, shed, livestock handling systems, grain and forage handling and storage systems, and situated on a parcel of land used in connection with such agricultural operation. It does not include barbwire or page wire fencing. If a farmstead is subdivided from the titled area on which the agricultural operation occurs, the use shall be considered a country residential use;
- (38) "**yard site**" means an area of land where a residential development exists or once existed and improvements are still evident.
- (39) "**fire pit**" means an outdoor receptacle used for fires;
- (40) "**floodfringe**" means any land adjoining the channel of a watercourse that has been covered by floodwater. It is the area of a floodplain outside of the floodway that is affected by flooding. This area is generally covered by still or slowly moving waters during flooding;
- (41) "**floodway**" means the channel of a watercourse and the adjacent areas where the majority of the floodwaters of a 1:100 year flood will flow and where flow velocities and depths are potentially destructive to development;
- (42) "**fourplex**" means a building containing four dwelling units each with direct access to the outside grade, but not all the units are required to have separate frontage onto a public or private road. Units may have common side and rear walls and may also be separated by a common ceiling/floor assembly.



- (43) "**fragmented parcel**" means a parcel of land that is separated from the balance of a titled area by a natural barrier such as a waterbody or a coulee, or by a physical barrier such as a road or highway, either of which may prohibit reasonable or normal access;
- (44) "**front line**" means the boundary line of a lot lying adjacent to a highway or road. In the case of a corner lot, the shorter of the two boundary lines adjacent to the highway or road shall be considered the front line. For the purposes of lakefront lots or parcels, the front line shall be the boundary line closest to the lake;
- (45) "**front yard**" means a yard extending across the full width of a lot from the front line of the lot to the nearest wall of the main building situated on the lot. For the purposes of lakefront lots, the front yard of the lot shall be considered to be closest to the lake;
- (46) "**garage suite**" means an dwelling located above a detached garage (above grade); or a single storey dwelling attached to the side of, or rear of, a detached garage (at grade). A garage suite is accessory to an existing single detached dwelling. A garage suite may have separate cooking, sleeping and bathing facilities, and has an entrance which is separate to the vehicle entrance, either from a common indoor landing, or directly from the exterior of the structure. It shall not exceed 70m<sup>2</sup> (749 sqft);
- (47) "**gambling machine establishment**" means a development where gambling may occur through the use of video lottery terminals or slot machines or other similar machines and devices, but not an establishment where gambling through card games or roulette or games similar to card games or roulette are played (a casino);
- (48) "**general retail establishment**" means a development where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationary, second hand goods, and similar goods are bought, rented, and/or sold from within a building. Postal services and film processing depots may also be provided. General retail establishments do not include developments where gasoline, new or used motor vehicles, alcohol, cannabis, heavy agricultural and/or industrial equipment are sold or rented;
- (49) "**grade, building**" means the ground elevation established for the purpose of regulating the number of storeys and the height of a building. The building grade shall be the level ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level the grade shall be determined by averaging the elevation of the ground for each face of the building;
- (50) "**greenhouse or plant nursery**" means a building or structure used for the cultivation of plants, shrubs and trees but does not include cannabis;
- (51) "**gross floor area**" of a building means the total area of all floors above grade, calculated by reference to the perimeter of the foundation of the building.

- (52) **"highway"** means a highway or proposed highway that is designated or numbered and is under the management and control of the Province of Alberta pursuant to the Public Highways Development Act;
- (53) **"home occupation, major"** means any occupation, trade, profession, or craft carried on by an occupant of a dwelling unit that as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use other than a small name plate, not exceeding 1 m<sup>2</sup> (10.8 ft<sup>2</sup>) in area. Within the Agricultural (A) District, a home occupation may include the use of any building built specifically for use by that home occupation. A major home occupation does not include the employment at the dwelling or accessory buildings of more than two (2) paid assistants, other than the occupant and the occupant's family;
- (54) **"home occupation, minor"** means any occupation, trade, profession, or craft carried on by an occupant of a dwelling unit that as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use other than a small name plate, not exceeding 1 m<sup>2</sup> (10.8 ft<sup>2</sup>) in area. Within the Agricultural (A) District, a home occupation may include the use of any building built specifically for use by that home occupation. A minor home occupation does not include the employment at the dwelling or accessory buildings of any paid assistant, other than the occupants of the dwelling.
- (55) **"hotel"** means a development where members of the traveling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is from a common entranceway.
- (56) **"household"** means: a person, or two (2) or more persons residing in a dwelling;
- (57) **"industrial, heavy"** means a large scale manufacturing or processing facility that due to its appearance, noise, odour, risk of toxic emissions, or fire or explosion hazards are incompatible with residential, commercial and other land uses, as they create nuisances that extend beyond the boundaries of the site. Such uses should normally be located on the interior of industrial or agricultural areas, such that they do not interfere with the safety, use, amenity or enjoyment of any non-industrial uses in the vicinity.
- (58) **"industrial, light"** means and industrial activity that includes the following activities:
- a. the processing of raw materials;
  - b. the manufacturing or assembly of good and equipment; or the
  - c. storage or transshipment of materials, goods and equipment;

which will not result in the emission of odours, dust, smoke, gas, noise or vibration outside the building in which the light industrial activity is carried on, and which is carried on entirely indoors, except for the storage of finished goods which may be located outdoors provided it is entirely screened from view. Notwithstanding the above, light industrial uses shall not include the outdoor storage of used goods or materials for any purpose.

- (59) **"industrial, medium"** means an industrial activity that includes the following activities:
- a. the processing of raw or finished materials and includes food processing;
  - b. the manufacturing or assembly or transport of materials, goods, products, or equipment including petrochemical products and supplies;
  - c. development used for industrial service support and construction; the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts;
  - d. the training of personnel in general industrial operations;
  - e. and it may include any indoor display, technical, or administrative support areas or any sales operation accessory to the general industrial uses.

A medium industrial use shall not adversely affect surrounding non-industrial uses through the generation of emissions, noise, odours, vibrations, heat, bright light, or dust.

- (60) **"institutional and public use"** means a building, structure or parcel used for services that are provided by a public/private institution or a municipal, provincial or federal corporation which provides services for the public or its members (i.e. churches, schools, cemeteries, etc.);
- (61) **"intensive agriculture"** means a commercial agricultural operation which raises crops on a land-intensive basis. Without restricting the generality of the foregoing, this shall include a greenhouse or plant nursery, but not confined feeding operations;
- (62) **"intensive recreation"** means high density recreational activities. Without restricting the generality of the foregoing, this may include campgrounds, picnic grounds, marinas, lodges, swimming beaches, boat launches, athletic facilities, riding stables, rodeo grounds, golf courses, and hotels and eating and drinking establishments associated with one or more of the aforementioned uses;
- (63) **"kennel"** means a development in which domestic pets are maintained, boarded, trained, cared for, bred, or raised for remuneration or for sale;
- (64) **"lake"** means a body of water identified on the Land Use District Map;
- (65) **"landfill – class II"** means a landfill for the disposal of waste, not including hazardous waste or

as defined in the Waste Control Regulation;

- (66) **"landfill – class III"** means a landfill for the disposal of waste: that is solid; 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 or as defined in the Waste Control Regulation;
- (67) **"liquor store"** means development used for the retail sale of alcoholic beverages to the public for consumption off premises;
- (68) **"livestock"** means livestock (excepting wild boars) as defined in the Agricultural Operation Practices Act;
- (69) **"lot"** shall be as defined as per the Act;
- (70) **"manufactured home"** means a dwelling for which a development permit is required consisting of one (1) dwelling unit which is normally constructed off-site and then transported to its site. Upon arriving at the site for location, apart from incidental operations such as placement on a foundation and connection of utilities, it is ready for year round use as a dwelling for one household. It shall have a factory built peaked roof. It shall meet the Alberta Building Code and/or Canadian Standards Association Z240 standards. Park models and recreational vehicles shall not be considered manufactured homes;
- (71) **"manufactured home park"** means a parcel of land under single ownership for which a development permit is required which has been planned and divided into rentable spaces or lots for the long term accommodation of manufactured homes;
- (72) **"manure storage facility"** means a manure storage facility as defined in the Agricultural Operation Practices Act;
- (73) **"marshalling and lay down yard"** shall mean large tracts of lands adjacent to highways or rail that are used for the storage of equipment or products;
- (74) **"may"** is an operative word meaning a choice is available , with no particular direction or guidance intended;
- (75) **"mini storage"** means a development that provides cubicles to rent for the storage of goods;
- (76) **"motel"** means a development where members of the traveling public are lodged for brief periods of time, in rentable units, where access to the rentable units is directly from outdoors;

- (77) **"motor vehicle"** means as defined in the Traffic Safety Act;
- (78) **"multi-lot residential subdivision"** means more than four (4) lots within a quarter section;
- (79) **"municipality"** means the County of St. Paul No. 19;
- (80) **"natural resource extraction and processing"** means oil and gas facilities, sand and gravel operations, salt mining operations and logging operations;
- (81) **"non-conforming building"** is as defined in the Act means a building
- a. that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
  - b. that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;
- (82) **"non-conforming use"** is as defined in the Act and means a lawful specific use
- a. being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw affecting the land or building becomes effective, and
  - b. that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use Bylaw;
- (83) **"off-site levy"** means an off-site levy established by the municipality's Off-Site Levy Bylaw passed pursuant to the Act;
- (84) **"offices"** means a development where government, professional, management, administrative, consulting, and/or financial services may be provided;
- (85) **"open space"** means land and water areas which are free of structures and buildings and often serve one or more of the following uses: conservation of resources; ecological protection; recreation purposes; historic or scenic purposes; enhancement of community values and safety; maintenance of future land use options;
- (86) **"owner"** is as defined in the Act;
- (87) **"park model"** means a recreational vehicle conforming to CAN-CSA Series Z241.
- (88) **"parcel of land"** means the aggregate of one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;

- (89) "**permitted use**" means the use of land or a building provided for in a land use Bylaw for which a development permit shall be issued upon application having been made, provided that all of the regulations of this Bylaw, and all of the matters left to the discretion or the satisfaction of the Development Authority, have been satisfied to the satisfaction of the Development Authority;
- (90) "**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;
- (91) "**public utility**" means a public utility, as defined in the Act;
- (92) "**rear line**" means the boundary line of a lot lying opposite to the front line of the lot;
- (93) "**rear yard**" means a yard extending across the full width of a lot from the nearest wall of the main building situated on the lot, to the rear line of the lot;
- (94) "**recreational vehicle park**" means a parcel of land on which are located or are intended to be located more than one recreational vehicle. A recreational vehicle park may include a campground;
- (95) "**recreation vehicle**" means a vehicular type unit primarily designed as temporary living quarters for recreational camping or travel use, which either has its own means of transportation or is mounted or drawn by another vehicle. The base entities are travel trailer, camping trailer, truck camper, fifth wheel, park model and motor home.
- (96) "**repair service establishment**" means a development used primarily for the repair, refinishing or reconditioning of consumer goods and may include an ancillary or subordinate retail use;
- (97) "**resort commercial**" means a commercial development where the primary reason for locating is to take advantage of a lake for recreational amenities;
- (98) "**row house**" means a building on a lot or lots that consist of at least three dwelling units with each unit having direct access to the outside grade, but shall not mean "apartment" or "four-plex";
- (99) "**rural industrial park**" is a development consisting of two or more lots designed and approved for industrial uses for which communal water and/or sewer service is not required;
- (100) "**security**" means those funds which are required by the Development Authority to serve as a deposit as a condition of completed subdivision or development approval conditions;

- (101) "**setback**" means the separation distance that a building or development must be from the boundary line of a lot;
- (102) "**shall**" is an operative word which means the action is obligatory;
- (103) "**shoreline**" means the line of the bed and shore of the body of water;
- (104) "**should**" is an operative word which means that, in order to achieve local goals and objectives it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances;
- (105) "**side line**" means the boundary line of a lot lying between a front line and a rear line of a lot. In the case of a corner lot, the longer of the two boundary lines adjacent to the highway or road shall be considered a side line;
- (106) "**side yard**" means a yard extending from the front yard of a lot to the rear yard of the lot and lying between the side line of the lot and the nearest wall of the main building;
- (107) "**single detached dwelling**" means a dwelling consisting of one (1) dwelling unit. A single detached dwelling is a dwelling which is normally constructed on-site. However, a single detached dwelling may be constructed in pieces off-site, or even in one piece, with the piece(s) being transported to the site for assembly on-site. A single detached dwelling shall include a dwelling that would be considered to be a manufactured home;
- (108) "**site**" means an area of land on which a development exists or occurs or for which an application for development is made;
- (109) "**social care residence**" means a dwelling wherein the occupants are provided with specialized care such as supervision, medical, counselling or psychiatric service;
- (110) "**stall**" means an area of land upon which a manufactured home is to be located within a manufactured home park or upon which a recreational vehicle is to be located within a recreational vehicle park;
- (111) "**storage tank**" means a vessel for flammable liquids or combustible liquids as defined by the Alberta Fire Code having a capacity of more than 230 litres and designed to be installed in a fixed location.
- (112) "**subdivision authority**" means a subdivision authority established and appointed pursuant to County Bylaw and the Act;
- (113) "**subdivision and development appeal board**" means a subdivision and development appeal board established and appointed pursuant to County Bylaw and the Act;

- (114) **"substandard lot"** means a parcel of land which does not meet the provisions of this Bylaw pertaining to parcel size;
- (115) **"surveillance suite "** means a single detached dwelling or a manufactured home which is located on the same lot as a commercial or industrial use and is clearly accessory to that commercial or industrial use, as it is the dwelling of the owner/operator/caretaker/supervisor of the commercial or industrial establishment;
- (116) **"transfer station"** means a municipal development where garbage, refuse, and domestic or industrial waste, whether dry or wet, however exclusive of liquid industrial waste, is deposited by individuals and temporarily stored pending transfer to either dry or wet waste disposal sites. For the purposes of this Bylaw, all classes of transfer station as identified by Alberta Environment and Provincial regulations respecting transfer stations and class III landfills shall be included within this definition.;
- (117) **"truck and equipment storage and repair shops"** means the use of a building or a portion of a building or parcel, for the servicing, repair and storage of motor vehicles and off highway vehicles as defined in the Traffic Safety Act;
- (118) **"trucking establishment"** means a facility for the purpose of storing and dispatching trucks and tractor trailers for transporting goods;
- (119) **"utilities – linear"** means a use where lines for water distribution, irrigation and drainage, waste water collection, water heating and cooling for the purpose of energy, gas, electricity, cable, telephone and telecommunications are provided; that is not located in a building; and that may be located above, below or at grade;
- (120) **"veterinary clinic"** means a development where domestic pets and/or livestock are cared for and medically treated. Veterinary clinics primarily involve out-patient care and minor medical procedures involving hospitalisation for fewer than four (4) days. All animals shall be kept within an enclosed building. Veterinary clinics do not include kennels, except that veterinary clinics may include a facility for the boarding of animals; however, that facility will be clearly accessory to the care function;
- (121) **"watercourse"** means an river, stream or creek identified on the Land Use District Map;
- (122) **"wind energy conversion systems"** is a structure designed to convert wind energy into mechanical or electrical energy;
- (123) **"work camp"** means an accessory use to industrial or resource development, that includes at least **one** of the following:
- a. Fourteen days in duration;
  - b. Minimum of five workers;



- c. Minimum of three and a maximum of 50 recreation vehicles;
- d. Minimum of one prefabricated accommodation unit; and
- e. Minimum of one prefabricated eating/washroom/shower unit.

(124) "**yard**" means a part of a lot upon or over which no main building is erected;

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

## **1.4 METRIC AND IMPERIAL MEASUREMENTS**

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

## PART 2 - GENERAL ADMINISTRATIVE PROCEDURES

### 2.1 DEVELOPMENT APPROVAL AUTHORITIES

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

## 2.2 CONTROL OF DEVELOPMENT

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

## 2.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following development shall not require a development permit:

- (1) The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation that would require a building permit under the Alberta Safety Codes Act.
- (2) Activities as exempted by Section 618 of the Act.
- (3) The use of any such buildings as referred to in subsection (2) for the purpose for which construction was commenced.
- (4) The use of land for an agricultural operation, or the construction of a farm building on land situated in the Agricultural Land Use District, provided that the use or building conforms to the minimum setback requirements specified in this Land Use Bylaw. Notwithstanding this section, all dwellings are subject to obtaining a development permit.
- (5) The erection, construction, or maintenance, improvement or alteration of gates, fences or walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than 1 m (3.3 ft) in height in front yards and less than 2 m (6.6 ft) in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences or walls or other means of enclosure. Notwithstanding, barbs and page wire fences are only permitted in the Agricultural (A) and Industrial/Commercial land use districts;
- (6) All types of fences and windbreaks in the Agricultural (A) District.
- (7) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw.
- (8) The maintenance and repair of roads, water, sanitary, stormwater or environmental infrastructure carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.
- (9) The development of County owned structures. Notice of such projects shall be provided to adjacent landowners in accordance with municipal policy.
- (10) Development within a basement which does not change or add to the uses within a dwelling.

- (11) All buildings, other than fences described in Subsections 2.3(5) above, which are less than 13.3 m<sup>2</sup> (143ft<sup>2</sup>) in area and which conform with all regulations within this Bylaw for accessory uses.
- (12) The demolition or removal of any building or structure for which erection a development permit would not be required pursuant to subsections (4) through (11) above, both inclusive.
- (13) Storage tanks for flammable/combustible liquids provided that it conforms to the regulations specified in this Land Use Bylaw.
- (14) Dugouts provides that they conform to the regulations specified in this Land Use Bylaw.
- (15) Fire pits provided that it conforms to the regulations specified in this Land Use Bylaw.
- (16) Temporary accessory buildings may be exempted from regulations specified in this Land Use Bylaw at the sole discretion of the Development Authority.

## **2.4 NON-CONFORMING BUILDINGS AND USES**

- (1) Non-conforming buildings and non-conforming uses shall be treated in accordance with the Act, and any amendments thereto.

## PART 3 - DEVELOPMENT APPLICATION PROCESS

### 3.1 APPLICATION FOR DEVELOPMENT

- (1) An application for a development permit shall be completed and submitted to the Development Officer in writing, in the form required by the Development Officer, and shall be accompanied by:
  - a. a site plan showing the legal description; the front, rear, and side yards, if any; any provision for off-street loading and vehicle parking; and access and egress points to the site;
  - b. the presence of abandoned oil and gas wells in accordance with the Subdivision and Development Regulation;
  - c. the location and dimensions of all existing and proposed buildings, structures, or uses on the property;
  - d. statement of existing and proposed services (i.e. on-site or municipal);
  - e. identification of existing and proposed road infrastructure that will provide access to the development;
  - f. a statement of the current and proposed use on the lands; and
  - g. the authorization of the registered landowner.
- (2) The Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include floor plans, elevations and sections of any proposed buildings; drainage, grading and landscaping plans; and, in the case of the placement of an already constructed or partially constructed building on a parcel of land, information relating to the age and condition of the building and its compatibility with the District in which it is to be located. In addition, such additional information may include assessment by a registered professional engineer of any potential flooding or subsidence hazard that may, in the sole opinion of the Development Authority, affect the subject site.
- (3) Each application for a development permit shall be accompanied by a fee as established by Council.
- (4) All applications for development permits on sites within an area covered by an inter-municipal development plan shall be referred to the other municipality for comments and recommendation.
- (5) The Development Authority may make a decision on an application for a development permit notwithstanding that any information required or requested has not been submitted.

- (6) In the case where an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal to the Subdivision and Development Appeal Board, the submission of another application for a permit on the same property and for the same or similar use of the land by the same or any other applicant need not be accepted by the Development Officer for at least six (6) months after the date of the previous refusal.

## 3.2 DECISION PROCESS

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

neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and

- b. the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- (7) An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made by the Development Authority within forty (40) days after receipt of the application by the Development Authority. The person claiming to be affected may appeal in writing as provided for in this Bylaw as though he has received a refusal at the end of the forty (40) day period specified in this subsection.
  - (8) Development permits are in effect for twelve (12) months from the date of its issue and must be completed within twenty four (24) months from date of issue, unless an extension to this period is granted by the Development Authority.
  - (9) A Development Authority may suspend or revoke a development permit:
    - a. at any time, where the permit was issued on the basis of incorrect information, fraud, non-disclosure, or misrepresentation on the part of the applicant; or
    - b. within fourteen (14) days of issue of the permit, where the permit was issued in error.

### **3.3 DEVELOPMENT ON RESERVE LANDS**

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

- b. the permit may be revoked at any time if, in the sole opinion of the Development Authority, the development poses a hazard to public safety, impedes public access, or interferes with the use and enjoyment of neighbouring properties.

## 3.4 DEVELOPMENT PERMITS AND NOTICES

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



## PART 4 - DEVELOPMENT APPEAL PROCESS

### 4.1 APPEAL PROCEDURE

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

## 4.2 APPEAL HEARING

- (1) Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold an appeal hearing respecting the appeal.
- (2) The Subdivision and Development Appeal Board shall give at least five (5) days notice in writing of the appeal hearing to:
  - a. the appellant;
  - b. the Development Authority from whose order, decision or development permit the appeal is made;
  - c. those adjacent land owners who were notified under this Bylaw and any other person who, in the opinion of the Subdivision and Development Appeal Board, are affected by the order, decision or permit; and
  - d. such other persons as the Subdivision and Development Appeal Board specifies.
- (3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:
  - a. the application for the development permit, its refusal and the appeal therefrom; or
  - b. the order of the Development Authority,as the case may be.
- (4) At the appeal hearing referred to in subsection (1), the Subdivision and Development Appeal Board shall hear:
  - a. the appellant or any other person acting on his behalf;
  - b. the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;
  - c. any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and
  - d. any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his behalf.

## 4.3 APPEAL DECISION

- (1) The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the appeal hearing.
- (2) If the decision of the Development Authority to approve a development permit application is reversed by the Subdivision and Development Appeal Board, the development permit shall be null and void.
- (3) If the decision of the Development Authority to refuse a development permit application is reversed by the Subdivision and Development Appeal Board, the Development Officer shall forthwith issue the development permit in accordance with the decision of the Subdivision and Development Appeal Board.
- (4) If the decision of the Development Authority to approve a development permit is varied by the Development Appeal Board, the Development Officer shall forthwith issue the development permit in accordance with the decision of the Subdivision and Development Appeal Board.
- (5) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:
  - a. to a judge of the Court of Appeal; and
  - b. within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

## **PART 5 - BYLAW AMENDMENT PROCESS**

### **5.1 APPLICATION FOR AMENDMENT**

- (1) A person may apply to have this Bylaw amended by applying in writing, furnishing reasons in support of the application and paying the fee therefore required.
- (2) Council may at any time initiate an amendment to this Bylaw by directing the Development Officer to initiate an amendment.
- (3) All applications for amendment to the Land Use Bylaw shall be made to the Council and shall be accompanied by the following, namely:
  - a. an application fee according to the governing fee schedule as amended from time to time by resolution of Council shall be submitted for each application, but if the proposed amendment is adopted by Council, Council may determine that the whole or part of the application fee may be returned to the applicant;
  - b. a title search for the land affected or other documents satisfactory to the Development Officer indicating the applicant's interest in the said land;
  - c. drawings drawn to the satisfaction of the Development Officer, which shall be fully dimensioned, accurately figured, explicit and complete; and
  - d. any other information deemed necessary by the Development Officer.
- (4) Notwithstanding Subsection (3)(a) above, Council may waive payment of an application fee or any part thereof.
- (5) During deliberation on the Bylaw amendment application, Council may refer the application to such agencies as it considers necessary for comment.
- (6) Council may request such information as it deems necessary to reach a decision on the proposed amendment.
- (7) When an application for amendment has been defeated by Council, re-application shall not occur for that parcel of land for at least 6 months. Council may waive this waiting period by resolution.

### **5.2 PUBLIC HEARING PROCESS**

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

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

## **PART 6 - ENFORCEMENT AND ADMINISTRATION**

### **6.1 CONTRAVENTION**

- (1) Pursuant to Sections 545 and 645 of the Act, the Designated Officer may enforce the provisions of the Act, the conditions of a development permit, subdivision approval and this Bylaw. Enforcement may be by written notice of contravention, written stop order notice, or any other authorized action to ensure compliance.

### **6.2 PROHIBITIONS**

- (1) No person shall contravene or permit a contravention of this Bylaw. No person shall commence or undertake a development or use that is not in compliance with this Bylaw.
- (2) No person shall contravene a condition of a permit issued under this Bylaw.
- (3) No person shall authorize or do any development that is at variance with the description specifications or plans that formed the basis for the issuance of a development permit or subdivision

## **PART 7 - LAND USE PROVISIONS**

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

### **7.1 ABOVE-GROUND STORAGE TANKS FOR COMBUSTIBLE/FLAMMABLE LIQUIDS**

- (1) The Development Authority may require that a storage tank over 230 litres in size be placed underground in the Country Residential and General Urban Districts if the proposed tank is to be located close to residential uses.

### **7.2 ACCESSORY BUILDINGS**

- (1) Accessory buildings are permitted when accessory to a permitted use and discretionary when accessory to a discretionary use. An accessory building or use is not permitted without a principal building or use.
- (2) An accessory building shall not be used as a dwelling unless it is an approved garage suite or a residential surveillance suite.
- (3) The exterior finish of the accessory building must complement that of a principal building except a farm building in the Agricultural (A) District.
- (4) All accessory buildings shall be set back a minimum of 1.5 m (4.92 ft) from the side and rear property lines.
- (5) All accessory buildings shall be set back a minimum of 1.5m (4.92 ft) from the property line of an internal road.
- (6) No accessory buildings to be located in the front yards of lakefront lots.
- (7) An accessory building shall not be located closer than 2.1 m (7 ft) to a main building.
- (8) The siting of an accessory building on an irregular shaped parcel shall be as approved by the Development Authority.
- (9) The height of an accessory building (including garage suites above grade) may not exceed:
  - a. Lots less than 1.61Ha (4.0 acres) – 4.5m (14.75 ft);
  - b. Lots greater than 1.61 Ha (4.0 acres) – 6.1m (20.0 ft); and
  - c. Light Industrial Residential (IR) and Industrial Commercial (IC) Districts – 7.6m (25.0 ft).

- (10) Where a structure is attached to the main building on a site by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the main building and is not an accessory building.
- (11) The maximum number of accessory buildings permitted on a parcel within the U, CR1 and CR2 Districts is three and the total area shall not exceed 12% of the parcel area.

### **7.3 BARBED WIRE AND PAGE WIRE FENCING**

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

### **7.4 BASEMENT SUITES**

- (1) Basement Suites:
  - a. Basement suites shall be restricted to single detached dwellings.
  - b. A maximum of two (2) bedrooms may be permitted per basement suite.
  - c. A basement suite shall comply with the Safety Codes Act (Chapter S-1, R.S.A. 2000) and regulations and amendments thereto, or its successor.
  - d. One on-site parking stall shall be provided for each bedroom to a maximum of two stalls.
  - e. A separate entrance door to a basement suite shall not be located on any front building elevation facing a street. Notwithstanding this, a single entry door providing access to an enclosed, shared land landing area from which both the main dwelling unit and the basement suite take access, may be located on any front building elevation facing a street.
  - f. The maximum number of vehicles for basement suite occupants cannot exceed onsite parking stalls provided for the suite.

### **7.5 BED AND BREAKFAST ESTABLISHMENTS**

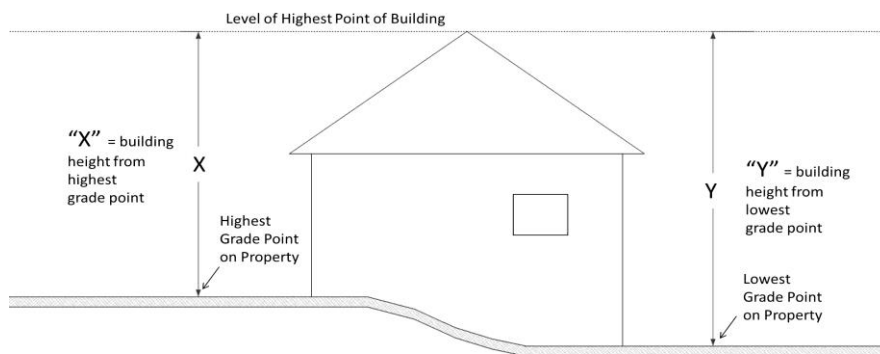
- (1) A bed and breakfast establishment shall comply with the following regulations:
  - a. A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved, and shall have a maximum of three (3) revenue-generating bedrooms.
  - b. Cooking facilities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



## 7.6 BUILDING HEIGHT

- (1) If the height of a building is required to be measured or determined it shall be measured by calculating the average vertical distance between the natural grade, or the average natural grade in the case of a sloping grade, and the highest point of the building as determined by Figure 1. In determining the highest points of a building, the following structures shall not be considered to be part of the building: an elevator housing; mechanical housing; roof stairway entrance; ventilations; a skylight; a steeple; a smokestack; a parapet wall, or a flagpole or similar device not structurally essential to the building.

**Figure 1 – Building Height Calculations (Height Average =  $(X+Y)/2$ )**



## 7.7 COMMUNICATION TOWERS

- (1) Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location of radio communication facilities, including communication towers. In making its decision regarding the communication tower and related facilities, Industry Canada considers the following:
- a. the input provided by the Approving Authority;
  - b. compliance with Transport Canada’s painting and lighting requirements for aeronautical safety;
  - c. Health Canada’s safety guidelines respecting limits of exposure to radio frequency fields;
  - d. an environmental impact assessment may be required in order to comply with the *Canadian Environmental Assessment Act*.
- (2) The participation of the County in the consultation process does not transfer any Federal decision making authority, nor does it confer a right of veto in the location of the communication tower.
- (3) Unless demonstrated to be impractical, transmission antennae shall be mounted on existing structures (including buildings or towers) or within transportation and utility corridors.

- a. The tower base shall be setback from abutting parcels and roadways by a distance of 120 percent of the tower height or the distance between the tower base and guy wire anchors, whichever is greater.
  - b. Transmission towers must have the least practical adverse visual effect on the environment. This may be mitigated through landscaping and/or fencing.
  - c. Notwithstanding the above, towers that are constructed in accordance with Canadian Standards Association (CSA) S37 shall be setback from abutting parcels and roadways by a distance of 20 percent the tower height or the distance between the tower base and guy wire anchors, whichever is greater.
  - d. Notwithstanding the above, a communication tower shall be setback from abutting parcels and roadways by 2 percent the tower height on Lot 37, Block 1, Plan 7622036.
  - e. Notwithstanding the above, a communication tower shall be setback from abutting parcels and roadways by 2 percent the tower height on Lot 110, Block 2, Plan 7922205.
- (4) Communication towers shall be located in a manner that minimizes the impact on the natural environmental and residential communities while recognizing the unique location requirement for sitting communication towers.
  - (5) All equipment shelters must meet the County's setback distances to roads and property lines.
  - (6) All telecommunication carriers requesting a new telecommunication tower shall be required to identify any other such structure within an 8.05 km (5 mi) radius of the proposed site location. Each request shall also provide documentary evidence that co-location of the existing structures within that 8.05 km (5 mi) radius is not a viable alternative to a second structure.
  - (7) Where Transport Canada requires that a telecommunication tower be lighted, the following procedures shall be encouraged to minimize visual impacts:
    - a. The lighting of equipment structures and any other facilities on site shall be shielded from adjacent properties where possible without interfering with the requirements of Transport Canada.
    - b. All lighting shall be a minimum number of low intensity white lights; and
    - c. The strobe interval shall be the maximum allowable by Transport Canada, and the strobe lights shall only be used if absolutely necessary.

## **7.8 CONFINED FEEDING OPERATIONS**

- (1) Confined feeding operations for which an approval, a registration, or an authorization is required pursuant to the Agricultural Operation Practices Act are not regulated by this Bylaw but by that Act.

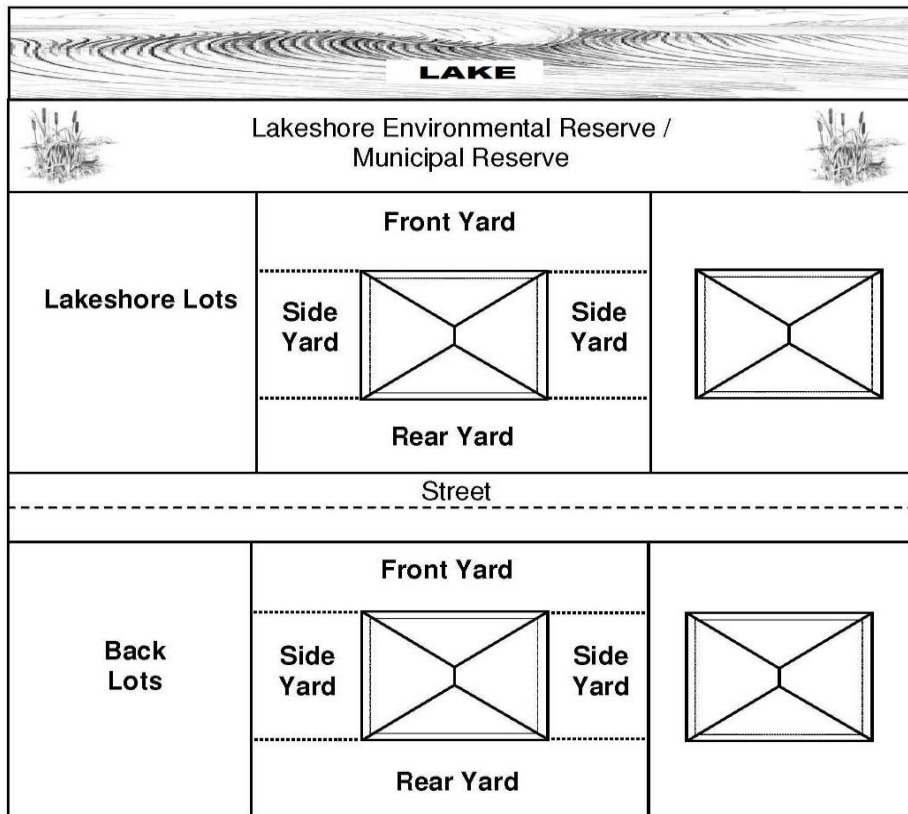
## **7.9 DECKS**

- (1) A deck shall:
  - a. Meet the front yard setback of the principal building;
  - b. Be located at least 1.5 m (5 ft) from a side property line, except in the case of duplex/semi-detached and row house, where 0 (zero) setback may be permitted where the property shares a common wall with an attached dwelling; and
  - c. Be located at least 3 m (10 ft) from the rear property line.
- (2) An unenclosed deck located in a side yard that adjoins a public roadway must be located at least 3 m (10 ft) from a property line adjoining a public roadway.
- (3) If a covered deck is attached to a principal building, the deck shall meet the minimum setback requirements of the principal building.

## **7.10 DEVELOPMENT SETBACKS**

- (1) Where land is located within 0.8 km (0.5 miles) of a highway, setbacks from the highway shall be as required by Alberta Transportation.
- (2) The minimum distance setback for a dug-out shall be 30 m (98.4 ft) from the centre line of a road other than a Highway, from which the minimum distance setback shall be as required by Alberta Transportation.
- (3) Notwithstanding the above, all land uses shall conform to the minimum yard requirements specified in this Bylaw.
- (4) The front yard for parcels adjacent to lakes (lakeshore lots) shall be the lake, as denoted on by Figure 2.

**Figure 2 – Development Setbacks Adjacent to Lakes**



## 7.11 DUGOUTS

- (1) Dugouts shall:
  - a. Meet the minimum distance setback for a dug-out shall be 30 m (98.4 ft) from the centre line of a road other than a Highway, from which the minimum distance setback shall be as required by Alberta Transportation.
  - b. Not encroach upon, or affect, any watercourse or drainage easement.

## 7.12 ENVIRONMENTAL SETBACKS

- (1) A minimum setback of 30.0 metre is required from the top of bank of any watercourse or lake unless the Development Authority is satisfied by submission of a professional environmental and geotechnical assessment that a lesser setback is warranted. Should a professional assessment determine the need for a setback greater than 30.0 metres, a Development Authority shall require it. Within the required setback, any land disturbance shall be managed to reduce environmental effects and manage risk.

- (2) The minimum setback pursuant to 7.12(1) may be reduced or eliminated at the discretion of the Development Authority where a watercourse or lake is considered to be of a minor nature and there is no risk of adverse effect on development or the environment as determined by the Development Authority. The setback may be reduced where a Development Authority determines that the structure (such as a boathouse) is minor and necessary for the proposed location.
- (3) The Development Authority shall not approve permanent buildings within the 1:100 year floodway of any watercourse or lake. The Development Authority may approve developments within the 1:100 year floodfringe subject to floodproofing provisions to mitigate potential damage, provided the County of St. Paul No. 19 is indemnified from any potential liability.
- (4) The Development Authority may increase any required setback or yard for any permitted or discretionary use where the regulation in the District would allow development that may be detrimental to the preservation of shoreline or environmentally sensitive areas, may be affected by being in a floodplain or in proximity to steep or unstable slopes, or may increase the degree of the hazard.
- (5) When new parcels are created that are adjacent to watercourses or lakes, building site areas shall be designated that will conform to the required environmental setbacks. The building site shall be located as to ensure positive drainage to the nearest receiving watercourse or lake.

## **7.13 EXISTING SUBSTANDARD LOTS**

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

## **7.14 FIRE PITS**

- (1) Pits shall meet accessory building setbacks.
- (2) Pits shall be set back a minimum of 3 m (10 ft) from any combustible structures including fences and decks.
- (3) Pits shall be constructed of non-combustible materials.
- (4) The base of the pit shall rest on sand, gravel or concrete.
- (5) All organic material shall be removed for a distance of 15 cm (6 inches) all around the fire pit.

- (6) Fire pits should be less than 1 m (3.3 ft) in diameter and depth.
- (7) All fire pits shall have a metal screen (1/4 inch maximum spacing) spark guard cover while in use.

## 7.15 GARAGE SUITES

- (1) Garage Suites:
  - a. A garage suite means a dwelling located above a detached garage (above grade); or a single storey dwelling attached to the side of, or rear of, a detached garage (at grade).
  - b. The Development Officer shall consider the following matters as part of the decision making process for an application for a garage suite:
    - i. Compatibility of the use in relation to the site, grade elevations, height, building types, and materials characteristic of surrounding development;
    - ii. The potential effect of the development on the privacy of adjacent properties; and
    - iii. The on-site and neighbourhood impacts on parking and traffic.
  - c. Where approved, garage suites shall be developed in accordance with the following regulations:
    - i. All garage suites must meet the requirements of the Alberta Safety Codes Act;
    - ii. Shall not be located in the front yard;
    - iii. A minimum of one on-site parking space shall be provided for a garage suite;
    - iv. A minimum floor area of 30.0 m<sup>2</sup> (320 ft<sup>2</sup>) and shall not exceed 40% of the gross floor area of the principal dwelling;
    - v. Has an entrance separate from the vehicle entrance to the garage, either from a common landing or directly from the exterior of the structure; and
    - vi. Has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal dwelling located on the site.

## 7.16 HISTORICAL AND ARCHEOLOGICAL SITES

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

## 7.17 HOME OCCUPATIONS

- (1) All development permits issued for home occupations shall be revocable at any time by the development authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.
- (2) A minor home occupation shall comply with the following regulations:

- a. No offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot on which the minor home occupation is located shall be produced by the home occupation.
  - b. There shall be no exterior signage, display or advertisement other than a business identification sign which shall not exceed 1 m<sup>2</sup> (10.8 ft<sup>2</sup>) in size.
  - c. A minor home occupation shall not occupy more than 30% of the gross floor area of the principal dwelling.
  - d. Except in the Agriculture (A) District, there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the minor home occupation allowed on the site. Storage related to the minor home occupation shall be allowed in either the dwelling or accessory buildings.
  - e. Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.
  - f. A minor home occupation shall not employ any person on-site other than the occupants of the dwelling.
- (3) In addition to the requirements of Subsection (2) above, a major home occupation shall comply with the following regulations:
- a. The number of non-resident employees working on-site shall not exceed two (2) on-site, non-occupant employees.
  - b. No more than one commercial vehicle up to a size of a tandem truck, to be used in conjunction with the major home occupation, shall be parked or maintained on the site in a Country Residential One (CR1) or a General Urban (U) District. The parking space for the commercial vehicle shall be adequately screened and sited behind the principal building to the satisfaction of the Development Authority.
  - c. Not more than four (4) commercial vehicles, each with one accessory trailer, to be used in conjunction with the major home occupation, shall be parked or maintained on a site in the Agriculture (A) District.
  - d. Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as long as such alterations comply with this Bylaw and the Alberta Safety Codes Act and the regulations made thereunder.
- (4) All home occupations shall comply with the following requirements:
- a. In addition to a development permit application, each application for a minor home occupation or a major home occupation shall be accompanied by a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.
  - b. When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.
  - c. Home occupations shall not involve: activities that use or store hazardous material in

quantities exceeding those found in a normal household; or any use that would, in the opinion of the development authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

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



## 7.18 KEEPING OF ANIMALS

- (1) The following table applies to all parcels within the Agricultural District which are less than 20 acres of land on which livestock are kept:

**Figure 3 – Animal Units Allowed Per 4 Acres**

Animal Type	Animal Units	Animal Type	Animal Units
Cows (including calves)	3	Poultry/Pheasants	20
Horses (including foals)	3	Sheep	5
Rabbits	20	Pigs	1

- a. For animal types with sub-species characterized as “miniature”, an animal unit is based on 1,000 lb live weight of the main animal type.
- b. Notwithstanding 7.18(1) above, no animals other than domestic pets and a maximum of 6 laying hens shall be kept on parcels less than one half (0.5) acre in size.

## 7.19 KENNELS

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

## 7.20 MANUFACTURED HOMES

- (1) A development permit shall be required for all new or moved in manufactured homes.
- (2) A manufactured home shall be skirted from the floor level to the ground level which shall match the existing external finish of the manufactured home.
- (3) The storage of any furniture, domestic equipment or seasonally used equipment shall occur in a covered storage building, or shall be screened either individually on the stall or lot or communally. The storage area or building shall conform to the local building, fire, electrical and plumbing codes.

- (4) The following regulations apply to manufactured homes:
  - a. The hitch and wheels are to be removed from the manufactured home.
  - b. All manufactured homes shall be firmly placed on a foundation or base.
  - c. The property shall be grassed and landscaped within one year from the date of issue of the development permit.
- (5) All accessory structures, such as patios, decks, porches, additions and skirting, shall be:
  - a. factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured homes;
  - b. considered as part of the main building; and
  - c. erected only after obtaining a development permit.
- (6) A person wishing to move an existing manufactured home onto a lot shall make application for a development Permit in the usual way but also provide the following information:
  - a. Age, size and structural condition of the manufactured home;
  - b. Photographs showing all sides of the manufactured home; and
  - c. A statement of the proposed improvements.
- (7) The Development Officer shall request inspection of the manufactured home more than 10 years of age as of date of application which is proposed to be moved in by a qualified Safety Codes Officer and report back. The expenses of such inspection shall be paid by the applicant before any Development Permit is issued.
- (8) The Development Officer may issue a Development Permit for the proposed manufactured home without conditions, or subject to such conditions as he/she deems it necessary to ensure that the manufactured home is renovated to a satisfactory standard.
- (9) The Development Officer may require security in the form of cash, performance bond, letter of credit, etc. of up to \$5,000 to guarantee satisfactory completion of work stipulated in the Development Permit.

## **7.21 MANUFACTURED HOME PARKS**

- (1) A development permit shall be required for new or expanding manufactured home parks. A development permit shall not be issued for a manufactured home park until written comments are received from Alberta Health Services and a qualified professional registered in the Province of Alberta with the Association of Professional Engineers and Geoscientists of Alberta indicating that the proposed sewage disposal system has been approved and is designed to the proposed development capacity.

- (2) Where a sewage lagoon is required for the development of a manufactured home park, the construction of a chain link or other enclosure approved of by the Development Authority shall be required as a safety precaution.
- (3) Manufactured homes shall be located a minimum distance for the land use District in which it is located. The setback strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
- (4) All roads in a manufactured home park shall be surfaced, and well drained, and maintained to the satisfaction of the Development Authority. Minimum driving surface width shall be 9 m (29.5 ft) and minimum right-of-way width shall be 20 m (65.6 ft).
- (5) All parks shall be required to provide safe, convenient, all-season pedestrian access of at least 1.0 m (3.3 ft) in width for intended use between individual manufactured homes, the park streets, and all community facilities provided for park residents.
- (6) Visitor parking space shall be provided at a ratio of at least one (1) space for every two (2) manufactured homes and shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.
- (7) The design of manufactured home parks shall be to the satisfaction of the Development Authority, including a plan of survey clearly marking all utilities, lots, roadways, recreational use lands, fences and communal areas.
- (8) All municipal utilities shall be provided underground to stalls in a manufactured home park.
- (9) In a manufactured home park, 5% of the gross site area shall be devoted to recreational use.
- (10) All areas of a manufactured home park not occupied by manufactured homes and their additions, internal roads, footpaths, driveways, permanent buildings and any other developed facilities, shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around laundry yards, refuse collection points and playgrounds.
- (11) No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well-being of the park residents and for the management and maintenance of the park.
- (12) Manufactured home park facilities shall be arranged to create a homelike atmosphere. This objective is achieved by variations in street pattern, block shapes and location of manufactured home stands.
- (13) Each manufactured home stall shall be clearly marked off by means of stakes or countersunk steel posts.

- (14) Street lighting in a manufactured home park shall be the same standard as that in a conventional residential neighborhood or to the satisfaction of the Development Authority.
- (15) Signs:
- a. Only one (1) main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a manufactured home park unless the Development Authority is of the opinion that a further and similar sign shall be allowed under exceptional circumstances involving the layout, location and size of the park in relation to the surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority.
  - b. Directional signs within the manufactured home park shall be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.
- (16) Manufactured homes shall be separated from each other by at least 6 m (19.7 ft) side-to-side and 3.0 m (9.8 ft) from either front or rear stall line provided further that any porch or addition to the manufactured home is regarded as part of the manufactured home for the purpose of spacing. Notwithstanding the above, the minimum side yard requirements shall be 2.4 m (8.0 ft).
- (17) The minimum dimensions for a manufactured home stall shall be 15 m (49 ft) by 30 m (98.4 ft) and the minimum size for a manufactured home stall shall be 465 m<sup>2</sup> (5,112.9 ft<sup>2</sup>).
- (18) The minimum site area shall be 2.0 ha (4.94 ac.).
- (19) Refuse Collection and Screening:
- a. The park operator must provide a central collection area for garbage within the park, located in an area satisfactory to the Development Authority. The operator is also responsible for regularly transferring the garbage from the park to a waste disposal site.
  - b. The central collection area must also be maintained to the satisfaction of the Development Authority.
- (20) All utilities shall be provided to each stall at the developer's expense.
- (21) A central area of a minimum of 14.0 m<sup>2</sup> (150.7 ft<sup>2</sup>) of space for each manufactured home shall be provided for the storage of recreation vehicles, boats, trailers, etc.

## **7.22 NUMBER OF DWELLING UNITS ON A LOT**

- (1) The number of dwelling units allowed on any parcel of land shall not exceed one (1) except at the sole discretion of the Development Authority, and if the second dwelling unit is proposed to be constructed or located on a lot of 4 ha (9.9 ac.) or more.

- (2) The Development Authority may issue a development permit to a person that would allow the construction or location of more than one dwelling unit on a lot if the second dwelling unit:
  - a. is to be occupied by a person who is engaged on a full-time basis for at least 6 months each year in an agricultural pursuit;
  - b. is contained in a building that, or in buildings each of which, is designed for or divided into 2 or more dwelling units;
  - c. is a manufactured home as defined in this Bylaw and located within a park for manufactured homes; or
  - d. is a building, as defined in the Condominium Property Act, that is the subject of a condominium plan to be registered in a Land Titles Office under that Act.

(3) Notwithstanding the above, two dwelling units shall be permitted on Lot 1, Block 1, Plan 1024694 contained within NE 1-58-9-W4M.

## 7.23 NATURAL RESOURCE EXTRACTION AND PROCESSING

- (1) For the purposes of this Section, excavation shall mean excavation other than for construction or building purposes, including, but not limited to, salt, sand and gravel mining, topsoil stripping, and construction of artificial bodies of water.
- (2) An application for a Development Permit for the excavation, stripping, or grading of land, which is proposed without any other Development on the same parcel of land, shall include the following information:
  - a. location and area of the site where the excavation is to take place;
  - b. the type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the site;
  - c. the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
  - d. identification of potential for outdoor noise and the discharge of substances into the air; and, the condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the site.
- (3) Where, in the process of development, areas require leveling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, and replaced following the completion of the work.
- (4) The applicant shall ensure that dust and noise control measures are undertaken to prevent such items from becoming an annoyance to neighbouring landowners. The applicant shall conduct dust control procedures at the request of and to the satisfaction of the Development

Authority, acting reasonably. In this regard, stockpiles shall be located in a position to act as a sound barrier. Also, the applicant shall apply methods of minimizing the noise created from machinery and equipment.

- (5) The applicant shall keep the area subject to the Development Permit in a clean and tidy condition, free from rubbish and non-aggregate debris.
- (6) The applicant shall locate appropriate traffic and safety signage on and about the subject site and road accesses.
- (7) All operations shall be in accordance with the Alberta Environmental Protection and Enhancement Act, as amended, for conservation and reclamation.
- (8) A disturbed area shall be reclaimed to a land capability equivalent to the pre-disturbance land capability (e.g. agricultural land) or a post-disturbance condition and land use (e.g. conversion to a wetland) which are satisfactory to the Development Authority or the provincial authority where applicable.
- (9) The following conditions of approval may be included when processing an application for a natural resource extraction and processing development:
  - a. requirement to post security to ensure that reclamation is completed;
  - 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. limitation of hours of operation;
  - d. posting of adequate signage, including company name and emergency telephone numbers, to warn of possible site or operational hazards and dangers;
  - e. the provision of a reclamation plan; and,
  - f. methods of minimizing noise in relation to the activities of the operation.

## **7.24 OBJECTS PROHIBITED OR RESTRICTED IN YARDS**

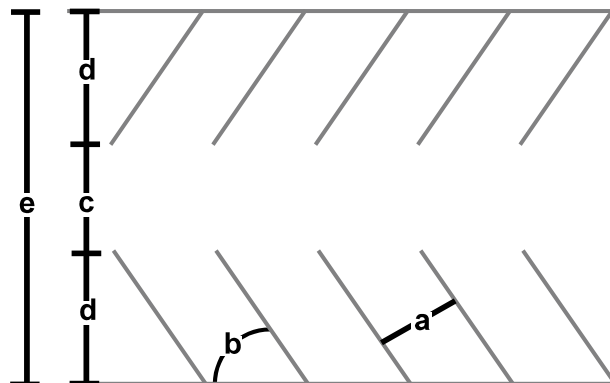
- (1) No person shall keep or allow in the Country Residential One (CR1) District, Country Residential Two (CR2) District, General Urban (U) District, or Recreation Vehicle (RV) District:
  - a. any inoperable vehicle for more than 30 successive days;
  - b. any object, chattel, or other use of land which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the District; and
  - c. any excavation, stockpiling or storage of materials.

## **7.25 OFF-STREET PARKING**

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

**Figure 4 – Minimum Parking Standards (in metres (feet))**

Width of Space (a)	Parking Angle in Degrees (b)	Stall Depth Parallel To Aisle (c)	Stall Depth Perpendicular To Aisle (d)	Overall Depth (e)
2.7 (9.0)	0	7.0 (23.0)	2.7 (9.0)	9.1 (30.0)
2.7 (9.0)	30	5.5 (18.0)	5.2 (17.0)	14.0 (46.0)
2.7 (9.0)	45	4.0 (13.0)	5.8 (19.0)	15.2 (50.0)
2.7 (9.0)	60	3.1 (10.0)	6.1 (20.0)	18.2 (59.0)
2.7 (9.0)	90	2.7 (9.0)	6.1 (20.0)	19.5 (64.5)



- b. In the General Urban (U) District, the Development Officer may require some parking spaces provided to be a minimum width of 3.0 m (10 ft) and a minimum depth of 20 m

(65.5 ft), specifically designed for large trucks. Maneuvering aisles and accesses will be sized appropriately to permit vehicular access to these spaces.

(2) Surfacing and Drainage

- a. Every off-street parking space provided, and the access thereto, shall be hard surfaced if the access is from a street or lane which is hard surfaced; parking areas must be paved or of gravel mixture as approved by the Development Authority.
- b. Each parking area shall be so graded and drained as to dispose of all storm water runoff. In no case shall drainage be allowed to cross a sidewalk unless permitted otherwise by the Development Authority.

(3) Required Number of Off-Street Parking Spaces:

- a. The minimum number of off-street parking spaces required for each building or use shall be as in Figure 5. In the case of use not specifically mentioned, the required number of off-street parking spaces shall be the same as for a similar use as determined by the Development Authority. Where a development falls within more than one class, the required number of spaces shall be the sum of the requirements for each of the development classes.
- b. The Development Authority may allow an applicant to provide a lesser number of spaces if it can be shown that the standard is not applicable to the project.

**Figure 5 – Minimum Parking Standards**

USE OF BUILDING OR DEVELOPMENT	MINIMUM NUMBER OF PARKING SPACES
<b>RESIDENTIAL</b>	
1. All dwellings	2 per dwelling unit
<b>COMMERCIAL</b>	
2. Retail and Service (except Eating and Drinking Establishments, Hotels and Motels) Businesses	1 per 46 m <sup>2</sup> (495 ft <sup>2</sup> ) of gross floor area
3. Eating and Drinking Establishments	1 per 4 seats plus three additional spaces for staff
4. Hotels and Motels	1 per room plus three additional spaces for staff
<b>INSTITUTIONAL</b>	
5. All Institutional or Public Uses	To the satisfaction of the development authority
<b>INDUSTRIAL</b>	
6. All Industrial Uses	1 per 92 m <sup>2</sup> (990 ft <sup>2</sup> ) of gross floor area

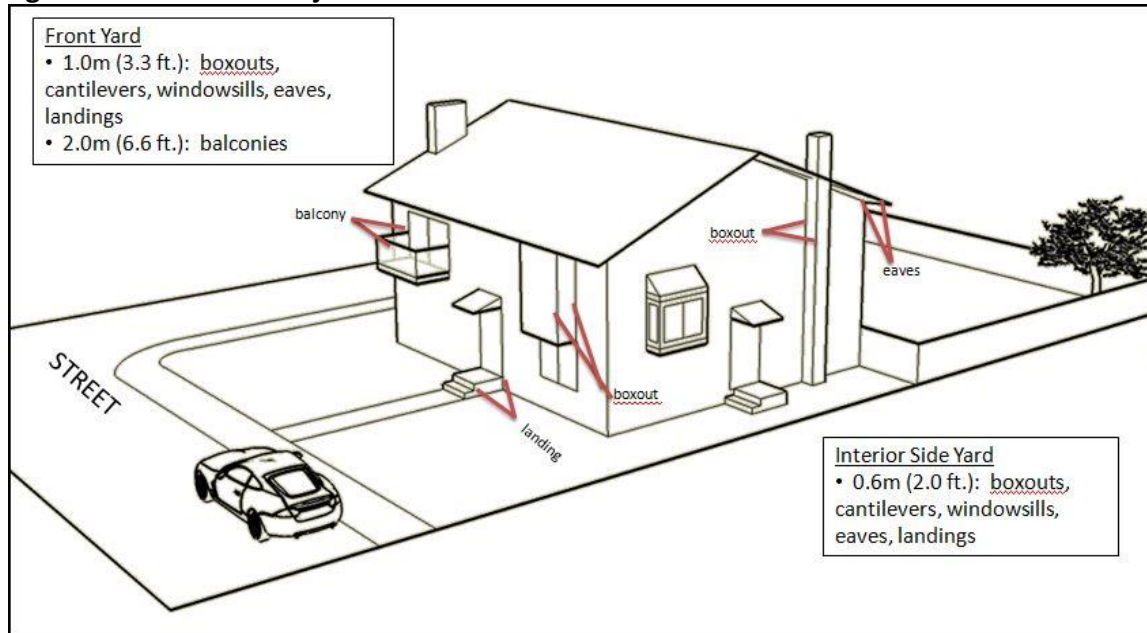




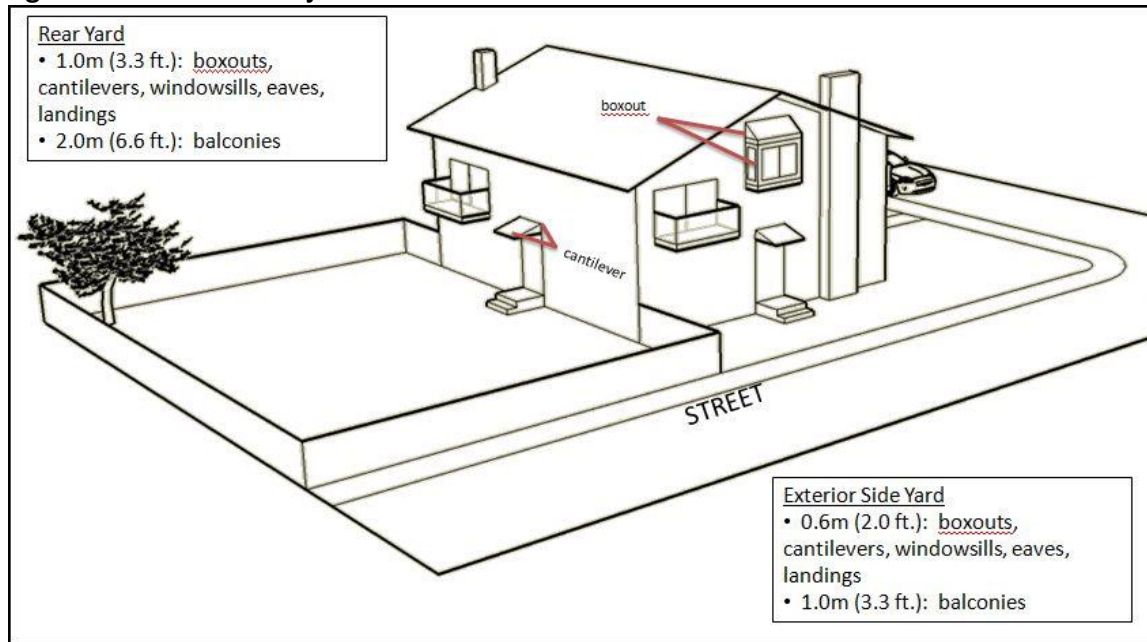
## 7.26 PERMITTED PROJECTIONS

- (1) The following projections into required front, side and rear yard setbacks in land use districts may be permitted for canopies, balconies, eaves, box-outs, chimneys, gutters, sills, steps/stairs, and, in addition, cantilevers may be permitted to project into the front and rear yards only:
  - a. Front Yard: 2.0 m (6.6 ft) for balconies; and 1.0 m (3.3 ft) for cantilevers, eaves, gutters, landings, and window sills;
  - b. Rear Yard: 2.0 m (6.6 ft) for balconies; and 1.0 m (3.3 ft) for box-outs, cantilevers, eaves, gutters, landings, and window sills.
  - c. Side Yard (Interior): 1.0 m (3.3 ft) for balconies; and 0.6 m (2.0 ft) for box-outs, eaves, gutters, landings and window sills.
  - d. Side Yard (Exterior): 1.0 m (3.3 ft) for balconies; and 0.6 m (2.0 ft) for box-outs, cantilevers, eaves, gutters, landings and window sills.
- (2) No projection will be permitted if, in the opinion of the Development Authority, it may interfere with a loading space, parking area, driveway, or other vehicle or pedestrian circulation or access.
- (3) No projection will be permitted into the side yard required for vehicular access to the rear yard, unless a minimum vertical height of 3.0 m (9.8 ft) from finished grade to the lowest point of the projection is maintained.
- (4) The projection length limitations are as follows:
  - a. The individual projection maximum length shall not exceed 3.0 m; (9.8 ft); and
  - b. The sum of all projections maximum length shall not exceed one-third (1/3) of the length of the building wall (not including the garage walls). This does not apply to front or rear yards.

**Figure 6 – Permitted Projections- Front and Interior Side Yard Setbacks**



**Figure 7 - Permitted Projections - Rear and Exterior Side Yard Setbacks**



## 7.27 PROTECTION FROM HAZARDS

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

## 7.28 RECLAIMED OIL AND GAS WELLS

- (1) The purpose of establishing setbacks around well sites is to allow for the maintenance of the well site to occur, to protect the well site and to avoid damage to any construction or excavation equipment that may be used in construction of buildings or utilities on the site. Incorporating the setbacks and access area associated with a well site, into a subdivision and development proposals may help in determining an effective subdivision design, the location of building sites, siting of underground utilities and grading of land.
- (2) In accordance with the Energy Resources Conservation Board recommendations, a setback consisting of a minimum of 10.0 m (33.0 ft) by 15.0 m (49.5 ft) work area surrounding a reclaimed well shall be maintained at all times.
- (3) The setback boundaries shall be established so that the well is no less than 5.0 m (16.4 ft) from the setback boundary. A minimum 8.0 m (26.5 ft) width access to this setback area shall be maintained.
- (4) Both the subdivision application and development permit application may require the registration of a Restrictive Covenant, against the title of the property that contains a reclaimed well identifying the setback requirements identified in this Section.
- (5) For all other gas and oil wells, all applicable provisions under the Section 11 of the Subdivision and Development Regulation shall be complied with.

## 7.29 SERVICE STATIONS AND GAS BARS

- (1) Service stations and gas bars shall be located in such a manner that:
  - a. No entrance or exit thereto for motor vehicles shall be within 60 m (197 ft) of an entrance to or exit from firehall, school, playground, library, church, hospital or social care residence;
  - b. No part of a service station or gas station building or of any pump or other accessory shall be within 6 m (19.5 ft) of a side or rear property line;
  - c. Service stations shall have a front yard of not less than 12 m (39.5 ft) and no fuel pump shall be located closer than 6 m (19.5 ft) to the front property line; and
  - d. Storage tanks shall be set back from adjacent buildings in accordance with the Alberta Safety Codes Act and Subject to written approval from the Petroleum Tank Management Association of Alberta.
  
- (2) Site Area and Coverage
  - a. The minimum site areas shall be 740 m<sup>2</sup> (7,965.5 ft<sup>2</sup>) and the maximum building coverage shall be 25% of the site area. For service stations including car wash, the minimum site area shall be 1,115 m<sup>2</sup> (12,002 ft<sup>2</sup>);
  - b. Where a service station forms part of an auto dealership development, the minimum site area and maximum building coverage may be varied at the discretion of the Development Authority.
  
- (3) Site and Building Requirements
  - a. All parts of the site to which vehicles may have access shall be surfaced and drained to the satisfaction of the Development Authority.
  - b. No activity may be carried on which constitutes an undue nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.
  - c. The site of the buildings shall be maintained in a clean and tidy condition and free from all rubbish and debris.

## 7.30 SEWAGE HOLDING TANKS

- (1) On all parcels fronting onto named lakes, only self-contained sewage systems will be permitted to be installed or replaced. Self-contained Sewage Systems include, connection to a municipal system, municipal/private co-op systems and private sewage holding tanks that meet applicable/relevant CAN/CSA standards, but do not include disposal fields, treatment mounds, pit privies, or any other approved system for the disposal of sewage or waste water on a parcel of land which results in the disposal of sewage and/or waste water into the ground.
  - a. Notwithstanding the above, Lot 10, Block 1, Plan 8122184 (contained within SW 25-57-10-W4M) shall be permitted to install and operate a disposal field or treatment mound as soils dictate. The private sewage disposal system shall meet the requirements of the Alberta Private Sewage Systems Standard of Practice Regulation (2009) as amended from time to time.
  - b. Notwithstanding the above, SE 24-59-10-W4M (Westcove Municipal Park) shall be permitted to install and operate a disposal field or treatment mound as soils dictate. The private sewage disposal system shall meet the requirements of the Alberta Private Sewage Systems Standard of Practice Regulation (2009) as amended from time to time.
  - c. Notwithstanding the above, Lot OT, Plan 5183JY (Floating Stone Municipal Park) shall be permitted to install and operate a disposal field or treatment mound as soils dictate. The private sewage disposal system shall meet the requirements of the Alberta Private Sewage Systems Standard of Practice Regulation (2009) as amended from time to time.

## 7.31 SIGNS

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

- e. No signs other than dwellings with approved home businesses shall be permitted in the Country Residential One (CR1) and Country Residential Two (CR2) District.
  - f. No signs shall be permitted within 800 m (2,624.6 ft) of a highway unless the prior approval of Alberta Transportation has been received.
  - g. Oil companies will be allowed to erect signs with the approval of the County to restrict their own oil field truck traffic to prevent the deterioration of County roads. These signs, once approved by the County, will be exempt from the requirement that development permits be obtained.
- (2) Freestanding signs in non-residential districts are subject to the following regulations:
- a. One (1) freestanding sign shall be allowed per lot frontage for the purpose of identifying the use or building on that lot;
  - b. The maximum area of the freestanding sign shall not exceed 0.2 m<sup>2</sup> in area for each meter in frontage for a developed site to maximum of 10 m<sup>2</sup>;
  - c. The maximum height of the freestanding sign shall not exceed 9.0 m;
  - d. The sign may be illuminated, but shall not have flashing or intermittent lights or device or mechanism that creates the impression of flashing or intermittent lights. Reader board signs are however permitted;
  - e. At the discretion of the Development Authority, landscaping may be required at the base of the sign; and
  - f. The bottom of freestanding signs shall be a minimum of 3.6 m above grade, unless a lesser distance is approved by the Development Authority, and the space between the bottom of the sign and the grade shall be unobstructed, except for supports as the sign may require.
- (3) Notwithstanding Subsection (1) and (2) above, the following signs do not require a development permit, provided that they are not illuminated and that any necessary permits have been obtained from Alberta Transportation:
- a. signs, not to exceed 1.0 m<sup>2</sup> (10.8 ft<sup>2</sup>) in area, for the purpose of identification, direction and warning, or relating to a business, institution or club;
  - b. temporary signs, not to exceed 2.0 m<sup>2</sup> (21.6 ft<sup>2</sup>) in area, to be removed by the advertiser within 15 days of the completion of the event or works;
  - c. signs in relation to institutional or public uses.

## **7.32 SINGLE LOT SUBDIVISIONS FOR COUNTRY RESIDENTIAL DEVELOPMENT**

- (1) In the Agriculture (A) District, up to four (4) parcels for country residential use may be subdivided out of each quarter section provided the quarter section is a minimum of 60 ha (148 ac) in size and provided, further, that the total area of such parcels does not exceed 8 ha (20 ac). If the quarter section is less than 60 ha (148 ac) in size but more than 45 ha (111 ac) in size, the total area of such parcels may not exceed 6 ha (15 ac). If the quarter section is less than 45 ha (111 ac) in size but more than 30 ha (74 ac) in size, the total area of such parcels may not exceed 4 ha (10 ac). If the quarter section is less than 30 ha (74 ac) in size, the total

area of such parcel may not exceed 2 ha (5 ac). Such country residential parcels may include any combination of farmsteads and vacant parcels, and may include one (1) fragmented parcel.

- a. 80 Acre Split Exceptions - If a quarter section has been previously subdivided into two (2) 80 acre halves, only one (1) country residential parcel to a maximum size of 4 ha (10 ac) may be subdivided from each half (excepting farmstead parcels).
  - i. Notwithstanding subsections 7.32(1), 7.32(1)(a) and 7.32(5), one parcel not exceeding 12.14ha (30 acres) may be subdivided out of the W ½ of SW 16-58-7-W4M for country residential use.
- (2) The development of more than the number of country residential parcels in a quarter section indicated in subsections (1) above shall be considered to be multi-lot country residential development and shall not be allowed within the Agriculture (A) District. Rather, an appropriate amendment to this Bylaw shall be required, normally to a Country Residential District.
- (3) A fragmented parcel, as defined in this bylaw, less than 8 ha (20 ac) in size, shall be considered a parcel for country residential use for the purposes of Subsection (1) above. Subdivision of fragmented parcels larger than 8 ha (20 ac) in area shall be considered to be agricultural parcels.
- (4) A farmstead parcel, as defined in this bylaw, shall be considered a parcel for country residential use for the purposes of Subsection (1) above. Farmstead parcels shall be 8.09 ha (20 ac) or less in size, unless a larger size is approved by the Subdivision Authority.
- (5) Notwithstanding subsection (3) and (4) above a country residential use parcel shall not be less than 0.4 ha (1 ac) in size and not more than 4 .04 ha (10 acres) in size for vacant agricultural parcels and 8.09 ha (20 ac) in size for existing yard sites. However, the total area of all single lot country residential use parcels on a quarter section, including the area of any fragmented parcel which is used for country residential purposes, shall not exceed the number of hectares indicated in section 1 above. The use of more land within one quarter section for country residential use shall be considered multi-lot country residential development, even if it is for only one lot, and will require amendment to the Land Use Bylaw before such development can be approved by the County.
- (6) In the case of a fragmented parcel used or intended to be used as a country residential site, the adequacy of the parcel shall be determined by the Subdivision Authority. Fragmented parcels which do not have a building site which would meet the yard and setback requirements of this Bylaw, which building site is readily accessible from a constructed road or highway, shall not be approved by the Subdivision Authority.
- (7) Where parcels which have been registered for use as country residences prior to the passage of this Bylaw are non-conforming in terms of size, the Development Authority may consider



the approval of a development permit application.

- (8) Development for country residential purposes, whether for single detached dwellings or for manufactured home units, shall be prohibited:
  - a. on sites where adequate year-round access is not available by either a paved or graveled all-weather road in good condition;
  - b. on sites where necessary services are not provided at the sole expense of the developer;  
or
  - c. on sites on which adequate storm water drainage is not provided.
- (9) The Subdivision Authority shall consider the minimum distance separation between dwellings and a confined feeding operation as determined through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act as a guide for evaluating all single lot subdivisions for country residential development in proximity to confined feeding operations.
- (10) Where there is an existing sewage disposal system or dwelling on a single lot country residential parcel about to be subdivided, the Subdivision Authority shall require certification that the system is operating in accordance with Provincial regulations prior to giving final approval to the subdivision.

### **7.33 SOUR GAS FACILITIES**

- (1) No development shall be permitted within the setbacks prescribed by the Energy Resource Conservation Board (ERBC) or the lease holder of the well.

### **7.34 SUBDIVISION OF LAND**

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

### **7.35 SUITABILITY FOR DEVELOPMENT**

- (1) The Development Authority shall not approve an application for a development permit unless, in its opinion, the land that is the subject of the application for a development permit is suited for the proposed development having regard to:
  - a. topography;
  - b. soil characteristics;

- c. the collection and disposal of storm water from the land;
  - d. potential for flooding, subsidence, or erosion;
  - e. accessibility to a constructed road or highway;
  - f. availability and adequacy of a potable water supply to or from the land;
  - g. adequacy of a sewage disposal system and the disposal of solid waste;
  - h. depth of water table below the surface level of the land; and
  - i. such other matters of concern to the Development Authority.
- (2) Notwithstanding that a proposed development conforms in all respects with this Land Use Bylaw, where the application is for development on lands that are or may be subject to flooding or subsidence, the Development Authority shall not issue a development permit unless the applicant can demonstrate that preventive engineering and construction measures can be instituted to make the site suitable for the proposed development.

## 7.36 WIND ENERGY CONVERSIONS SYSTEMS

- (1) All developments must meet the following minimum standards:
- a. Setback minimum distances shall be defined as below:
    - i. From any provincial highway – as per Alberta Transportation.
    - ii. From any road – the outside of the rotor’s arc is a minimum of 20 metres from the vertical projection of the boundary of the right-of-way.
    - iii. From any property line – the outside of the rotor’s arc is a minimum of 10 metres from the vertical projection of the property boundary line.
    - iv. From the nearest dwelling – two times the total height of the Wind Energy Conversion System.
    - v. Distances between Wind Energy Conversion Systems – two times the total height.
    - vi. All supporting buildings – as per the Land Use Bylaw district.
    - vii. Whereas in the opinion of the Development Authority, the setbacks are not sufficient to reduce the impact of a Wind Energy Conversion System from any road, boundary or dwelling, the Development Authority may increase the requirement.
  - b. Minimum Blade Clearance shall be at least 7.6 metres.
  - c. To ensure public safety, it is required that:
    - i. No ladders or permanent outside tower access device be within 3.6 metres of the ground.
    - ii. A security fence with a lockable gate of not less than 1.8 metres in height shall surround a tower if the tower is climbable or subject to vandalism that could threaten the tower integrity.
    - iii. A locked device shall be installed on the tower to preclude access to the top of the tower.
    - iv. All of the above required or any such additional safety measures in the opinion of the Development Authority deemed reasonable.

- v. Tower of tubular construction with locked internal access will preclude the above requirements.
  - d. All power lines on the Wind Energy Conversion Site(s) between towers and/or substation facilities will be underground except where the Development Authority approves overhead installation.
  - e. All Wind Energy Conversion Systems shall be finished in a neutral and/or non-obtrusive colour, a non-reflective matte finish, and shall contain no advertising or signage other than the manufacturer's identification.
  - f. The amount and placement of all Wind Energy Conversion Systems will be based upon setback requirements and spacing as well as technical alignment for maximum efficiency.
  - g. Public consultation must be conducted prior to any application submission and shall include:
    - i. Public meeting hosted and advertised either by general mail or newspaper advertising at least two weeks in advance, with the applicant's contact information being provided in either.
    - ii. Adjacent landowners to proposed Wind Energy Conversion System sites must be notified in writing, with copies of notice and landowners contacted provided within application information.
    - iii. Information provided at meeting must address all points required in the development permit application as identified in (2) below.
    - iv. Opportunity for feedback from the public must be allowed.
    - v. Summary of consultation and feedback to be included with application as requested.
  - h. Provincial and federal agency approvals must be provided as identified in (2) below.
  - i. Road maintenance, intersection treatment, approach consent, dust control and construction load limits will be required as part of the Development Permit approval.
  - j. Security may be required to address 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 current reclamation costs.
  - k. The Development Authority has the right to request and enforce any other requirements that it sees fit in the issuance of any Wind Energy Conversion System development permit duly applied for.
- (2) All applications for development permits pertaining to a Wind Energy Conversion System installation must be accompanied by the following:
- a. Detailed Site Plan: showing all locations of towers and supporting buildings including buried cabling routes, internal access roads and various buildings required by the setbacks, topographic features, existing developments and structures, and existing right-of-ways.
  - b. The visual impact of the development including reference drawings and/or proposed illustrations must be included.

- c. Technical drawings/photographs showing a single tower showing heights of tower, blade assembly, nacelle, rotor diameter and tower colour and finish.
- d. Manufacturer's specifications including: the Wind Energy Conversion System rated output in megawatts; safety features and sound characteristics; and type of material used in tower, blade and nacelle construction.
- e. Analysis of Noise Potential: at tower sites and at nearest existing developments or boundary lines which must meet or exceed provincial standards.
- f. Specifications of the foundation and anchor design plans.
- g. Methods and results of public consultation process.
- h. Approvals from various Provincial and Federal regulation agencies including but not limited to:
  - i. Alberta Electrical Systems Operations
  - ii. Alberta Environment
  - iii. Alberta Energy and Utilities Board
  - iv. Alberta Transportation
  - v. Alberta Sustainable Resource Development
  - vi. Alberta Health Authority
  - vii. Transport Canada
  - viii. Navigation Canada
  - ix. Any other agency requiring approval
- i. A detailed safety program identifying special rescue needs for workers that is beyond the local emergency responders' equipment capability.
- j. Local road network access for the construction period identifying haul routes, intersection treatments required, approach utilizations, local resident dust controls, and time frames for construction.
- k. A detailed Mitigation Plan and security addressing the reclamation and decommissioning of any sites or tower locations which may become non-operational after being developed.
- l. An identification of future phases or developments planned.
- m. A listing of consenting landowners including legal land locations of properties to be developed.
- n. Any other information as required by the Development Authority such as sample lease agreements, etc.

### 7.37 WORK CAMPS

- (1) All work camps that meet **any** of the following and are an accessory use to industrial or resource development, require a development permit:
- a. Fourteen days in duration;
  - b. Minimum of five workers;
  - c. Minimum of three and a maximum of 50 recreation vehicles;
  - d. Minimum of one prefabricated multi accommodation unit; and
  - e. Minimum of one prefabricated eating/washroom/shower unit.

- (2) A temporary development permit for a work camp may be issued for one to one (1) year, at which time an application may be made for a continuance for the use for one (1) additional year, after which a new development permit approval is required. Notwithstanding, camps consisting of recreation vehicles are only permitted between April 1 and December 1.
  
- (3) An application for a development permit for a work camp must provide the following information:
  - a. The location, type and purpose of the camp;
  - b. Adjacent land uses;
  - c. The method of supplying water, sewage and solid waste disposal service to the camp. The proposed method of sewage disposal must comply with the current Alberta Private Sewage Systems Standard Practice and be to the satisfaction of the health authority;
  - d. The number of persons proposed to live in the camp;
  - e. Demonstrate approval from Alberta Sustainable Resources if the camp is located on Crown land;
  - f. The start date for development, the date for occupancy of residents, and removal date for the camp; and
  - g. Emergency Response Plan;
  - h. FireSmart Plan where required;
  - i. Stormwater Management Plan;
  - j. Information respected which County roads are needed to access the site. Enter into a road use agreement with the County to ensure that the work camp undertakes to repair any damage cause to County roads;
  - k. Reclamation measures once the camp is no longer needed. Post security with the County of St. Paul No. 19 with sufficient funds to remove and reclaim the site if the work camp remains on site after the project is completed or if work has stopped to the extent that the County no longer feels the work camp is necessary for the project, or to reclaim the site if needed after the work camp has been removed from the site.

## PART 8 - LAND USE DISTRICTS - USES AND REGULATIONS

### 8.1 ESTABLISHMENT OF LAND USE DISTRICTS

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

**Figure 8 – Land Use Districts**

Agriculture (A) District	Industrial/Commercial (IC) District
General Urban (U) District	Direct Control (DC) District
Country Residential One (CR1) District	Linear Parcel Direct Control (LPDC) District
Country Residential Two (CR2) District	Recreation Vehicle (RV) District
Light Industrial Residential (IR) District	Overlay Districts

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

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

- a. Where a boundary is shown as following a street, lane, or canal, 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.
- c. In circumstances not cover by Rules 1 and 2, the location of the district boundary shall be determined: where dimensions are set out on the LAND USE DISTRICT MAP, by the dimensions so set, or where no dimensions are set out on the LAND USE DISTRICT MAP with respect to such boundary, by measurement of and use of the scale shown on the LAND USE DISTRICT MAP.

(4) Where the application of the above rules does not determined the exact location of the boundary of a district, the Council, either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to the measurements and directions as the circumstances may require.

(5) The Development Authority shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

## 8.2 AGRICULTURE (A) DISTRICT

### (1) Purpose:

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

### (2) Permitted Uses:

- a. Buildings and Uses Accessory to Permitted Uses
- b. Extensive Agriculture
- c. Manufactured Homes less than 10 Years of Age from Date of Development Application
- d. Minor Home Occupations
- e. Single Detached Dwellings
- f. Transfer Stations

### (3) Discretionary Uses:

- a. Agricultural Service Centres
- b. Basement Suites
- c. Bed and Breakfast Establishments
- d. Buildings and Uses Accessory to Discretionary Uses
- e. Day Care Facilities
- f. Extensive Recreation
- g. Farmstead Separations
- h. Garage Suites
- i. Greenhouse or Plant Nursery
- j. Institutional and Public Uses
- k. Intensive Agriculture
- l. Intensive Recreation
- m. Kennels
- n. Major Home Occupations
- o. Manufactured Homes more than 10 Years of Age from Date of Development Application
- p. Manufactured Home Parks
- q. Natural Resource Extraction and Processing
- r. Public Utility Buildings and Installations
- s. Single Lot Country Residential Development
- t. Social Care Facilities
- u. Stockpiling of Aggregate for Sale
- v. Veterinary Clinics
- w. Wind Energy Conversion Systems

- x. Work Camp
- y. Other uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

(4) Regulations:

- a. Minimum Lot Size – Permitted Uses. For permitted agricultural operations, 25.0 ha (61.8 ac.), except where the lot is subject to the following exemptions: where the lot is fragmented by a natural or man-made barrier; where roadway and/or railroad plans have been removed from the lot; where subdivisions for discretionary uses have been allowed; the remainder of a lot where a single residential lot subdivision has occurred.
- b. Minimum Lot Size - Discretionary Uses: single lot country residential development and farmstead separations – minimum lot size not less than 0.4 ha (1.0 ac.); all other discretionary uses as regulated by the land use provisions; if not specified, to be determined by the Development Authority.
- c. Maximum Lot Size For Country Residential Use – Shall be 4.04 ha (10 acres) on vacant agricultural land, and 8.09 ha (20 acres) on existing yard sites, notwithstanding farmstead separations as defined by this bylaw.
- d. Maximum Building Height: Dwelling units - 10.0 m (32.8 ft) and two storeys; Accessory buildings – At the discretion of the Development Authority.
- e. Minimum Required Yards:
  - i. Minimum Required Front Yard County Road – 40 m (130 ft) from the centre line of the road; Major and Minor Two-Lane Highways – 70 m (230 ft) from the centre line or 40 m (131.2 ft) from the boundary of the right-of-way, whichever is greater.
  - ii. Minimum Required Side and Rear Yards 12 m (39.4 ft) except in the case of a Corner Lot, where the minimum required side yard from the side line adjacent to the road or highway shall be as required for the front yard.



## 8.3 GENERAL URBAN (U) DISTRICT

(1) Purpose:

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

(2) Permitted Uses:

- a. Buildings and Uses Accessory to Permitted Uses
- b. Minor Home Occupations
- c. Single Detached Dwellings

(3) Discretionary Uses

- a. Amusement Establishments, Indoor
- b. Apartment Buildings
- c. Basement Suites
- d. Bed and Breakfast Establishments
- e. Buildings and Uses Accessory to Discretionary Uses
- f. Cannabis Retail Establishment
- g. Day Care Facilities
- h. Duplexes
- i. Extensive Recreation
- j. Family Care Facilities
- k. Fourplex
- l. Garage Suites
- m. Hotels
- n. Intensive Recreation
- o. Institutional and Public Uses
- p. Major Home Occupations
- q. Manufactured Home Parks
- r. Manufactured Homes less than 10 Years of Age from Date of Development Application
- s. Manufactured Homes more than 10 Years of Age from Date of Development Application
- t. Motels
- u. Row Houses
- v. Service Station or Gas Bar
- w. Social Care Facilities
- x. Uses listed as Permitted or Discretionary Uses in the Industrial/ Commercial (IC) District, but not Auto Wreckers or Natural Resource Extraction and Processing Industries
- y. Other Uses which, in the opinion of the Development Authority, are similar to the above mentioned Permitted and Discretionary Uses

(4) Regulations:

**Figure 9 - Minimum Lot Sizes For Residential Development**

Services	Minimum Width	Minimum Length	Minimum Area
Unserviced	30m (98.4 ft)	40m (131 ft)	2000sq m (21,528 ft <sup>2</sup> )
Both Services	15m (49 ft)	30m (98.4 ft)	464sq m (4,994 ft <sup>2</sup> )
Sewage Only	22.5m (74 ft)	40m (131 ft)	925sq m (9,957 ft <sup>2</sup> )
Water Only	30m (98.4 ft)	40m (131 ft)	1375sq m (14,801 ft <sup>2</sup> )

- a. Minimum Yard Requirements:
  - ii) Front Yard – 7.7m (25 ft);
  - iii) Rear Yard – 7.7m (25 ft); and
  - iv) Side Yard – 2.4m (8 ft).
  
- b. Maximum Building Height:
  - i) Single Detached Dwellings - 10m (32.8ft) and 2 storeys; and
  - ii) Accessory Buildings – As per Section 7.2 of this Bylaw
  
- c. Notwithstanding the above in Section 8.3:
  - i) Lot 12, Block 1, Plan 7820473 contained within NE 33-58-11-W4M, one (1) recreational vehicle shall be permitted on the property as the sole use of the property until December 31, 2018.
  
- d. Relating to All Other Uses – at the discretion of the Development Authority.

## 8.4 COUNTRY RESIDENTIAL ONE (CR1) DISTRICT

(1) Purpose:

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

(2) Permitted Uses:

- a. Buildings and Uses Accessory to Permitted Uses
- b. Manufactured Homes less than 10 Years of Age from Date of Development Application
- c. Minor Home Occupations
- d. Single Detached Dwellings

(3) Discretionary Uses:

- a. Basement Suites
- b. Bed and Breakfast Establishments
- c. Buildings and Uses Accessory to Discretionary Uses
- d. Day Care Facilities
- e. Extensive Agriculture
- f. Extensive Recreation
- g. Garage Suites
- h. Institutional and Public Uses
- i. Manufactured Homes more than 10 Years of Age from Date of Development Application
- j. Public Utility Buildings and Installations
- k. Resort Commercial Uses
- l. Other uses which, in the opinion of the Development Authority, are similar to the above listed Permitted or Discretionary Uses

(4) Regulations:

a. Minimum Lot Size:

- i. Permitted uses within 122 m (400 ft) of a lake – In the case of a development permit, 0.2 ha (0.5 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.2 ha (0.5 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.
- ii. Permitted uses more than 122 m (400 ft) from a lake – In the case of a development permit, 0.4 ha (1 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.4 ha (1 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.

b. Minimum Required Yards:

- i. Front and Corner: Internal Local Road – 7.7 m (25 ft) from the boundary of the right-

- of-way; Grid Road – 39.6 m (130 ft) from the centerline of a County road; and Major and Minor Two-Lane Highways – 70 m (230 ft) from the centre line or 40 m (131.2 ft) from the boundary of the right-of-way, whichever is greater.
- ii. Side – 6.1 m (20 ft) each; and
  - iii. Rear - 7.7 m (25 ft).
- c. Minimum Floor Area: Single detached dwellings/manufactured homes – 74.3 m<sup>2</sup> (800 ft<sup>2</sup>).
- d. Maximum Building Height: Dwelling units - 7.7 m (25 ft) and two storeys on properties adjacent to water bodies or lakes; 10.0 m (32.8 ft) and two storeys on all other properties; Accessory buildings - as per Section 7.2 of this Bylaw.
- e. Recreational Vehicles:
- i. No development permit shall be required for the placement of two or less recreation vehicles on a lot if those recreation vehicles are:
    1. Mobile (licensed, insured, and with its wheels intact), are on site for seven (7) days or longer, and have no accessory buildings or structures, such as parking pads, porches, associated with any of them; or
    2. Not Mobile, being on site for more than seven (7) days, or has any accessory buildings or structures associated with it. A development permit shall be required for the placement of any such accessory structures on a lot. The issuance of such a development permit shall be considered entirely discretionary.
  - ii. The number of recreation vehicles on a parcel, may, on occasion, exceed the maximum of 2 subject to: the Development Authority being advised in writing of the dates when more than 2 recreation vehicles will be on the parcel and the number of recreation vehicles expected; the parcel being able, in the opinion of the Development Authority, to sufficiently accommodate all recreation vehicles expected as well as any accompanying vehicles; provisions satisfactory to the Development Authority being made for the disposal of sewage; and the maximum period of time when more than two recreation vehicles are on site shall not exceed five consecutive days and shall not occur more than two times in a calendar year.
  - iii. If a recreational vehicle is developed so as to become a part of a building, such as by the removal of its wheels or the addition of a building or structure onto it which encloses or immobilizes the recreational vehicle, the recreational vehicle will then be regarded as a dwelling unit.
- f. Intensive Recreation and Resort Commercial Developments - Intensive recreation developments and resort commercial developments shall be developed only with careful consideration of the impacts such development may have on the residential and recreational amenity of adjacent residential uses, and shall be developed with appropriate buffers and conditions, as established and required by the Development Authority, to mitigate any negative impacts. No intensive recreation or resort commercial development shall have any more than a total of twenty-five (25) units, either recreational vehicle stalls or hotel or motel units, for rental or use.
- g. The re-subdivision of lots in the CR1 District into smaller parcels will only be allowed: if the subdivision was initially designed to allow for such re-subdivision, or if the subdivision currently has a mixture of lot sizes, and if all other regulations of this Land Use Bylaw are satisfied.

## 8.5 COUNTRY RESIDENTIAL TWO (CR2) DISTRICT

### (1) Purpose:

- a. The general purpose of this District is to provide for specific areas where multi-lot country residential development may take place under substantial development restrictions within various parts of the County. Neither manufactured homes nor the occupancy of recreational vehicles shall be allowed in this District.

### (2) Permitted Uses:

- a. Buildings and Uses Accessory to Permitted Uses
- b. Minor Home Occupations
- c. Single Detached Dwellings

### (3) Discretionary Uses:

- a. Basement Suites
- b. Bed and Breakfast Establishments
- c. Buildings and Uses Accessory to Discretionary Uses
- d. Day Care Facilities
- e. Extensive Agriculture
- f. Extensive Recreation
- g. Garage Suites
- h. Institutional Buildings and Uses
- i. Public Utility Buildings and Installations
- j. Other uses which, in the opinion of the Development Authority, are similar to the above listed Permitted or Discretionary Uses

### (4) Regulations:

#### a. Minimum Lot Size:

- i. Permitted uses – In the case of a development permit, 0.4 ha (1.0 ac.) of land which, in the opinion of the Development Authority, is developable. In the case of a subdivision application, 0.4 ha (1.0 ac.) of land which, in the opinion of the Subdivision Authority, is developable land.
- ii. Discretionary Uses – as required by the Development Authority.

#### b. Minimum Required Yards:

- i. Front and Corner - Internal Local Road – 7.7 m (25 ft) from the boundary of the right-of-way; Grid Road – 39.6m (130') from the centerline of a County road; and Major and Minor Two-Lane Highways – 70 m (230 ft) from the centre line or 40 m (131.2 ft) from the boundary of the right-of-way, whichever is greater.
- ii. Side – 6.1 m (20 ft) each; and

- iii. Rear - 7.7 m (25 ft).
- c. Minimum Floor Area - Single detached dwellings – 111.5 m<sup>2</sup> (1,200 ft<sup>2</sup>).
- d. Maximum Building Height - Dwelling units - 7.7 m (25 ft) on properties adjacent to water bodies or lakes; 10.0 m (32.8 ft) on all other properties. Accessory buildings – As per Section 7.2 of this Bylaw.
- e. The re-subdivision of lots in the CR2 District into smaller parcels will not be permitted.

## 8.6 LIGHT INDUSTRIAL RESIDENTIAL (IR) DISTRICT

### (1) General Purpose of District:

- a. This land use district is generally intended to establish an area of; limited light industrial uses; and those commercial uses which provide service to industrial uses or which, as a result of their nature, are better suited in an industrial area, and with residential development. Any residential development is to be associated directly with, but secondary to a limited industrial development. The uses in this Land Use district are not intended to cause any objectionable or dangerous conditions beyond the confines of the building in which they are located, and residential uses are to have adequate screening and amenity. Storage areas must be screened from public view and the view of the residential uses on adjacent properties.

### (2) Permitted Uses:

- a. Buildings and Uses Accessory to Permitted Uses
- b. Greenhouse or Plant Nursery
- c. Industrial, Light
- d. Kennel
- e. Mini-storage with or without outside storage areas
- f. One single detached dwelling or manufactured home less than 10 years of Age at the Date of Development Application used solely to accommodate a person or persons related as a family, or employee, whose official function is to provide surveillance, maintenance and/or security for a primary industrial development provided for in this land use district. The single detached dwelling or manufactured home as defined herein shall clearly be a subordinate use of the parcel on which it is located
- g. Repair Service Establishment
- h. Truck and Equipment Storage and Repair Shops
- i. Trucking Establishment
- j. Veterinary clinic

### (3) Discretionary Uses:

- a. Buildings and Uses Accessory to Discretionary Uses
- b. Industrial, Medium
- c. Institutional and Public Use
- d. Manufactured Homes More than 10 Years of Age from Date of Development Application
- e. Public Utility Buildings and Installations
- f. Single Detached Dwellings
- g. Transportation service provider
- h. Those uses which in the opinion of the Development Authority are similar to the permitted or discretionary uses.

## (4) Regulations

### a. Residential Component Amenity:

- i. The Development Authority cannot approve a Residential Use of any type on a parcel until an active industrial use of the parcel including an industrial/commercial building of at least 150 m<sup>2</sup>, exists or is in the process of being developed on the property.
- ii. The residential uses, where detached from the industrial use area, shall be sufficiently separated and screened from the industrial use on the same or adjacent parcel as may be deemed necessary by the Development Authority.
- iii. Except as noted in 4a.(ii) and 4a.(v) a minimum separation between the industrial/commercial structures and the residential structures shall be no less than 10 m.
- iv. The residence may be placed in the front of the lot, if the Development Authority is satisfied adequate separation and screening is provided from adjacent industrial use or the adjacent industrial does not unduly detract from the amenity of the residence.
- v. The residence may be combined with a portion or all of this industrial use if the Development Authority is satisfied adequate amenity provisions for the residential use are provided.

### b. Parcel Dimensions:

- i. Width - Shall be no less than 40 m except in the case of parcel located on curves or cul-de-sacs, which shall maintain a minimum frontage of 30 m with a width of 35 m at the front yard setback line.
- ii. Depth - Shall be no less than 100 m.

### c. Area:

- i. Minimum parcel area of 1.0 ha. (2.5 ac)
- ii. Maximum parcel area of 4.0 ha. (9.9 ac)

### d. Parcel Coverage:

- i. If there is a detached residential component: The Industrial/commercial component for all combined uses, parking, outside storage, driveways and buildings, the total parcel coverage shall not exceed 50% of the parcel area. The minimum residential component including all building, accessory structures, parking, landscaping and amenities related to the residence shall be 25% of the parcel. The area required for landscaping, screening, driveways, buffering, shall be 25% of the parcel area.
- ii. If there is no detached residential component, for all combined uses, parking, outside storage, driveways and building, total parcel coverage shall not exceed 75% if the parcel area.



e. Minimum Setback Requirements:

- i. Front Yard: Internal Local Road – 12.1 m (39.7') from the boundary of the right-of-way; Grid Road – 39.6m (130') from the centerline of a County road; Major and Minor Two-Lane Highways – 70 m (230') from the centre line or 40 m (131') from the boundary of the right-of-way, whichever is greater.
- ii. Minimum Required Side and Rear Yards –12 m (39'), except in the case of a Corner Lot, where the minimum required side yard from the side line adjacent to the road or highway shall be as required for the front yard.

## 8.7 INDUSTRIAL/COMMERCIAL (IC) DISTRICT

(1) Purpose:

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

(2) Permitted Uses:

- a. Agricultural Service Centres
- b. Buildings and Uses Accessory to Permitted Uses
- c. Commercial Service Centre
- d. Industrial, Light
- e. Personal Service Shops

(3) Discretionary Uses:

- a. Amusement Establishments, Indoor
- b. Amusement Establishments, Outdoor
- c. Auto Wrecker
- d. Bingo Halls
- e. Buildings and Uses Accessory to Discretionary Uses
- f. Cannabis Production Facility
- g. Cannabis Retail Establishment
- h. Eating and Drinking Establishments
- i. Gambling Machine Establishments
- j. Hotels
- k. Industrial, Heavy
- l. Industrial, Medium
- m. Institutional or Public Uses
- n. Intensive Agriculture
- o. Liquor Stores
- p. Mini Storage with or without outside storage areas
- q. Motels
- r. Natural Resource Extraction and Processing
- s. Repair Service Establishment
- t. Service Station or Gas Bar
- u. Stockpiling of Aggregate for Sale
- v. Surveillance Suites
- w. Truck and Equipment Storage and Repair Shops
- x. Trucking Establishment
- y. Veterinary Clinics
- z. Work Camps

aa. Other uses which, in the opinion of the Development Authority, are similar to the above listed Permitted or Discretionary Uses

## (4) Regulations

- a. Lot Size: The maximum and minimum lot size shall be as determined by the Development Authority.
- b. Minimum Required Yards:
  - i. Minimum Required Front Yard: Internal Local Road – 12.1 m (39.7 ft) from the boundary of the right-of-way; Grid Road – 39.6m (130') from the centerline of a County road; Major and Minor Two-Lane Highways – 70 m (230 ft) from the centre line or 40 m (131.2 ft) from the boundary of the right-of-way, whichever is greater.
  - ii. Minimum Required Side and Rear Yards 12 m (39.4 ft), except in the case of a Corner Lot, where the minimum required side yard from the side line adjacent to the road or highway shall be as required for the front yard.
- c. Building Height: The maximum height of buildings shall be at the discretion of the Development Authority who shall consider the design, siting and screening of the proposed development in order to minimize any objectionable aspects or incompatibilities as a result of an increased height of a building or structure beyond what would normally be found in the land use district or adjacent land use districts; but, in no case shall the height of any building exceed 10.0 m above grade.

## 8.8 LINEAR PARCEL DIRECT CONTROL (LPDC) DISTRICT

(1) Purpose:

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

(2) Permitted Uses:

- a. Recreation and recreation related uses
- b. Any use and development Council considers appropriate

(3) Regulations:

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

(4) Procedure for the Consideration of Development Permits

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

## 8.9 DIRECT CONTROL (DC) DISTRICT

(1) Purpose:

- a. To enable and permit Council to regulate and control the use, development and subdivision of land or buildings in any such manner as Council may by resolution consider necessary in an area designated as a Direct Control District on the Land Use District Map in Part 10 of this Bylaw.

(2) Council shall consider the application and designation of Direct Control Districts to those specific sites or area of the County where:

- a. Development regulation and control by means of the other Land Use Districts provided for in this Bylaw may be inappropriate or inadequate having regard to existing or future developments and to the interests of the applicant, the County, the public generally; or
- b. An approved statutory plan for the area could be more effectively implemented through the application of a Direct Control District;
- c. Marshalling and laydown yards are proposed;
- d. A proposed development is of a unique form or nature not contemplated or reasonably regulated by another Land Use District provided for in this Bylaw.

(3) Uses and Requirements:

- a. Council shall decide on all development permit applications. The determination of appropriate uses and applicable development requirements within an area designated as a Direct Control District shall be approved by Council when considering any particular development permit application. An application for development may be refused approval with or without conditions. Council may require any and all information it deems necessary to make a proper decision.

## 8.10 RECREATION VEHICLE (RV) DISTRICT

- (1) Purpose:
  - a. To provide for the creation of recreation vehicle communities and the accommodation of persons in recreation vehicles.
- (2) Permitted Uses:
  - a. Recreation Vehicle
  - b. Buildings and Uses Accessory to Permitted Uses
- (3) Discretionary Uses:
  - a. None
- (4) Requirements for Development:
  - a. All internal roads are to be the responsibility of the developer for both construction and future maintenance. Internal roads shall have a minimum of a 6 metre usable top, except for one-way roads which shall have a minimum of 3.65 metre usable top.
  - b. The developer shall provide a means of water and sanitary service to the satisfaction of the Development Authority.
  - c. As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all statutory authorities and agencies having jurisdiction over this type of development.
  - d. As a condition of approval, a development agreement may be required. The development agreement may require the developer to construct, upgrade or pay to construct or upgrade the necessary County roads to access the development.
  - e. All stalls shall maintain a minimum setback of 30 metres from the shoreline of any body of water or lake.
  - f. If the development is adjacent to a lake, the developer shall provide reasonable and adequate lake access.
- (5) Regulations:
  - a. Recreation vehicles may be located within the recreational vehicle park for greater than 90 days in a calendar year, and may be occupied for more than 90 days in any calendar year.
  - b. The gross floor area of an accessory buildings constructed or placed shall not exceed 10 m<sup>2</sup> (108 ft<sup>2</sup>).
  - c. An open deck or patio with or without a canopy may be constructed provided it does not exceed a floor area of 32.5 m<sup>2</sup> (350 ft<sup>2</sup>).
  - d. Not more than 33%, or 11.2 m<sup>2</sup> (120 ft<sup>2</sup>), of open deck or patio area may be enclosed.
  - e. Not more than 5% of the gross park area shall be used for an accessory storage area.

(6) Density:

- a. Not more than 25 recreational vehicles spaces for the siting, location, or support of recreational vehicles shall be developed per hectare of land, or portion thereof.
- b. Not more than one recreation vehicle shall be parked or placed on a recreational vehicle space.
- c. Not more than one accessory building and one open deck shall be constructed or placed on a recreational vehicle space.

(7) Lot Area:

- a. The minimum lot area shall not be less than 2.0 hectares (4.9 acres).
- b. The minimum recreation vehicle space shall not be less than 200 m<sup>2</sup> (2,160 ft<sup>2</sup>).

(8) Yard Requirements:

- a. Front Yard Setback – 6.0 m (19.7 feet).
- b. Rear Yard Setback - 6.0 m (19.7 feet).
- c. Side Yard Setback – 1.5 m (4.9 feet), except where it abuts a public roadway 3.0 m, or as required by the Alberta Building Code, whichever is greater.

(9) Height of Buildings and Fences:

- a. Accessory Building – 2.4 metres (7.9 feet).
- b. Fence – 2.0 metres (6.6 feet).

(10) Amenity Area:

- a. Where the density of the park is less than or equal to 12 recreation vehicles per hectare, the establishment of an amenity area is not required.
- b. Where the density of the park is greater than 12 recreation vehicles per hectare, but less than or equal to 20 recreation vehicles per hectare, an amenity area comprising 10% of the gross lot area shall be established.
- c. Where the density of the park exceeds 20 recreation vehicles per hectare, an amenity area comprising 15% of the gross lot area shall be established.
- d. For the purpose of calculating amenity area, any indoor recreation space or facility provided may be counted as double the actual area.
- e. The amenity area shall not include landscape buffer areas, parking areas, recreation vehicle spaces, roadways, or accessory storage areas.

(11) Landscaping:

- a. All mechanical, electrical, or other service equipment located outside of a building shall be screened from adjacent properties and streets by ornamental structures, landscaping, or by other means.
- b. All outdoor storage and refuse receptacle areas shall be screened to the satisfaction of the Development Authority.
- c. The perimeter of an accessory storage area shall be screened by a solid fence not less than 2.0 metres (6.6 feet) in height.

(12) Site Requirements:

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



## 8.11 OVERLAY DISTRICTS

### (1) Purpose:

- a. The purpose of Part 8.11 of the Land Use Bylaw is to facilitate the implementation of specific goals and objectives of adopted statutory land use plans, including Inter-municipal Development Plans and Area Structure Plans or any other policy plan adopted by Council, and are generally referred to as Statutory Plan Overlays. Because of the nature of the goals, no one District can fulfill the objectives as they transcend land use district boundaries, as they generally relate to existing developed areas and their purpose is to limit or control the type, style, and density of development.
- b. In determining a development permit application for uses within lands identified by an Overlay District, the Development Authority shall ensure that any development permit approvals comply with the regulations of the applicable Overlay District.

### (2) Application:

- a. All of the Overlay Districts contained within this Part are applied and interpreted in the same manner with the underlying District; its purpose, regulations and standards are read in conjunction with the Overlay District, but that the underlying District is considered subordinate where there is a discrepancy between the two Districts.
- b. To determine which lands are subject to the provisions of any of the following Overlay Districts the user of this Land Use Bylaw must refer to Part 10: Land Use District Map.

### (3) Overlay Districts:

- a. Inter-municipal Development Plan (St. Paul)
- b. Inter-municipal Development Plan (Elk Point)
- c. Area Structure Plan (Garner Lake)
- d. Area Structure Plan (Lac Sante)

## PART 9 – ADOPTION

### 9.1 ADOPTION

- (1) Bylaw No.2013-11 as amended, is hereby repealed.
- (2) This Bylaw comes into effect on the date of it being finally passed.

READ A FIRST TIME THIS 10th DAY OF DECEMBER 2013.

READ A SECOND TIME THIS 14th DAY OF JANUARY, 2014.

READ A THIRD TIME AND FINALLY PASSED THIS 14th DAY OF JANUARY, 2014.

*(Original Signed)*

REEVE, Steve Upham

*(Original Signed)*

CHIEF ADMINISTRATIVE OFFICER, Sheila Kitz

**PART 10 – LAND USE DISTRICT MAP**