

A

APPENDIX A

DIRECT CONTROL
DISTRICT

BYLAW C-####-####

A Bylaw of Rocky View County to amend Bylaw C-8328-2022.

PART 1 – TITLE

This Bylaw shall be known as Bylaw C-####-####

PART 2 – DEFINITIONS

In this Bylaw, the definitions and terms not defined below shall have the same meaning given to them in Land Use Bylaw C-8328-2022 and the Municipal Government Act.

“Community Sign” means a sign displaying the name of the community and may form part of a significant entranceway feature to the community.

“Landscaping” means to change or modify the natural features of a site so as to make it more attractive by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, drives, or other structures and materials. Landscaped areas include both hard and soft landscaping.

“Parking Lot” means a hard surfaced area for the primary use of parking automobiles and may be bounded by sidewalks, buildings, Landscaping, and other features.

“Retail (Groceries)” means a retail use that consists of the sale of raw, frozen, fresh, or prepared foods that may include ancillary uses such as a pharmacy, optometrist or postal services but does not include Retail (Restricted) or Cannabis Retail Store.

“Retail Use” includes Retail (General), Retail (Groceries), Retail (Large), Retail (Small) and Retail (Garden Centre).

“Signs” means an object or device intended to advertise or call attention to a person, matter, event or location. Signs include digital displays, awning/canopy signs, billboard signs, election signs, fascia signs, freestanding signs, inflatable signs, portable signs, projecting signs, real estate signs, roof signs, sandwich boards, temporary signs and community signs.

PART 3 – EFFECT OF THE BYLAW

THAT Land Use Map No. 56 of Bylaw C-8328-2022 be amended to redesignate a portion of SW & SE Sec. 19, Twp. 25, Rge. 2, W5M from Agricultural, General District to Direct Control District as shown on the attached Schedule “A” forming part of this Bylaw.

THAT A portion of SW & SE Sec. 19, Twp. 25, Rge. 2, W5M is hereby redesignated to Direct Control District, as shown on Schedule “A” forming part of this Bylaw.

THAT The regulations of the Direct Control District comprise:

1.0.0 General Regulations

2.0.0 Land Use Regulations – Residential Area – Site 1

BYLAW C-#####-#####

- 3.0.0 Land Use Regulations – Residential Area – Site 2
- 4.0.0 Land Use Regulations – Residential Area – Site 3
- 5.0.0 Land Use Regulations – Residential Area – Site 4
- 6.0.0 Land Use Regulations – Parks and Open Spaces – Site 5
- 7.0.0 Land Use Regulations – Market Place – Site 6
- 8.0.0 Subdivision Regulations
- 9.0.0 Development Regulations
- 10.0.0 Implementation

1.0.0 GENERAL REGULATIONS

- 1.1.0 The policies of the Ascension Conceptual Scheme shall be considered in all applications for subdivision and development permit.
- 1.2.0 For the purposes of this Bylaw, the Lands are as indicated in Schedule “A” attached to and forming part of this Bylaw. The size and shape of the parcel(s) to which this Bylaw applies are approximate and will be precisely determined at the subdivision stage.
- 1.3.0 For the purposes of this Bylaw, the lands shall be notionally divided into Sites 1 to 6, the boundaries of which shall be as identified in Schedule “B” attached to and forming a part of this bylaw. The size and shape of Sites 1 to 6 are approximate and will be precisely determined at the subdivision stage.
- 1.4.0 Parts 1, 2, 3, 4, 5 & 8 of the Land Use Bylaw C-8328-2022 shall apply to all uses contemplated by this Bylaw except where noted as otherwise in this Bylaw. These parts have been included as Schedule “D” attached to and forming part of this Bylaw.
- 1.5.0 The following clauses from Part 6 of Land Use Bylaw C-8328-2022 shall apply to all uses contemplated by this Bylaw except where noted as otherwise in this Bylaw.
 - 1.5.1 A building may be occupied by a combination of one or more uses listed in a District or Site. A Development Permit may include a number of uses and/or units within a building.
 - 1.5.2 Unless otherwise stated in the District the following uses shall be permitted in all Sites within the Direct Control District:
 - a) Home-Based Business (Type I),
 - b) Park, and
 - c) Utilities
- 1.6.0 The Subdivision Authority shall be responsible for decisions regarding subdivision applications affecting the lands subject to this Bylaw.
- 1.7.0 The Development Authority shall be responsible for the issuance of Development Permit(s) for the Lands subject to this Bylaw.
- 1.8.0 All development upon the Lands shall be in accordance with all licenses, permits and approvals pertaining to the Lands required from Alberta Environment and Parks and any other Provincial Agencies.

BYLAW C-#####-#####

- 1.9.0 In addition to the uses contemplated by this Bylaw, the following shall be permitted within the DC area:
- a. Roads necessary for access and internal vehicular circulation; and
 - b. Utilities and facilities necessary to service the DC area.
- 1.10.0 The Development Authority may allow a variance to the rules contained in this Direct Control District Bylaw in accordance with Section 52c, 101, 102, 103, 104 and 105 of Land Use Bylaw C-8328-2022.

2.0.0 LAND USE REGULATIONS – RESIDENTIAL AREA - SITE 1

2.1.0 Purpose and Intent

To provide for single detached residential dwellings in accordance with the provisions of the Ascension Conceptual Scheme, while providing for appropriate transitions from existing adjacent country residential development.

2.2.0 Permitted Uses

Accessory Building $\leq 65 \text{ m}^2$ (699.65 ft²)
Beekeeping
Dwelling, Single Detached

2.3.0 Discretionary Uses

Accessory Building $> 65 \text{ m}^2$ (699.65 ft²)
Accessory Dwelling Unit
Bed and Breakfast
Care Facility (Child)
Community Sign
Home-Based Business (Type II)
Show Home
Special Function Business
Temporary Sales Centre

Those uses which are not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the above and conform to the purpose of this District may be Discretionary Uses.

2.4.0 Minimum and Maximum Requirements

- 2.4.1 Minimum Parcel Size: 0.20 ha (0.49 ac)
- 2.4.2 Minimum Parcel Width: 35.0 m (114.83 ft)
- 2.4.3 Maximum Density: A maximum of two Dwelling Units – one Dwelling, Single Detached and one other Dwelling Unit where the other Dwelling Unit is not a Dwelling, Single Detached.

BYLAW C-#####-#####

- 2.4.4 Maximum Parcel Coverage: 25% for principal building and 10% for total of Accessory Building.
- 2.4.5 Maximum Building Height:
 - a) Accessory Buildings: 5.5 m (18.04 ft.)
 - b) All Others: 12.0 m (39.37 ft.)
- 2.4.6 Minimum Setbacks (Principal Building):
 - Front Yard: 6.0m (19.69 ft)
 - Side Yard: 3.0m (9.84 ft)
 - Rear Yard: 8.0m (26.25 ft)
- 2.4.7 Minimum Setbacks (Accessory Building):
 - Front Yard: Not permitted in front yard
 - Side Yard: 0.6m (1.97 ft)
 - Side Yard (street side of corner parcel): 3.0m (9.84 ft)
 - Rear Yard: 1.0m (3.28 ft)

2.5.0 Additional Requirements

- 2.5.1 All dwelling units shall be serviced by a pipe sewer system.
- 2.5.2 Commercial development shall be accessory to a primary residential use on the parcel.
- 2.5.3 Municipal Reserve will be dedicated in accordance with the provisions of the Municipal Government Act (MGA).

3.0.0 LAND USE REGULATIONS – RESIDENTIAL AREA - SITE 2

3.1.0 Purpose and Intent

To provide for single and duplex / semi residential dwellings in accordance with the provisions of the Ascension Conceptual Scheme.

3.2.0 Permitted Uses

Accessory Building \leq 65 m² (699.65 ft²)
Beekeeping
Dwelling, Duplex/Semi
Dwelling, Single Detached

3.3.0 Discretionary Uses

Accessory Building > 65 m² (699.65 ft²)
Accessory Dwelling Unit
Bed and Breakfast
Care Facility (Child)
Home-Based Business (Type II)
Show Home
Special Function Business

BYLAW C-#####-#####

Temporary Sales Centre

Those uses which are not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the above and conform to the purpose of this District may be Discretionary Uses.

3.4.0 Minimum and Maximum Requirements**3.4.1 Minimum Parcel Size:**

- a) Dwelling, Single Detached: 0.07 ha (0.17 ac)
- b) Dwelling, Duplex/Semi: 0.025 ha (0.06 ac)

3.4.2 Minimum Parcel Width:

- a) Dwelling, Single Detached: 23.0 m (75.46 ft)
- b) Dwelling, Duplex/Semi: 7.92 m (25.98 ft)

3.4.3 Maximum Density: A maximum of two Dwelling Units – one Dwelling, Single Detached and one other Dwelling Unit where the other Dwelling Unit is not a Dwelling, Single Detached.**3.4.4 Maximum Parcel Coverage: 50% for principal building and 15% for total of Accessory Buildings.****3.4.5 Maximum Building Height:**

- a) Accessory Buildings: 5.5 m (18.04 ft.)
- b) All Others: 12.0 m (39.37 ft.)

3.4.6 Minimum Setbacks (Principal Building):

- Front Yard: 6.0m (19.69 ft)
- Side Yard (Dwelling, Single Detached): 3.0m (9.84 ft)
- Side Yard (Dwelling, Duplex / Semi): 1.5m (4.92 ft)
- Side Yard (street side of corner parcel): 3.0m (9.84 ft)
- Rear Yard: 6.0m (19.69 ft)

There is no requirement for setbacks where a party wall separates two dwelling units.

3.4.7 Minimum Setbacks (Accessory Building):

- Front Yard: Not permitted in front yard
- Side Yard: 0.6m (1.97 ft)
- Side Yard (street side of corner parcel): 3.0m (9.84 ft)
- Rear Yard: 1.0m (3.28 ft)

3.5.0 Additional Requirements**3.5.1 All dwelling units shall be serviced by a pipe sewer system.****3.5.2 Commercial development shall be accessory to a primary residential use on the parcel.****3.5.3 Municipal Reserve will be dedicated in accordance with the provisions of the Municipal Government Act (MGA).**

BYLAW C-#####-#####

4.0.0 LAND USE REGULATIONS – RESIDENTIAL AREA - SITE 3**4.1.0 Purpose and Intent**

To accommodate a diverse range of low to medium density fee simple residential housing types in accordance with the provisions of the Ascension Conceptual Scheme.

4.2.0 Permitted Uses

Accessory Building ≤ 75 m² (807.29 ft²)

Beekeeping

Dwelling, Duplex/Semi

Dwelling, Single Detached

Dwelling, Rowhouse

4.3.0 Discretionary Uses

Accessory Building > 75 m² (807.29 ft²)

Accessory Dwelling Unit

Bed and Breakfast

Care Facility (Child)

Communications Facility (Type A)

Home-Based Business (Type II)

Show Home

Special Function Business

Temporary Sales Centre

Those uses which are not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the above and conform to the purpose of this District may be Discretionary Uses.

4.4.0 Minimum and Maximum Requirements**4.4.1 Minimum Parcel Size:**

a) Dwelling, Single Detached: 0.05 ha (0.12 ac)

b) Dwelling, Duplex/Semi: 0.025 ha (0.06 ac)

c) Dwelling, Rowhouse: 0.02 ha (0.05 ac)

d) All Other: 0.09 ha (0.22 ac)

4.4.2 Minimum Parcel Width:

a) Dwelling, Single Detached: 15.24 m (50.00 ft)

b) Dwelling, Duplex/Semi: 7.92 m (25.98 ft)

c) Dwelling, Rowhouse: 6.09 m (19.98 ft)

d) All Other: None

4.4.3 Maximum Density: A maximum of two Dwelling Units – one Dwelling, Single Detached and one other Dwelling Unit where the other Dwelling Unit is not a Dwelling, Single Detached.

BYLAW C-#####-#####

- 4.4.4 Maximum Parcel Coverage:
a) Dwelling, Single Detached: 50%
b) Dwelling, Duplex/Semi: 50%
c) Dwelling, Rowhouse: 65%
d) All Other: 15% per building*
* The total area of all Accessory Buildings shall not exceed the principal building coverage or 90.0m² (968.75 ft²), whichever is less.
- 4.4.5 Maximum Building Height:
a) Accessory Buildings: 5.5 m (18.04 ft.)
b) All Others: 12.0 m (39.37 ft.)
- 4.4.6 Minimum Setbacks (Principal Building):
Front Yard: 6.0m (19.69 ft)
Side Yard: 1.5m (4.92 ft)
Side Yard (street side of corner parcel): 3.0m (9.84 ft)
Side Yard (on one side without lane): 3.0m (9.84 ft)
Rear Yard: 6.0m (19.69 ft)
There is no requirement for setbacks where a party wall separates two dwelling units.
- 4.4.7 Minimum Setbacks (Accessory Building):
Front Yard: Not permitted in front yard
Side Yard: 0.6m (1.97 ft)
Side Yard (street side of corner parcel): 3.0m (9.84 ft)
Rear Yard: 0.6m (1.97 ft)

4.5.0 Additional Requirements

- 4.5.1 All dwelling units shall be serviced by a pipe sewer system.
- 4.5.2 Commercial development shall be accessory to a primary residential use on the parcel.
- 4.5.3 Municipal Reserve will be dedicated in accordance with the provisions of the Municipal Government Act (MGA).

5.0.0 LAND USE REGULATIONS –RESIDENTIAL AREA -SIT E 4

5.1.0 Purpose and Intent

To accommodate a diverse range medium density multi-dwelling condominium or fee simple residential housing types in accordance with the provisions of the Ascension Conceptual Scheme.

5.2.0 Permitted Uses

Accessory Building ≤ 75 m² (807.29 ft²)
Beekeeping
Community Sign

BYLAW C-#####-#####

Dwelling, Rowhouse
Dwelling, Multiple Unit

5.3.0 Discretionary Uses

Accessory Building > 75 m² (807.29 ft²)
Accessory Dwelling Unit
Bed and Breakfast
Care Facility (Child)
Care Facility (Group)
Care Facility (Senior)
Communications Facility (Type A)
Dwelling, Duplex/Semi
Dwelling, Single Detached
Home Based Business (Type II),
Show Home
Special Function Business
Temporary Sales Centre

Those uses which are not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the above and conform to the purpose of this District may be Discretionary Uses.

5.4.0 Minimum and Maximum Requirements

5.4.1 Minimum Parcel Size:

- a) Dwelling, Single Detached: 0.05 ha (0.12 ac)
- b) Dwelling, Duplex/Semi: 0.025 ha (0.06 ac)
- c) Dwelling, Rowhouse: 0.02 ha (0.05 ac)
- d) All Other: 0.09 ha (0.22 ac)

5.4.2 Minimum Parcel Width:

- a) Dwelling, Single Detached: 15.24 m (50.00 ft)
- b) Dwelling, Duplex/Semi: 7.92 m (25.98 ft)
- c) Dwelling, Rowhouse: 6.09 m (19.98 ft)
- d) All Other: None

5.4.3 Maximum Density:

- a) Dwelling, Single Detached, Duplex/Semi, Rowhouse: A maximum of two Dwelling Units – one Dwelling, Single Detached and one other Dwelling Unit where the other Dwelling Unit is not a Dwelling, Single Detached.
- b) Dwelling, Multiple Unit: 50 units per hectare

5.4.4 Maximum Parcel Coverage:

- a) Dwelling, Single Detached: 50%
- b) Dwelling, Duplex/Semi: 50%
- c) Dwelling, Rowhouse: 65%

BYLAW C-#####-#####

d) Dwelling, Multiple Unit: 65%

d) All Other: 15% per building*

* The total area of all Accessory Buildings shall not exceed the principal building coverage or 90.0m² (968.75 ft²), whichever is less.

5.4.5 Maximum Building Height:

a) Accessory Buildings: 5.5 m (18.04 ft.)

b) Dwellings, Single Detached, Duplex/Semi, Rowhouse: 12.0 m (39.37 ft.)

c) Dwellings, Multiple Unit: 14.0m (45.93 ft)

d) All Others: 14.0m (45.93 ft)

5.4.6 Minimum Setbacks (Principal Building, Dwellings, Single Detached, Duplex/Semi, Rowhouse):

Front Yard: 6.0m (19.69 ft)

Side Yard: 1.5m (4.92 ft)

Side Yard (street side of corner parcel): 3.0m (9.84 ft)

Side Yard (on one side without lane): 3.0m (9.84 ft)

Rear Yard: 6.0m (19.69 ft)

There is no requirement for setbacks where a party wall separates two dwelling units.

5.4.7 Minimum Setbacks (Principal Building, Dwelling, Multiple Unit):

Front Yard: 6.0m (19.69 ft)

Side Yard: 6.0m (19.69 ft)

Rear Yard: 6.0m (19.69 ft)

There is no requirement for setbacks where a party wall separates two dwelling units.

5.4.8 Minimum Setbacks (Accessory Building):

Front Yard: Not permitted in front yard

Side Yard: 0.6m (1.97 ft)

Side Yard (street side of corner parcel): 3.0m (9.84 ft)

Rear Yard: 0.6m (1.97 ft)

5.5.0 Additional Requirements

5.5.1 All dwelling units shall be serviced by a pipe sewer system.

5.5.2 Commercial development shall be accessory to a primary residential use on the parcel.

5.5.3 Municipal Reserve will be dedicated in accordance with the provisions of the Municipal Government Act (MGA) and Ascension Conceptual Scheme.

BYLAW C-#####-#####

6.0.0 LAND USE REGULATIONS – PARKS AND OPEN SPACES – SITE 5**6.1.0 Purpose and Intent**

To provide for the development of active and passive recreational areas, to create conservation areas or protect environmentally sensitive areas by limiting development and providing access to the public in a manner that programs and preserves the land, and to allow for the development of utility infrastructure in accordance with the provisions of the Ascension Conceptual Scheme.

6.2.0 Permitted Uses

Accessory Building $\leq 90 \text{ m}^2$ (968.75 ft²)
Community Sign
Park
Utilities

6.3.0 Discretionary Uses

Accessory Building $> 90 \text{ m}^2$ (968.75 ft²)
Accessory Structure
Communications Facility (Type A)
Communications Facility (Type B)
Communications Facility (Type C)
Recreation (Culture & Tourism)
Recreation (Outdoor)
Recreation (Public)
Special Function Business

Those uses which are not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the above and conform to the purpose of this District may be Discretionary Uses.

6.4.0 Additional Requirements

- 6.4.1 All parcel and development regulations shall be at the discretion of the Development Authority.
- 6.4.2 Parks and recreation areas may include play spaces, walkways, trails, nature interpretation areas, picnic areas, boardwalks, athletic fields, lighting, wayfinding signage and similar uses in accordance with the provisions of the Conceptual Scheme.
- 6.4.3 Municipal Reserve will be dedicated in accordance with the provisions of the Municipal Government Act (MGA).
- 6.4.4 Environmental Reserve will be dedicated in accordance with the provisions of the Municipal Government Act (MGA).

BYLAW C-#####-#####

7.0.0 LAND USE REGULATIONS – MARKET PLACE – SITE 6

7.1.0 Purpose and Intent

The purpose and intent of this Bylaw is to provide for medium and large format commercial and a variety of supporting retail goods and services including food, beverage, and entertainment operators to provide amenities to the area residents, in addition to office and professional employment opportunities, and some comprehensive residential, in accordance with the provisions of the Ascension Conceptual Scheme.

7.2.0 Permitted Uses

Accessory Building $\leq 190\text{m}^2$ (2045.14 ft²)
Accessory Structure
Animal Health (Small Animal)
Care Facility (Child)
Care Facility (Clinic)
Care Facility (Group)
Care Facility (Seniors)
Communications Facility (Type A)
Car Wash
Dwelling, Accessory to a Principal Use
Dwelling, Duplex/Semi
Dwelling, Multiple Unit
Dwelling, Rowhouse
Dwelling, Single Detached
Establishment (Eating)
Establishment (Drinking)
Farmers Market
Government Services
Office
Park
Recreation (Private)
Recreation (Public)
Retail (General)
Retail (Grocery)
Retail (Large)
Retail (Small)
Retail (Garden Centre)
School, Commercial
Show Home
Signs
Special Function Business
Station (Gas/Electric)
Temporary Sales Centre

BYLAW C-#####-#####

7.3.0 Discretionary Uses

Accessory Building > 190m² (2045.14 ft²)
Alcohol Production
Beekeeping
Cannabis Retail Store
Communications Facility (Type B)
Communications Facility (Type C)
Hotel / Motel
Retail (Restricted)
Religious Assembly

Those uses which are not otherwise defined in the Bylaw, which in the opinion of the Development Authority are similar to the above and conform to the purpose of this District may be Discretionary Uses.

7.4.0 Minimum and Maximum Requirements

- 7.4.1 Minimum Parcel Size: 929.0 m² (9999.67 ft²)
- 7.4.2 Minimum Parcel Width: 15.0 m (49.21 ft)
- 7.4.3 Maximum Building Height: 24.0 m (78.74 ft)
- 7.4.4 Minimum setbacks from the exterior edges of the parcels adjacent to the Interfaces identified in Schedule "C":
 - a) Interface A: 10.0 m (32.81 ft)
 - b) Interface B: 6.0 m (19.69 ft)
 - c) Interface C: 6.0 m (19.69 ft)
 - d) Interface D: No minimum setback
 - e) Interface E: No minimum setback
- 7.4.5 No minimum setbacks are required between parcels in the interior of the DC Area identified in Schedule "A" and Schedule "B".
- 7.4.6 No individual "Retail Use" greater than 4000m² shall be allowed within 125 metres of the southern boundary of the lands identified as "Interface A" in Schedule "C".
- 7.4.7 No more than two (2) uses within the area identified in Schedule "A" shall exceed more than 12,000m² each in floor area.
- 7.4.8 A building may be occupied by a combination of one or more of the uses listed.

BYLAW C-####-####

8.0.0 SUBDIVISION REGULATIONS

- 8.1.0 The parcel widths within **Sites 1, 2, 3 & 4** as identified in Schedule “B” shall be measured 9.0m (29.53 ft) back from the front property line, when evaluating compliance with the minimum parcel width clauses.
- 8.2.0 With each phased subdivision application within **Sites 1, 2, 3, 4 & 5** as identified in Schedule “B”, a site plan and summary table will be required that identify the:
- (a) existing municipal reserve and environmental reserve dedications within the plan area.
 - (c) the additional municipal reserve and environmental reserve areas being proposed within the plan area; and
 - (d) the remaining amount of municipal reserve and environmental reserve required under the Municipal Government Act and/or the Ascension Conceptual Scheme, on lands yet to be further subdivided.
- 8.3.0 With each phased subdivision application, within **Sites 1, 2, 3, 4 & 6** as identified in Schedule “B”, a site plan and summary table will be required that identify the:
- (a) existing residential units within the plan area.
 - (c) the additional residential units being proposed within the plan area; and
 - (d) the remaining residential units allowed under the Ascension Conceptual Scheme, on lands yet to be further subdivided.
- 8.4.0 At the time of subdivision, within **Site 6** as identified in Schedule “B”, Architectural and Landscaping guidelines will be established to regulate specific residential and commercial building criteria. These guidelines shall address exterior building finishing and colours, landscaping, water conservation, building size, exterior illumination, and any additional considerations deemed necessary to uphold the commitment to provide high quality, valued built form.
- 8.5.0 Architectural guidelines shall be registered on each lot as a condition of subdivision endorsement.
- 8.6.0 **Site 6** as identified in Schedule “B” will include both public and private interior roads, which will be identified at the time of subdivision.
- 8.7.0 **Site 6** as identified in Schedule “B” includes lands required to accommodate a future interchange at the intersection of 12 Mile Coulee Road and Highway 1A. The specific boundaries will be identified at the time of subdivision and may be subject to adjustment based on Alberta Transportation right-of-way requirements for the ultimate design.

BYLAW C-#####-#####

9.0.0 DEVELOPMENT REGULATIONS

9.1.0 Regulatory Requirements

- 3.1.1 Approval for any use contemplated by this Bylaw may be subject to approval from all relevant Federal and/or Provincial Authorities

9.2.0 Signage Requirements

- 9.2.1 Within **Site 6** as identified in Schedule “B”, a digital display must be located at least 100.0 m (328.08.25 ft.) from another digital display.
- 9.2.2 Within **Site 6** as identified in Schedule “B”, the maximum term of a Development Permit issued for a digital display sign is five (5) years except where copy only displays the date, time, temperature, motor vehicle fuel price, or Drive-Through menu board.
- 9.2.3 Within **Site 6** as identified in Schedule “B”, No individual “Digital Display” shall be allowed within 125 metres of the southern boundary of the lands identified as “Interface A” in Schedule “C”.
- 9.2.4 Within **Site 6** as identified in Schedule “B”, freestanding signs must adhere to the following requirements:
- Maximum 18.5 m² (199.1 ft²) sign area
 - Maximum 12.2 m (40.0 ft) sign height

9.3.0 Lighting Requirements

- 9.3.1 Within **Site 6** as identified in Schedule “B” the maximum mounting height for an outdoor light fixture shall be 6.0m (19.69ft.) in any Residential District or on any structure within 6.0m (19.69ft) of a Residential District.
- 9.3.2 Exterior lighting should be designed to conform to Rocky View County Dark Sky Policies and be designed in a manner that is sensitive to adjacent subdivisions.

9.4.0 Onsite Parking and Loading Requirements

- 9.4.1 Within **Site 6** as identified in Schedule “B”, all businesses will have a blended parking rate with a minimum of 3 stalls per 100.0 m² gross floor area.
- 9.4.2 Within **Site 6** as identified in Schedule “B”, with each development permit application, a parking table will be required that identifies the total number of:
- existing parking stalls relative to the gross floor area of existing development within the DC area;
 - approved parking stalls relative to the gross floor area of approved development within the DC area;
 - the additional parking stalls being proposed relative to the gross floor area of proposed development within the DC area; and
 - the remaining required parking stalls or surplus of parking stalls within the overall DC area as per section 3.4.1.

BYLAW C-#####-#####

- 9.4.3 Within **Site 6** as identified in Schedule “B”, all dwelling units will have a minimum of 1 parking stall per 1 dwelling unit.
- 9.4.4 Within **Site 6** as identified in Schedule “B”, garbage storage or collection areas should not be located in a front yard or visible from the street, unless screened by landscaping and/or an enclosure.

9.5.0 Landscaping Requirements

- 9.5.1 Within **Site 6** as identified in Schedule “B”, landscaped areas are subject to the following landscape standards, in replacement of Table 7 in Land Use Bylaw C-8328-2022:

Required Landscaping Area	Landscaping of Parking Lots	Trees	Shrubs	Minimum Tree Size
A minimum of 10% of the land area within the overall DC area, excluding public road and utility areas, shall consist of Landscaping.	For a Parking Lot with 100 or more parking spaces, a landscaped island a with no dimension smaller than 2.0 metres in width shall be provided at the end of every parking spine for visual relief.	One tree for every 40.0 m ² of Required Landscaped Area, to a minimum of four trees.	One shrub for every 60.0 m ² of Required Landscaping area shall be provided, to a minimum of six shrubs. For clarity, ornamental grasses shall be considered as shrubs within the DC area.	Deciduous trees shall be a minimum 63.0 mm (2.48 inches) caliper measured 450.0 mm (17.72 inches) from ground level. Coniferous trees shall be 2.0 m (6.56ft) in height.

- 9.5.2 Within **Site 6** as identified in Schedule “B”, with each development permit application, a landscaping plan and table will be required that identifies the:
 - (a) existing landscaped area;
 - (b) approved landscaped area;
 - (c) the additional Required Landscaping area being proposed; and
 - (d) the remaining amount of Required Landscaping area required under section 3.5.1.
- 9.5.3 Within **Site 6** as identified in Schedule “B”, with each development permit application, a landscaping plan and table will be required that identifies the:
 - (a) existing number of trees and shrubs within the DC area;
 - (b) approved number of trees and shrubs within the DC area;
 - (c) the additional number of trees and shrubs being proposed within the DC area; and
 - (d) the remaining number of trees and shrubs required within the DC area under section 3.5.1.
- 9.5.4 Within **Site 6** as identified in Schedule “B”, lands adjacent to “Interface A”, identified in Schedule “C” shall be landscaped with trees and/or screened in landscaped areas to the satisfaction of the Development Authority.

BYLAW C-####-####

9.6.0 Open Space and Pedestrian Network Requirements

- 9.6.1 Within **Site 6** as identified in Schedule “B”, pedestrian movement throughout the development area shall be facilitated through a well-developed network of sidewalks, pathways, and public gathering areas with at least one connection to the main building entrance.
- 9.6.2 Within **Site 6** as identified in Schedule “B”, pedestrian infrastructure in the form of sidewalks, pathways, public gathering areas or hardscaping should connect to the regional pathway network identified in the Ascension Conceptual Scheme.

9.7.0 Special Function Business Requirements

- 9.7.1 Within **Site 6** as identified in Schedule “B”, the Special Function Business Use may only be located on a parcel for 15 consecutive days in a calendar year, excluding the time used to erect or dismantle any temporary structures.

10.0.0 IMPLEMENTATION

10.1.0 This bylaw comes into effect upon the date of its third and final reading.

PART 4 – TRANSITIONAL

Bylaw C-####-#### is passed when it receives third reading and is signed by the Reeve/Deputy Reeve and the Municipal Clerk, as per Section 189 of the Municipal Government Act.

DIVISION: 03

FILE: _____

- PUBLIC HEARING WAS HELD IN COUNCIL this
- READ A FIRST TIME IN COUNCIL this
- READ A SECOND TIME IN COUNCIL this
- UNANIMOUS PERMISSION FOR THIRD READING
- READ A THIRD TIME IN COUNCIL this

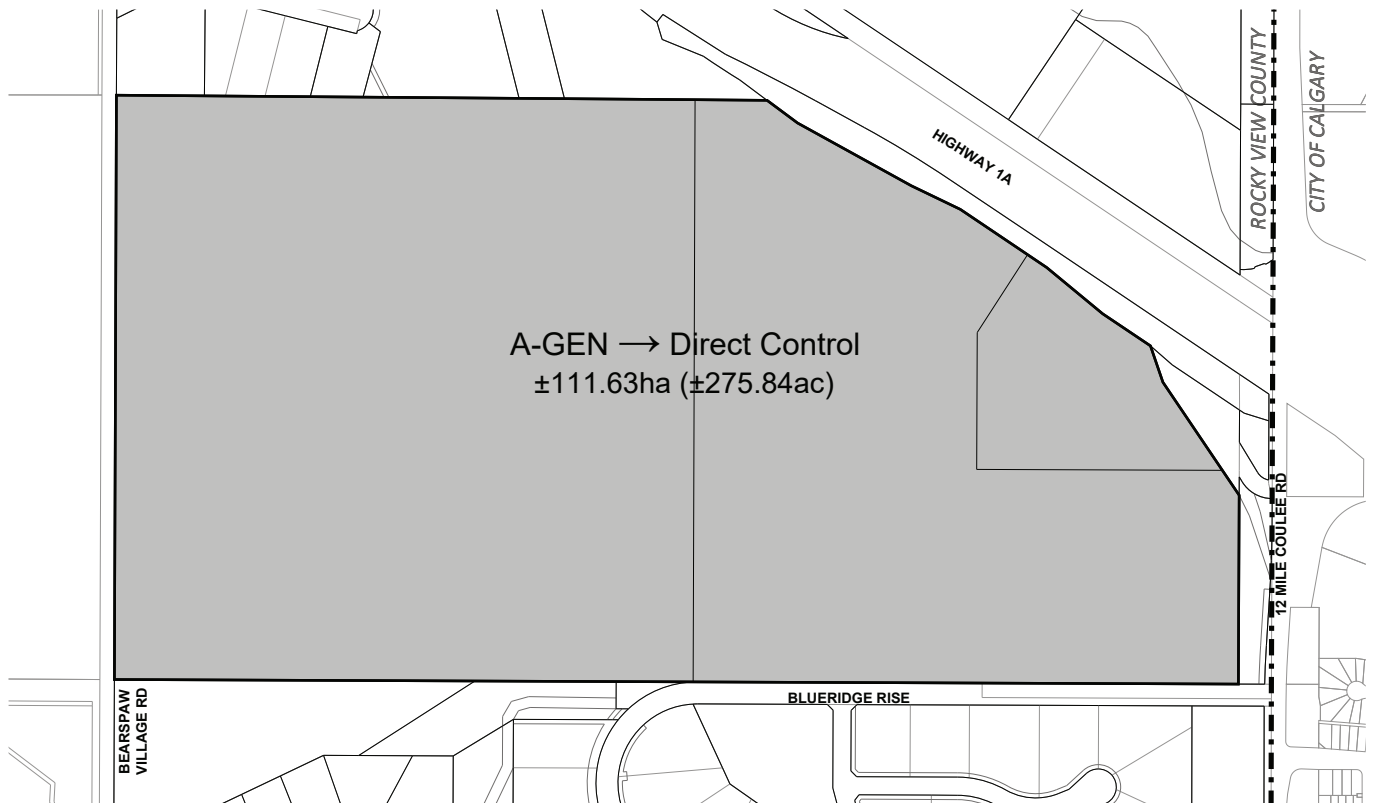
REEVE

CAO or Designate

DATE BYLAW SIGNED

SCHEDULE "A"

BYLAW: C - ##### - #####



Direct Control District



LEGAL DESCRIPTION

SW 19-25-2 W5M and SE 19-25-2 W5M excepting thereout: Road Plan 0711928 W5M

FILE: #

DIVISION: 3

SCHEDULE "B"

BYLAW: C - ##### - #####



LEGAL DESCRIPTION

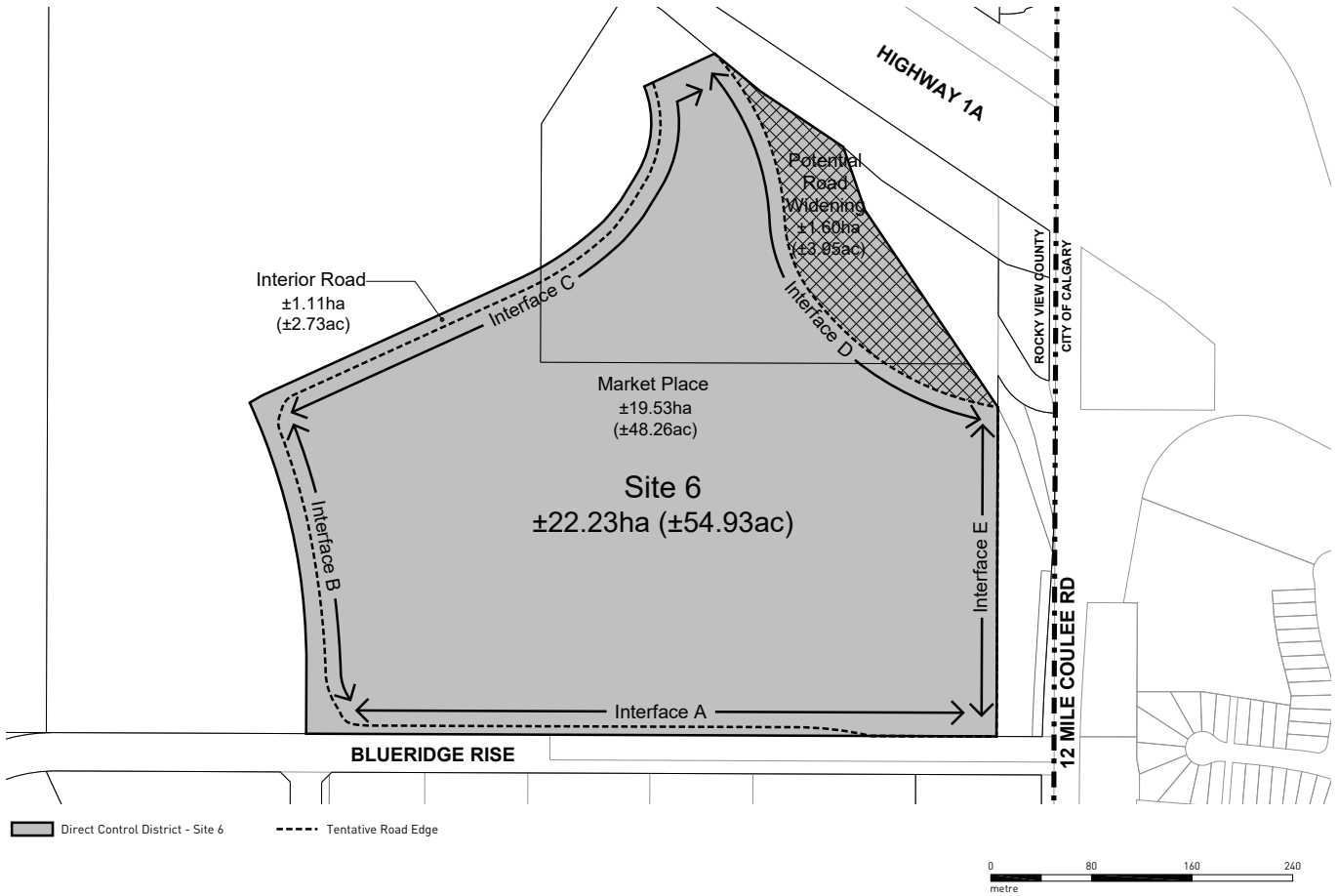
SW 19-25-2 W5M and SE 19-25-2 W5M excepting thereout: Road Plan 0711928 W5M

FILE: #

DIVISION: 3

SCHEDULE "C"

BYLAW: C - ##### - #####



LEGAL DESCRIPTION

SW 19-25-2 W5M and SE 19-25-2 W5M excepting thereout: Road Plan 0711928 W5M

FILE: #

DIVISION: 3

SCHEDULE "D"

BYLAW: C - ##### - #####

Rocky View County Land Use Bylaw

OFFICE CONSOLIDATION

This document has been consolidated for convenience only. A copy of the original Bylaw and all amending Bylaws can be obtained from Rocky View County. This office consolidation comprises the following Bylaws:

Bylaw	Amendment Type	Date of Approval
C-8000-2020	Original Bylaw	September 8, 2020
C-8092-2020	Various amendments throughout	January 26, 2021
C-8186-2021	Add Section 349.2 (a)	July 27, 2021
C-8270-2022	Add Section 360 (b)	May 17, 2022
C-8328-2022	Add Section 360 (c)	November 1, 2022



LEGAL DESCRIPTION

SW 19-25-2 W5M and SE 19-25-2 W5M excepting thereout: Road Plan 0711928 W5M

FILE: #

DIVISION: 3

PART ONE

1

Purpose

This part introduces readers to the Land Use Bylaw, establishes jurisdiction, clarifies enforcement and penalties, and the process in place for amending the Bylaw.

Jurisdiction

TITLE

- 1 This Bylaw is entitled ‘Rocky View County Land Use Bylaw C-8000-2020’, hereinafter referred to as the “Bylaw.”

AUTHORITY

- 2 This bylaw is enacted pursuant to Section 639 of the *Municipal Government Act* (MGA), as amended or replaced from time to time.

PURPOSE

- 3 The purpose of the Bylaw is to regulate land use and development within Rocky View County (the “County”) in order to achieve orderly growth, and for that purpose to:
 - a) Organize the County into Land Use Districts,
 - b) Prescribe and regulate the use of land and/or buildings in each District,
 - c) Establish the number of Dwelling Units permitted on a parcel of land,
 - d) Define and establish the roles of the Development Authority,
 - e) Establish a method of making decisions on applications for development, including the issuing of Development Permits and the discretionary power of the Development Authority, and
 - f) Provide for how and to whom notice of the issuance of a Development Permit is to be given.

SEVERABILITY

- 4 Each provision of this Bylaw is independent of all other provisions, and if any provision of this Bylaw is declared invalid by a decision of a court of competent jurisdiction, all other provisions remain valid and enforceable.

RELATIONSHIP TO OTHER LAWS AND REGULATIONS

- 5 Nothing in this Bylaw shall exempt any person from any obligation to comply with the requirements of any other municipal, regional, provincial, or federal law, bylaw, or regulation. This includes, but is not limited to, compliance with the following:
 - a) The Bylaw is consistent with the MGA as amended or replaced from time to time. The MGA takes precedence in a case of dispute on the meanings of all words or clauses,
 - b) The Bylaw is consistent with the *Alberta Land Stewardship Act (ALSA)*, as amended or replaced from time to time,
 - c) The Bylaw is consistent with the South Saskatchewan Regional Plan (SSRP), as amended or replaced from time to time,
 - d) The Bylaw is not a statutory plan and is therefore outside of the scope of the Calgary Metropolitan Region Board's purview,
 - e) The Bylaw is consistent with the 'County Plan C-7280-2013,' as amended or replaced from time to time, and
 - f) The Bylaw shall be used in conjunction with policies and procedures as adopted and amended by Council including, but not limited to, Area Structure Plans, Area Redevelopment Plans, and any Infrastructure Master Plans as they pertain to transportation, water, sanitary and/or stormwater management infrastructure.

EFFECTIVE DATE & TRANSITION

- 6 Bylaw C-4841-97, being the Rocky View County Land Use Bylaw and amendments thereto, are rescinded upon this Bylaw passing and commencing into full force and effect.
- 7 Bylaw C-8000-2020 being the Rocky View County Land Use Bylaw, is passed when it receives third reading and is signed pursuant to the MGA.
- 8 Bylaw C-8000-2020 being the Rocky View County Land Use Bylaw, comes into full force and effect on September 8, 2020.
- 9 All amendments to the Bylaw, any Redesignation, or Development Permit applications received on or after the effective date of the Bylaw shall be processed and considered upon the provisions outlined herein.
- 10 All Development Permit applications received in a complete form prior to the effective date of this Bylaw shall be processed based on 'Land Use Bylaw C-4841-97,' unless the Applicant requests in writing that the application be processed based on the regulations of this Bylaw.
- 11 Direct Control Bylaws that were passed pursuant to previous Land Use Bylaws and which are denoted within **Schedule B – Land Use Map** are hereby incorporated into, and form part of, this Bylaw.

FEES AND CHARGES

- 12 All fees and charges under and pursuant to the Bylaw, are established within the 'Master Rates Bylaw C-7857-2019,' as amended or replaced from time to time.

INTERPRETATION

Language

- 13 Words used in the singular include the plural, and words in the plural include the singular.
- 14 Words used in the present tense include the other tenses and derivative forms.
- 15 The words "shall" and "must" require mandatory compliance except where a variance has been granted pursuant to the MGA or the Bylaw.
- 16 The word "may" is to be construed as permissive.

- 17 Words, phrases and terms not defined in **Part 8 – Definitions** may be given their definition in the MGA or, in the absence of a definition in the MGA, the ‘Alberta Building Code,’ as amended or replaced from time to time. Other words shall be given their usual and customary meaning.
- 18 Where a regulation involves two or more conditions or provisions connected by the conjunction “and” all the connected items shall apply in combination; “or” indicates that the connected items may apply singly; “and/or” indicates the items may apply singly or in combination.
- 19 In the case of any conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw, the text shall govern.

Measurement

- 20 For the purposes of this Bylaw, all references to measurement will use the metric measurement system with imperial measurement provided in brackets, e.g. 1.0 ha (2.47 ac.).
- 21 If there is a discrepancy between the metric and imperial measurement, metric prevails.

EXEMPTED DEVELOPMENT

- 22 The following development is exempt for all requirements of the Bylaw:
 - a) Development, including but not limited to the construction, maintenance, and aggregate extraction completed by the County, its authorized agents, or Alberta Transportation,
 - b) The installation, maintenance or repair of public works, Government Services facilities and/or utilities carried out by or on behalf of federal, provincial, or other local authorities,
 - c) Confined Feeding Operations, and
 - d) Election signs as described in the ‘Election Sign Bylaw’ Bylaw No. C-8124-2021, as amended or replaced from time to time.

LAND USE DISTRICT GROUPS

- 23 For the purposes of this Bylaw, Districts may be referred to collectively:
 - a) Agricultural Districts, which include A-GEN and A-SML,
 - b) Residential Districts, which include R-RUR, R-CRD, R-URB, R-SML, R-MID and R-MRU,
 - c) Business/Commercial Districts, which include B-AGR, B-REC, B-REG, B-LOC, B-LWK, C-HWY, C-LRD, C-LUD, C-MIX and C-REG,
 - d) Industrial Districts, which include I-LHT and I-HVY,
 - e) Special Districts, which include S-PUB, S-FUD, S-NAT, S-PRK and S-NOS.

Enforcement

OFFENSE UNDER THE BYLAW

- 24 Any owner, lessee or occupant of land or a building, or the owner of a structure or a sign thereon, who with respect to such land, building, structure or sign, contravenes, causes, or allows a contravention of any provision of the Bylaw commits an offense.
- 25 Any person who commences or continues development for which a Development Permit is required but has not been issued, has expired, has been revoked or suspended, or which is in contravention of a condition of a Development Permit under the Bylaw commits an offense.
- 26 Any person who prevents or obstructs the Development Authority or a Designated Officer from carrying out any official duty under the Bylaw or the MGA commits an offense.

LAND USE BYLAW ENFORCEMENT

- 27 A Designated Authority may enforce the provisions of the Bylaw, or the conditions of a Development Permit pursuant to the MGA and the *Provincial Offences Procedure Act* (POPA), as amended or replaced from time to time.
- 28 Enforcement may be by violation ticket pursuant to POPA, notice of violation or any other authorized action to ensure compliance.
- 29 The enforcement powers granted to the Development Authority under the Bylaw are in addition to any enforcement powers that the County or any of its Designated Officers may have under POPA.
- 30 The Designated Authority may exercise all such powers concurrently.

VACANT BUILDINGS

- 31 Within six (6) months of a building being vacated, owners are responsible for the following, to the satisfaction of the Development Authority:
 - a) Removing any Signs,
 - b) Boarding up any windows and doors, and
 - c) Removing any graffiti, posters and other debris.

SIGN MAINTENANCE AND REMOVAL

- 32 Signs not maintained to the satisfaction of the Development Authority may be required to be renovated or removed.
- 33 The Development Authority may require the removal of any sign which, in their opinion, is or has become unsightly, or is in such a state of disrepair as to constitute a hazard, including:
 - a) When the excess of twenty-five per cent (25%) of the sign face has experienced loss of finish through chipping, fading, or excessive dirt building up,
 - b) If the sign is physically damaged on either face or its supports so it is no longer structurally safe or located correctly, and
 - c) The sign is no longer relevant to the approved use of the Building (i.e. the Building is no longer inhabited by a business and/or is vacant).
- 34 Non-compliance may result in the removal of a sign without notice and any cost associated with its removal shall be charged to the owner of the sign.
- 35 Any sign removed shall be held for thirty (30) days; if not claimed, the sign will be disposed of at the discretion of the County.

STOP ORDER

- 36 Pursuant to Section 645 of the MGA where an offense under the Bylaw occurs, the Development Authority may by written notice, order the owner or the person in possession of the land or buildings, or the person responsible for the contravention to:
 - a) Stop the development or use of the land or buildings in whole or in part as directed by the notice, or
 - b) Demolish, remove or replace the development, or
 - c) Carry out any other actions required by the notice so that the development or use complies with the Bylaw.

ENTRY AND INSPECTION

- 37 Pursuant to Section 542 of the MGA, a Designated Officer may, after giving reasonable notice to the owner or occupier of land or the structure to be entered:
- Enter on that land or structure at any reasonable time, and carry out any inspection, enforcement or action required to assess or enforce compliance with this Bylaw,
 - Request anything to be produced to assist in the inspection, remedy, enforcement or action, and
 - Make copies of anything related to the inspection, remedy, enforcement or action.
- 38 The Development Authority shall be a Designated Officer for the purposes of Section 542 of the MGA.

SPECIFIED PENALTIES

- 39 Pursuant to POPA the following fine amounts are established for use on Notices of Violation and violation tickets if a voluntary payment option is offered:

Table 1 – Minimum Specified Penalties

Offence	First Offence	Second Offence	Third Offence
Failure to obtain a Development Permit	\$1500	\$2000	\$2500
Failure to comply with Development Permit Conditions	\$1500	\$2000	\$2500
Failure to comply with District Regulations	\$1500	\$2000	\$2500
Failure to comply with any other condition of the Bylaw	\$1000	\$1500	\$2000

- 40 Fines for additional offences noted on **Table 1 – Minimum Specified Penalties** are for when the offence has occurred within a twelve (12) month period of the previous offence.

Land Use Bylaw Amendments

AMENDMENT TO THE BYLAW

- 41 Any person may apply to have the Bylaw amended.
- 42 The County may, on its own initiative and in accordance with the MGA, initiate an amendment to the Bylaw affecting a parcel or parcels of land.
- 43 Any amendment to the Bylaw shall be made pursuant to the MGA.

NON-SITE SPECIFIC TEXT AMENDMENT APPLICATION

- 44 An applicant pursuing an amendment to the text within the Bylaw shall use the Application Form provided by the County, and include the following:
- A completed Application Form,
 - The application fee as established within the 'Master Rates Bylaw C-7857-2019,' as amended or replaced from time to time,
 - A written rationale from the applicant for the amendment, and
 - Any supporting studies, plans or other information deemed necessary by the County.

REDESIGNATION OR SITE-SPECIFIC TEXT AMENDMENT APPLICATION

- 45** An applicant pursuing the Redesignation of a Land Use within the Bylaw shall use the Application Form provided by the County, and include the following:
- a) A completed Application Form,
 - b) An application fee as established within the 'Master Rates Bylaw C-7857-2019,' as amended or replaced from time to time,
 - c) A current copy of the Certificate of Title (within 30 days of submission) for the affected lands,
 - d) Current copies of any restrictive covenants or easements (within 30 days of submission),
 - e) 3 to 5 coloured photographs showing the affected lands and adjacent area,
 - f) Where the applicant is not the register owner on Title, a letter from the registered owner consenting to the application,
 - g) A Site Plan, showing:
 - i. North arrow
 - ii. Municipal addresses and adjacent road labels
 - iii. Legal Address (i.e. plan/block/lot)
 - iv. Parcel boundaries
 - v. Access and egress points
 - vi. Location of existing buildings and setbacks (if applicable), and
 - vii. Any other development setbacks, easements or utility rights-of-way;
 - h) A written rationale for the amendment, and
 - i) Any supporting studies, plans or other information deemed necessary by the County.

AMENDMENT DUTIES OF THE DEVELOPMENT AUTHORITY

- 46** Upon receipt of a completed application, the Development Authority shall:
- a) Prepare an Amending Bylaw for First Reading by Council,
 - b) Prepare a background report, including plans and other relevant material, and submit to Council for review prior to First Reading, and
 - c) Provide a minimum of two (2) weeks' notice of any public hearing to all Adjacent Registered Owners.

DECISIONS ON BYLAW AMENDMENTS

- 47** Council may, in reviewing a proposed amendment to the Bylaw:
- a) Approve the proposed Amending Bylaw as it is, or
 - b) Make any changes it considers necessary to the proposed Amending Bylaw and proceed to approve it without further advertisement or hearing, or
 - c) Refer the proposed Amending Bylaw back to administration for more information or further review and changes, then reschedule the application for further consideration, or
 - d) Refuse the proposed Bylaw Amendment.

RECONSIDERATION

- 48** If a proposed Amending Bylaw has been refused by Council, the same or similar application shall not be resubmitted for at least six (6) months after the date of refusal, unless, in the opinion of the Development Authority, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

PART TWO

Development Process

2

This part outlines the nature and role of the Development Authority, their procedures and responsibilities.

Authorities and Duties

DEVELOPMENT AUTHORITY

- 49 The Development Authority is a person or persons appointed by resolution of Council pursuant to the MGA.
- 50 The Development Authority may include one or more of the following:
 - a) A Development Officer,
 - b) The Manager of Planning & Development Services,
 - c) A Municipal Planning Commission, and/or
 - d) The Chief Administrative Officer.

DUTIES OF THE DEVELOPMENT AUTHORITY

- 51 The Development Authority shall:
 - a) Receive, process and make decisions on all Development Permit applications,
 - b) Keep, and maintain for inspection during regular municipal office hours, a copy of the Bylaw as amended or replaced from time to time, and ensure that an online version is made available on the County’s website and hard copies are available to the public for a fee, and
 - c) Keep a register of all supporting documentation for each Development Permit for seven (7) years, and a copy of the Development Permit shall be kept permanently.
- 52 The Development Authority may:
 - a) Refer a Development Permit application, in whole or in part, to any outside agency or local authority they deem necessary for comment,
 - b) Provide a written Time Extension Agreement, in alignment with the Bylaw,
 - c) Allow a variance, in alignment with the Bylaw, and
 - d) Refer a decision of a Development Permit to another Development Authority as identified in **Section 50**.

SUBDIVISION AUTHORITY

- 53 The Subdivision Authority is established pursuant to the 'Subdivision Authority Bylaw C-7546-2015,' as amended or replaced from time to time.
- 54 The Subdivision Authority shall perform such duties as are specified in the 'Subdivision Authority Bylaw C-7546-2015,' as amended or replaced from time to time.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- 55 The Subdivision and Development Appeal Board (SDAB) is established by Council in accordance with the MGA.
- 56 The SDAB shall perform such duties as specified in this Bylaw and the 'Appeal and Review Panel Bylaw C-7717-2017,' as amended or replaced from time to time.

Development Permit Decisions

RECEIVED APPLICATIONS

- 57 The Development Authority shall not receive a Development Permit application where the proposed use is neither permitted nor discretionary in a given District.

DETERMINATION OF COMPLETENESS

- 58 The Development Authority shall determine the completeness of a received application within twenty (20) days of receipt.
- 59 In reviewing an application for completeness, the Development Authority may:
 - a) Determine that the application is complete and provide an 'Acknowledgment of Completeness' to the applicant, or
 - b) Determine that the application is incomplete; provide a 'Notice of Incompleteness' and request outstanding information from the applicant, along with a time period within which the outstanding information is required.
- 60 An 'Acknowledgement of Completeness' or 'Notice of Incompleteness' shall be provided to the applicant via email.

REVIEW PERIOD

- 61 The Development Authority must make a decision on an application for a Development Permit within forty (40) days.
- 62 The review period commences once the 'Acknowledgement of Completeness' is provided to the applicant.

TIME EXTENSION AGREEMENT

- 63 The Development or Subdivision Authority may request up to a three (3) month extension of the review period of a Development Permit or Subdivision application from the applicant.
- 64 The Development or Subdivision Authority may grant up to a three (3) month extension of the review period of a Development Permit or Subdivision application at the request of the applicant.
- 65 'Time Extension Agreements' shall be agreed to by both parties in writing.
- 66 'Time Extension Agreements' on any Prior to Release conditions related to an approved Development Permit may be granted for a period of twelve (12) months to a maximum of three (3) extensions.
- 67 'Time Extension Agreements' on any conditions related to an approved subdivision may be granted for a period of twelve (12) months to a maximum of three (3) extensions.
- 68 'Time Extension Agreements' for the Commence or Completion of a Development may be granted for a period of twelve (12) months to a maximum of three (3) extensions.

DECISIONS ON DEVELOPMENT PERMIT APPLICATIONS

69 The Development Authority, in making a decision on a Development Permit application for:

- a) A Permitted Use that meets all requirements:
 - i. Shall approve the application, with or without conditions, if the proposed development conforms with the Bylaw,
- b) A Permitted Use that does not meet all requirements:
 - i. May approve the application, with or without conditions, if the proposed development conforms with the Bylaw, or
 - ii. May approve the application, with or without conditions, if the proposed development does not conform with the Bylaw, subject to the approval of any required variances,
- c) A Discretionary Use:
 - i. May approve the application, with or without conditions, if the proposed development conforms with the Bylaw,
 - ii. May approve the application, with or without conditions, if the proposed development does not conform with the Bylaw, subject to the approval of any required variances, or
 - iii. May refuse the application even though it meets the requirements of the Bylaw,
- d) A Discretionary Use in a Direct Control District:
 - i. May consider and approve the application providing it meets the direction set out by Council, where Council has delegated the decision to the Development Authority.

REVIEWING DEVELOPMENT PERMIT APPLICATIONS

70 In reviewing a Development Permit application for a Permitted Use with a proposed variance or a Discretionary Use, the Development Authority shall have regard to:

- a) The purpose and intent of the applicable District,
- b) Any Statutory Plan adopted by the County,
- c) The purpose and intent of any other plan and pertinent policy adopted by the County, and
- d) The circumstances and merits of the application.

71 Notwithstanding the provisions of the Bylaw, the Development Authority may impose more stringent development regulations or standards on a Development Permit for a Discretionary Use in order to ensure that the Development is compatible with and complementary to surrounding land use and other planning considerations.

72 In reviewing a Development Permit application for a parcel not serviced by a piped sewer system, the Development Authority must be satisfied that an adequate sewage disposal system exists and is not a public health hazard.

DEEMED REFUSALS

73 An application for a Development Permit shall be deemed to be refused in the following circumstances:

- a) Outstanding information requested as part of the determination of completeness is not submitted by the Applicant,
- b) The Development Authority does not make a decision on a Development Permit within the review period identified in [Section 61](#).
- c) The Development Authority does not make a decision on a Development Permit within an agreed upon 'Time Extension Agreement'.

NOTICE OF DECISION

Notice to Applicant:

- 74** All decisions on Development Permit applications shall be given in writing to the applicant the same day the decision is made;
- 75** If the Development Permit application is refused, approved without conditions, or conditionally approved, the 'Notice of Decision' shall contain the conditions imposed or the reasons for the refusal or as part of the approval;

Public Notice:

- 76** Notice of approved Development Permit applications shall be advertised per the Public Notification Bylaw (Bylaw C-7860-2019), as amended. The notice shall include:
 - a) The location and use of the Parcel,
 - b) The date the Development Permit was issued, and
 - c) Notice that an appeal may be made by a person affected by the decision by serving written notice of the appeal to the SDAB within twenty-one (21) days of the date of the decision on the application or the date of the deemed refusal.

EFFECTIVE DATE

- 77** Barring an appeal to the SDAB, a Development Permit does not come into effect until:
 - a) Twenty-one (21) days from the date on which public notice was issued, and
 - b) All Prior to Release conditions have been satisfied.

COMMENCE AND COMPLETE DEVELOPMENT

- 78** A Development Permit shall lapse after one (1) year from the date of issuance unless development has commenced on the site or as otherwise identified in the conditions of approval.
- 79** A Development shall be completed to the satisfaction of the Development Authority within twenty-four (24) months of the Development Permit approval or as otherwise identified in the conditions of approval.

CANCELLED OR SUSPENDED DEVELOPMENT PERMITS

- 80** The Development Authority may cancel, suspend, or modify a Development Permit by written notice to the holder of the permit when, after a Development Permit has been issued, the Development Authority becomes aware of one the following circumstances:
 - a) The application contained a misrepresentation, or
 - b) Facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered, or
 - c) Any condition under which the development permit was issued has been contravened, or
 - d) The Development Permit was issued in error, or
 - e) The applicant has requested cancellation of the permit in writing.
- 81** A Development Permit shall be null and void if the approved use or development is discontinued or abandoned for two or more consecutive years.
- 82** An applicant whose Development Permit is cancelled, suspended, or modified may appeal to the SDAB.

RE-APPLICATION INTERVAL

- 83 Where an application for a Development Permit is refused, the submission of a second application for the same or similar development on the same parcel, may not be made for a period of six (6) months from the date of issue of the refusal, except where waived by Council.
- 84 If a second application is refused, a third application may not be made within one (1) year of the date of the second refusal, except where waived by Council.
- 85 The determination of what constitutes the same or similar development shall be made by the Development Authority.

Development Permit Appeals

APPEALING A DECISION

- 86 Pursuant to the 'Appeal and Review Panel Bylaw C-7717-2017,' any person affected by an order, decision or Development Permit made or issued by a Development Authority, including the applicant, may appeal the decision to the SDAB;
- 87 The Process followed by the SDAB is articulated within the 'Appeal and Review Panel Bylaw C-7717-2017, as amended or replaced from time to time.

SDAB DECISIONS

- 88 The Development Authority issues or revokes Development Permits in accordance with SDAB decisions.
- 89 A Development Permit shall be null and void if the Development Authority's decision to approve a Development Permit application is overturned by the SDAB.

PART THREE

Permits and Conditions

3

This part outlines the administrative requirements for development within the County.

Development Permits

DEVELOPMENT PERMITS REQUIRED

- 90 Except as provided in **Section 92**, no person shall commence any development unless a Development Permit has been issued.
- 91 All development shall proceed in accordance with the terms and conditions of the Development Permit.

DEVELOPMENT PERMITS NOT REQUIRED

- 92 A Development Permit is not required for the following development, provided it complies with all applicable provisions of the Bylaw, and does not require a variance:

Table 2 – Development Not Requiring a Development Permit

Development	Description
a) Agriculture (General)	<ul style="list-style-type: none"> • Where Agriculture (General) is listed as a permitted use
b) Accessory Buildings	<ul style="list-style-type: none"> • The placement or construction of an accessory building in an Agricultural District, Residential District, S-PRK, or S-NOS where it complies with the District’s parameters for a Permitted Use
c) Accessory Dwelling Unit	<ul style="list-style-type: none"> • Where Accessory Dwelling Unit is listed as a permitted use
d) Accessory Structure	<ul style="list-style-type: none"> • The placement or construction of an accessory structure in all Districts
e) Beekeeping	<ul style="list-style-type: none"> • In all Agricultural Districts • For the keeping of 3 or less hives in a Residential District where it is listed as a permitted use
f) Construction Camps	<ul style="list-style-type: none"> • The placing of construction camps associated with a construction project under contract to the County or Alberta Transportation, providing no office,

	storage or construction trailer is within 100.00 m (328.08 ft.) of a residential dwelling on an adjacent parcel
g) Deck, Balcony or Patio	<ul style="list-style-type: none"> • An unenclosed or uncovered deck, balcony or patio (including landings and wheelchair ramps) that is less than or equal to 0.61 m (2.00 ft.) in height
h) Dogs	<ul style="list-style-type: none"> • The keeping of dogs for personal use.
i) Driveways	<ul style="list-style-type: none"> • So long as it does not impact existing site grades
j) Dwelling Unit	<ul style="list-style-type: none"> • The construction of a Dwelling Unit where it is listed as a permitted use, except Dwelling, Multiple Unit
k) Fences and Enclosures	<ul style="list-style-type: none"> • Less than 2 metres (6.56 ft.) in height
l) Food Trucks	<ul style="list-style-type: none"> • Large vehicles equipped with facilities for cooking and selling food when compliant with provincial regulation
m) Home-Based Business (Type I)	<ul style="list-style-type: none"> • Home-Based Business (Type I) in all districts
n) Livestock	<ul style="list-style-type: none"> • The keeping of livestock in all Agricultural and Residential Districts and where Agricultural (General) is a permitted use
o) Maintenance or Repair	<ul style="list-style-type: none"> • To any building or structure or parking lot, including interior and exterior repairs provided that such work: <ul style="list-style-type: none"> ○ Does not include additions to buildings and/or impact the existing building footprint and/or encroach on property line setbacks, or ○ Does not constitute a change in the use or the intensity of the use of a building or lands, or ○ Does not impact existing site grades
p) Grain Bins and Stock Shelters	<ul style="list-style-type: none"> • Placement of metal grain bins and three-sided stock shelters less than 27.87 m² (300.00 ft²) on an Agricultural District parcel. However, no bins or stock shelters shall be placed within 30.00 m (98.42 ft.) of a corner of the site that is formed by the intersection of two roads.
q) Decorations	<ul style="list-style-type: none"> • Seasonal or Holiday decorations
r) Parks and Utilities	<ul style="list-style-type: none"> • In all districts where listed as a permitted use
s) Second Dwelling Unit	<ul style="list-style-type: none"> • The construction of a second Dwelling Unit on a lot that has an area of 32.40 ha (80.06 ac) or greater, which complies with the provisions of the Bylaw
t) Signs	<ul style="list-style-type: none"> • Signs displayed by or on behalf of the federal, provincial, or local government • Banners and pennant flags that are not permanently installed and which are displayed for a period not exceeding thirty (30) days • Real Estate Signs, subject to the standards outlined in Section 221 • Sandwich Boards, subject to the standards outlined in Section 223 • Temporary Signs, subject to the standards outlined in Section 224 • The alteration of a sign which only includes routine maintenance, painting or change in face, copy or lettering • Municipal address numbers or letters displayed on premises to which they refer, and the names of the residents of a property

	<ul style="list-style-type: none"> • A temporary, non-illuminated sign or advertisement relating to the sale or leasing of land, the sale of goods or livestock, the carrying out of the construction of a building or similar work, the announcement of any local event provided that the advertisement is removed within 14 days of the completion of the event or works advertised
u) Special Events	<ul style="list-style-type: none"> • Any event or activity with an issued Special Event Permit
v) Stripping, Grading, Excavation and Fill	<ul style="list-style-type: none"> • Development as part of a signed Development Agreement; independent of, or prior to, other development on the same parcel or site • Ponds under 0.60 m (1.97 ft.) in depth • Dugouts or ponds on parcels of land exceeding 16.19 ha (40.00 ac), where there is continued use of the land for agriculture • The placing of up to 1.00 m (3.28 ft.) of fill and topsoil adjacent to or within 15.00 m (49.21 ft.) of a building under construction that has a valid Building Permit, during the course of the construction to be used to establish approved final grades • The excavation up to 2.00 m (6.56 ft.) adjacent to or within 15.00 m (49.21 ft.) of a building under construction that has a valid Building Permit, during the course of the construction to be used to establish approved final grades
w) Voting Stations	<ul style="list-style-type: none"> • The use of a building or part thereof as a temporary polling station, Returning Officer's headquarters, candidates campaign office, and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census
x) Vehicle (Commercial)	<ul style="list-style-type: none"> • The outside parking of a maximum of one (1) vehicle (commercial) on a Residential District parcel equal to or greater than 1.60 ha (3.95 ac), or an Agricultural District parcel that contains a dwelling
y) Vehicle (Recreation)	<ul style="list-style-type: none"> • In an Agricultural or Residential District or S-FUD, the maximum outdoor parking of: <ul style="list-style-type: none"> ○ 3 vehicles (recreation) on parcels \leq 8.1 ha (20.01 ac) ○ 4 vehicles (recreation) on parcels $>$ 8.1 ha (20.01 ac) and $<$ 16.1 ha (39.78 ac) ○ 5 vehicles on parcels \geq 16.1 ha (39.78 ac)

LEGALLY NON-CONFORMING USES AND NON-CONFORMING BUILDINGS

- 93** Development rendered legally non-conforming as a result of the passage of this Bylaw shall be permitted to remain in accordance with the MGA.
- 94** Legally non-conforming buildings and uses shall be administered as outlined in the MGA. The Development Authority may issue a variance permitting a non-conforming building to be enlarged, added-to or rebuilt where:
- The proposed development is consistent with the purpose and intent of the applicable District,
 - The proposed development will not result in any additional non-compliance with the requirements of the Bylaw,
 - There is, in the opinion of the Development Authority, no significant change to the land use or an increase in the intensity of use, and
 - The Development Authority may consider a variance in any District if the non-conforming use complies with the uses authorized in the applicable District and it complies with the variance criteria for a permitted or discretionary use as set out in in the Bylaw.

DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

- 95 An applicant applying for a Development Permit in accordance with the Bylaw shall use the Application Form provided by the County, and include the following:
- a) A completed application form,
 - b) An application fee as established within the 'Master Rates Bylaw C-7857-2019,' as amended or replaced from time to time,
 - c) A current copy of the Certificate of Title (within 30 days of submission) for the affected lands,
 - d) Current copies of any restrictive covenants or easements (within 30 days of submission),
 - e) Where the applicant is not the register owner on Title, a letter from the registered owner consenting to the application,
 - f) A copy of the Site Plan showing:
 - i. legal description of the site with north arrow and scale,
 - ii. site area and dimensions of the land to be developed including the front, rear and side yards if any,
 - iii. site drainage including any watercourses, finished lot grades, road grades and slopes greater than 15%,
 - iv. locations and distances of on-site existing or proposed water and sewer connections, septic tanks, disposal fields, water wells, culverts and crossings,
 - v. existing and proposed access and egress to and from the site,
 - vi. where applicable, the identification of trees to be cut down or removed,
 - vii. the height, dimensions and setbacks of all existing and proposed buildings and structures including parking and loading areas, retaining walls, trees, landscaping and other physical features, and
 - viii. any rights-of-way and setbacks,
 - g) When a building or structure is proposed:
 - i. building floor plans, elevation drawings and a description of exterior finishing materials,
 - ii. a table indicating: the total area of the parcel, parcel coverage, number of units, number of parking and loading spaces, building height, number of storey's and landscaping calculations, and
 - iii. building floor plans, elevation and exterior finishing materials,
 - h) Any supporting studies, plans or other information deemed necessary by the County, and
 - i) Any other additional information required for a Specific Use or Activity, as outlined in **Part 4 – Specific Uses and Activities**.

TEMPORARY DEVELOPMENT PERMIT

- 96 Where a proposed development is for a discretionary use, the Development Authority may issue a temporary Development Permit for that development if:
- a) The proposed development is of a temporary nature, or
 - b) The Development Authority wishes to ensure that the development authorized by the permit will cease by a specified date.
- 97 The Development Authority may create limits on the operational duration of any development or use for a period of time not to exceed ten (10) years.
- 98 When a development is approved on a temporary basis the Development Authority:
- a) Shall require the cessation of use and removal of a temporary development at the expiration of the time period stated in the development permit,

- b) Shall impose a condition that removes the County from any liability regarding costs related to cessation of the development,
- c) Shall impose a condition that requires the site to be restored to a condition acceptable to the Development Authority, and
- d) May require the applicant to post a security.

99 When a Temporary Development Permit expires the permit is void and a new application shall be required.

Development Permit Conditions

CONDITIONS OF APPROVAL

100 The Development Authority, in imposing conditions on a Development Permit may:

- a) For a Permitted Use, impose conditions only to ensure compliance with this Bylaw, or
- b) For a Discretionary Use, impose conditions as deemed appropriate, so long as they serve a legitimate planning objective and do not sub-delegate the Development Authority's discretionary powers.

VARIANCES

101 Unless a specific provision of the Bylaw provides otherwise, the Development Authority may allow a variance under one or more of the following circumstances:

- a) The proposed development, with variance, would not unduly interfere with neighbouring parcels, or
- b) The variance is specific to the parcel, building or sign to which it applies, not shared by a significant number of other properties in the surrounding area, or
- c) The variance is a result of an error in the siting of a building or structure, and the rectifying of the error would create unnecessary hardship to the registered owner.

102 The Development Authority shall require a supporting rationale from the applicant in support of a variance.

103 The amount of an individual variance is at the sole discretion of the Development Authority.

104 Variances shall not be considered by the Development Authority in the following situations:

- a) Height within an Airport Vicinity Protection Overlay, and
- b) Setbacks to a riparian area.

105 In the event that a variance is granted, the Development Authority shall specify that a variance has been granted in the public notification.

ENCROACHMENT AGREEMENTS

106 If an applicant applies for a Development Permit for a building or structure that encroaches on property owned by the County, the Development Authority may as a condition of approval require the applicant to enter into an Encroachment Agreement with the County.

DEVELOPMENT AGREEMENTS

107 As a condition of approval, the Development Authority may require the applicant to enter into a 'Development Agreement' with the County, in accordance with the MGA, and may require the applicant to:

- a) Construct, install or pay for any improvements and utilities that are needed to serve the development or access to it, and/or
- b) Pay a Security or Levy, and/or

- c) Repair or reinstate to original or improved condition any street furniture, curbing, sidewalk, boulevard landscaping or trees, which may be damaged, destroyed or otherwise harmed by development or building operations upon the site, and
- d) Attend to all other matters the Development Authority considers appropriate.

CAVEATS

108 To ensure compliance with a Development Agreement, the County may register a caveat against a property being developed which shall be discharged upon the terms of the Development Agreement being met. This requirement does not apply to development under Federal, Provincial or Municipal authority.

LANDSCAPE PLAN REQUIREMENTS

109 At the discretion of the Development Authority, a landscape plan may be required as part of the submission for a Development Permit and the plan must be prepared by a certified landscape architect or an arborist.

110 The landscape plan shall include information for the proposed site as well as all adjacent boulevards and existing property, drawn at a scale of 1:500 or larger, which clearly indicates and accurately identifies the following:

- a) Name, address, e-mail and phone number of the Applicant,
- b) Legal description of the subject property,
- c) Name and/or endorsement stamp of the Landscape Architect or the County approved landscape professional,
- d) Site area in ha (ac) proposed to be landscaped, as well as the percentage of the Parcel area,
- e) North arrow, the property Lines, dimensions of the subject site and identification of adjacent land uses,
- f) Detailed grading plan showing side slope grades, drainage swale grades, existing grades on adjacent lands and all proposed site elevations,
- g) Location of all existing and proposed utilities and easements, including storm sewers, catch basins for site drainage and overhead utilities,
- h) Location of all existing and proposed buildings, parking areas, driveways and entrances,
- i) Location of all existing plant materials to be retained on the subject site,
- j) Location of all new plant materials being proposed for the subject site,
- k) Proposed trees, shrubs, flower beds and ground covers labeled with a key to a cross referenced plant list identifying the common and botanical names, quantity, size and method of planting, grass mix for sod and/or seed,
- l) Vegetation planting details for installation,
- m) Location of all proposed landscape furniture and/or landscape amenities for the subject site including height of fencing and screen walls,
- n) Details of the irrigation system when applicable,
- o) All other physical features, existing or proposed, including berms, walls, fences, outdoor furniture, lighting and decorative paving, and the
- p) Location and type of all outdoor lighting.

111 Any changes to an approved landscape plan requires a new approval of the Development Authority prior to the landscaping being installed.

Securities

DEVELOPMENT SECURITIES

- 112** The County may require a security, in the form of an Irrevocable Letter of Credit or Refundable Security, in association with:
- a) Conditions of a Development Permit,
 - b) A Development Agreement, and/or
 - c) Any other case where the Development Authority deems a security is required to ensure that work is carried out in a timely manner and to the satisfaction of the Development Authority.
- 113** The amount required as development security shall be as required by Council Policy C-407, as amended or replaced from time to time.
- 114** Where a security is required, a cost estimate, subject to review and verification by the Development Authority, shall be provided by the applicant.
- 115** Where a security is required, it shall be provided by the applicant prior to release of the development permit.

LANDSCAPING SECURITIES

- 116** The County may require a security, in the form of an irrevocable letter of credit, in association with the landscaping of a parcel(s).
- 117** The amount required as a landscaping security shall be as required by Council Policy C-407, as amended or replaced from time to time.
- 118** The projected cost of the landscaping shall be calculated by the developer/owner and shall be based on information provided in an approved landscape plan.
- 119** If in the opinion of the Development Authority, these projected costs are inadequate, the Development Authority may establish a higher landscaping cost to determine the value of the landscaping security.
- 120** Where development has been approved in phases, the Development Authority may allow that a landscaping security be provided only on that portion of the site approved in each phase plus the amount required to minimally landscape the balance of the site should future development not proceed in a timely fashion.
- 121** In the event that the developer/owner does not complete the required landscaping or fails to maintain the landscaping in a healthy condition, and the proceeds from the letter of credit are insufficient for the County to complete the required work, then the developer/owner shall pay such deficiency to the County immediately upon being invoiced. The County shall provide an accounting to the developer/owner indicating how the proceeds of the letter of credit were applied, within sixty (60) days of completing or maintaining the landscaping.

PART FOUR

Specific Uses and Activities

4

This part outlines specific regulations that apply to particular types of Development within the County.

ACCESSORY DWELLING UNIT

122 Accessory Dwelling Unit General Requirements:

- a) Where an Accessory Dwelling Unit is not located within another Dwelling Unit, it shall be considered part of the total building area of an accessory building,
- b) Accessory Dwelling Units shall:
 - i. Be constructed on a permanent foundation,
 - ii. Comply with the regulations in the applicable District,
 - iii. Not exceed a gross floor area of 150 m² (1614.59 ft²),
 - iv. Include sleeping, sanitary, and cooking facilities,
 - v. Provide a minimum of one dedicated on-site parking stall, and
 - vi. Have a distinct County address to facilitate accurate emergency response.

123 Accessory Dwelling Unit Site Requirements:

- a) A parcel shall be limited to one Accessory Dwelling Unit, unless otherwise stated in a given District.

124 Accessory Dwelling Unit Development Permit Requirements:

- a) A Development Permit application will respond to **Section 122** and **123** and further set out:
 - i. The architectural character of the Accessory Dwelling Unit,
 - ii. The location and setbacks of the Accessory Dwelling Unit,
 - iii. Amenity space for the Accessory Dwelling Unit, and
 - iv. Any landscaping or screening.

BED AND BREAKFAST

125 Bed and Breakfast General Requirements:

- a) Bed and Breakfasts are an accessory use of a principal dwelling,
- b) Bed and Breakfasts shall not be permitted in a principal dwelling which has an existing Home-Based Business (Type I) or Home-Based Business (Type II), and

- c) Bed and Breakfasts shall be limited to no more than three (3) guest rooms.

126 Bed and Breakfast Site Requirements:

- a) One (1) Fascia Sign or Freestanding Sign is permitted, at the discretion of the Development Authority.

127 Bed and Breakfast Development Permit Requirements:

- a) A Development Permit application will respond to **Section 125** and **126**, and
- b) The maximum term of a Development Permit issued is five (5) years.

CAMPGROUND

128 Campground General Requirements:

- a) There shall be no more than twenty (20) campsites per hectare (eight (8) campsites per acre),
- b) At least ten percent (10%) of a campground's gross area shall be set aside as a common outdoor space, and
- c) Campgrounds shall not be used for year-round vehicle (recreation) storage.

129 Campground Site Requirements:

- a) No campground will be approved within 250.0 m (820.21 ft.) of a Residential District as measured from property boundary to property boundary.

130 Campground Development Permit Requirements:

- a) A Development Permit application will respond to **Section 128** and **129** and further set out:
 - i. What onsite facilities will be provided,
 - ii. If roads are to be open year-round, provision for snow removal and snow storage, and
 - iii. The screening, storage, collection and disposal of septic and solid waste,
- b) An applicant is required to submit a Water and Wastewater Servicing Plan in support of a Development Permit, and
- c) The maximum term of a Development Permit issued is five (5) years.

CANNABIS CULTIVATION AND CANNABIS PROCESSING

131 Cannabis Cultivation and Cannabis Processing General Requirements:

- a) Cannabis Cultivation and/or Cannabis Processing shall not occur in a building where a residential use is located, and
- b) A residential development constructed or created on a parcel after the approval of a Cannabis Cultivation or Cannabis Processing use shall not be considered a residential use for the purposes of the Bylaw.

132 Cannabis Cultivation and Cannabis Processing Site Requirements:

- a) In all Districts, Cannabis Cultivation and/or Cannabis Processing must have a minimum separation distance of:
 - i. At least 150.0 m (492.13 ft.) from a parcel with a Care Facility (Clinic),
 - ii. At least 150.0 m (492.13 ft.) from a parcel with a School,
 - iii. At least 150.0 m (492.13 ft.) from a parcel that is designated as Municipal School Reserve on title,
 - iv. At least 150.0 m (492.13 ft.) from a Residential District parcel, and
 - v. At least 150.0 m (492.13 ft.) from a Dwelling Unit.
- b) Notwithstanding a), in B-AGR, C-LRD and I-HVY Districts the minimum separation distance of Cannabis Cultivation and/or Cannabis Processing may be reduced to:
 - i. 75.0 m (246.06 ft.) from a Residential District parcel, and/or
 - ii. 75.0 m (246.06 ft.) from a Dwelling Unit,

- c) The minimum separation distance shall be measured from the closest point of the Cannabis Cultivation and/or Cannabis Processing building.

133 Cannabis Cultivation and Cannabis Processing Development Permit Requirements:

- a) A Development Permit application will respond to **Section 131** and **132**, and
- b) The maximum term of a Development Permit issued is ten (10) years.

CANNABIS RETAIL STORE

134 Cannabis Retail Store Site Requirements:

- a) Cannabis Retail Stores must have a minimum separation distance of:
 - i. At least 300.0 m (984.25 ft.) from another Cannabis Retail Store,
 - ii. At least 150.0 m (492.13 ft.) from a parcel with a Care Facility (Clinic),
 - iii. At least 150.0 m (492.13 ft.) from a parcel with a School, and
 - iv. At least 100.0 m (328.08 ft.) from a parcel that is designated as a Municipal School Reserve on title,
- b) The minimum separation distance shall be measured from the closest portion of the Cannabis Retail Store building.

135 Cannabis Retail Store Development Permit Requirements:

- a) A Development Permit application will respond to **Section 134**, and
- b) The maximum term of a Development Permit issued is ten (10) years.

EQUESTRIAN CENTRE

136 Equestrian Centre General Requirements:

- a) The maximum number of spectators for an event shall not exceed one hundred (100) persons, or as set out in the Development Permit conditions,
- b) Overnight camping may be allowed for a maximum of five (5) consecutive nights, or as set out in the Development Permit conditions, and
- c) The number of persons camping shall not exceed twenty (20) at any time, or as set out in the Development Permit conditions.

137 Equestrian Centre Site Requirements:

- a) A maximum of fifty (50) animals are allowed onsite at any time, or as set out in the Development Permit conditions.

138 Equestrian Centre Development Permit Requirements:

- a) A Development Permit application will respond to **Section 136** and **137**, and further set out:
 - i. Maximum number of horses and/or cattle that may be kept on the site at any one time,
 - ii. Maximum number of animals allowed to participate in an event, which shall be in addition to the animals kept on the site,
 - iii. Whether overnight camping of event participants may be allowed,
 - iv. Garbage and manure control, and
 - v. On-site stock trailer parking and participant/spectator parking,
- b) If the maximum number of spectators is anticipated to exceed one hundred (100) persons an applicant is required to submit the following in support of a Development Permit:
 - i. A Water and Wastewater Servicing Plan, and
 - ii. A Traffic Impact Analysis.

FILM PRODUCTION

139 Film Production General Requirements:

- a) Setback and height requirements do not apply to set structures.

140 Film Production Site Requirements:

- a) The maximum area of a Film Production in an Agricultural District or S-FUD shall be 16.19 ha (40.00 ac) or 25% of the parcel, whichever is less.

141 Film Production Development Permit Requirements:

- a) A Lighting Plan,
- b) A Traffic and Access Plan, and
- c) A Solid Waste Management Plan.

HOME-BASED BUSINESS (TYPE I)

142 Home-Based Business (Type I) General Requirements:

- a) Home-Based Business (Type I) are an accessory use of a principal dwelling,
- b) Home-Based Business (Type I) shall have no employees that are not permanent residents of the dwelling,
- c) Home-Based Business (Type I) may generate up to four (4) business-related visits per day, defined as four (4) vehicles visiting the business per day,
- d) Home-Based Business (Type I) shall not operate between the hours of 18:00 and 8:00 if the business generates noise,
- e) Typical businesses include private tutoring, web-based businesses or a private consultant's office, and
- f) Retail, restaurants, and automotive related businesses shall not be permitted as a Home-Based Business (Type I).

143 Home-Based Business (Type I) Site Requirements:

- a) Home-Based Business (Type I) shall not:
 - i. Change the residential character and external appearance of the land and buildings,
 - ii. Have any outside storage of equipment, goods, materials, commodities, or finished products,
 - iii. Have any vehicle (commercial) parked onsite, unless the parcel is 1.6 ha (3.95 ac) or greater in which case it may have a maximum of one (1) vehicle (commercial) parked onsite, and
 - iv. Have any signs that describe or advertise the Home-Based Business (Type I).

144 Home-Based Business (Type I) Development Permit Requirements:

- a) A Development Permit application is not required for Home-Based Business (Type I), so long as it is a Permitted Use in a given District and adheres to [Section 142](#) and [143](#).

HOME-BASED BUSINESS (TYPE II)

145 Home-Based Business (Type II) General Requirements:

- a) Home-Based Business (Type II) is an accessory use of a principal dwelling and may utilize its accessory buildings and outside storage,
- b) Home-Based Business (Type II) may generate up to eight (8) business-related visits per day in an Agricultural District and up to four (4) business-related visits per day in all other Districts,
- c) Home-Based Business (Type II) shall not operate between the hours of 18:00 and 8:00 if the business generates noise,
- d) The number of non-resident employees shall not exceed two (2) at any time,

- e) Typical businesses include landscaping contractors, hairdressers, music teachers and day homes, and
- f) Retail, restaurants, and automotive related businesses shall not be permitted as a Home-Based Business (Type II).

146 Home-Based Business (Type II) Site Requirements:

- a) Outside storage may be permitted at the discretion of the Development Authority provided it complies with the following requirements, which may form conditions for approval:
 - i. Be screened from view of adjacent lands and roads,
 - ii. Meet the minimum setback requirements for buildings, and
 - iii. Not exceed 400.0 m² (4305.56 ft²) or 1% pf the parcel area, whichever is less,
- b) One (1) Fascia Sign or Freestanding Sign is permitted, at the discretion of the Development Authority.

147 Home-Based Business (Type II) Development Permit Requirements:

- a) A Development Permit application will respond to **Section 145** and **146**,
- b) The maximum term of a Development Permit issued for a Home-Based Business (Type II) is one (1) year,
- c) If a subsequent application is applied for before the one (1) year Development Permit has expired, the new Development Permit can be issued for up to five (5) years if:
 - i. The application is for the same Home-Based Business (Type II),
 - ii. The Home-Based Business has not violated the conditions of its Development Permit, and
 - iii. There are no active Bylaw enforcement orders related to the Home-Based Business (Type II).

LIVESTOCK

148 Livestock General Requirements:

- a) Livestock is permitted in R-RUR, R-CRD and any parcel where Agricultural (General) is a listed use.
- b) Where livestock is kept, pastures shall be maintained to ensure that there is no overgrazing, and
- c) Where livestock is kept, manure shall be managed to ensure there is no runoff onto adjacent lands, riparian areas, or watercourses, in a manner that mitigates odour.

149 Livestock Site Requirements:

- a) The maximum number of animals permitted on a parcel of land are as follows:

Table 3 – Animal Units by Parcel Size

Parcel Size	Max. Animal Units
<1.4 ha (<3.46 ac)	0
≥1.4 to ≤2.0 ha (≥3.46 to ≤4.94 ac)	2
>2.0 to ≤3.0 ha (>4.94 to ≤7.41 ac)	3
>3.0 to ≤4.0 ha (>7.41 to ≤9.88 ac)	4
>4.0 to ≤5.0 ha (>9.88 to ≤12.36 ac)	5
>5.0 to ≤6.0 ha (>12.36 to ≤14.83 ac)	6
>6.0 to ≤7.0 ha (>14.83 to ≤17.29 ac)	7
>7.0 to ≤8.0 ha (>17.29 to ≤19.77 ac)	8
>8.0 to ≤9.0 ha (>19.77 to ≤22.24 ac)	9
>9.0 to ≤10.0 ha (>22.24 to ≤24.71 ac)	10
>10.0 to ≤12.1 ha (>24.71 to ≤29.90 ac)	15
>12.1 to ≤16.1 ha (>29.90 to ≤39.78 ac)	20
>16.1 ha (>39.78 ac)	No Maximum

- b) Notwithstanding a), up to ten (10) chickens (hens, no roosters) are allowed on a Residential District parcel that is smaller than 1.4 ha (3.46 ac),
- c) The number of animals that constitute an animal unit are as follows:

Table 4 – Animal Unit Table

Animal Type	# of Animals = 1 Animal Unit
Cattle	1
Pigs	2
Horses/Ponies	1
Donkeys/Mules	1
Poultry (including Pheasants)	20
Sheep	5
Rabbit/Mink	20
Goats	5
Elk	1
Emu	4
Ostrich	2
Bison	0.5
Deer	4
Alpaca/Llama	5

- d) Notwithstanding c), calves, foals, lambs, gilts, kids at mothers' side (not weaned) are not considered to be Animal Units and wild boars are not permitted in the County.

150 Livestock Development Permit Requirements:

- a) A Development Permit is not required for Livestock so long as **Section 148** and **149** are adhered to,
- b) On parcels smaller than 16.1 ha (39.78 ac), livestock owners, wishing to increase the number of animals on a parcel, shall submit the following information as part of a Development Permit application:

- i. A Pasture Management Plan, and
 - ii. A Manure Management Plan,
- c) A Development Permit for increasing the number of animals on a Non-Agricultural parcel shall not exceed five (5) years.

SIGNAGE

151 Signage General Requirements:

- a) Signs shall be compatible with the general character of the prescribed District, to the satisfaction of the Development Authority,
- b) No sign or any part of a sign is allowed in a road allowances or County rights-of-way,
- c) No sign or any part of a sign shall be within 3.0 m (9.84 ft) of overhead power and service lines, and
- d) No sign shall be attached to a stationary vehicle, truck trailer, or a shipping container.

152 Signage Site Requirements:

- a) A sign shall be located entirely within the site unless prior written approval granting permission for the sign to overhang another property is submitted by the affected owner, and
- b) The Development Authority may require an easement if a sign overhangs another property.

153 Signage Development Permit Requirements:

- a) A Development Permit is required for all signs, excluding those listed in **Section 92**,
- b) A Development Permit application will respond to **Section 151** and **152**, and detail the following:
 - i. All dimensions of the sign, including height of the sign and the sign Structure,
 - ii. Area of copy face(s),
 - iii. Design of copy face(s),
 - iv. Type of construction and finishing to be utilized,
 - v. Method of support,
 - vi. Material specifications,
 - vii. Details of sign illumination,
 - viii. Distance from roadway(s), and
 - ix. Such other considerations as the Development Authority may deem to be relevant,
- c) An applicant may be required to submit the following in support of a Development Permit:
 - i. A Site Plan showing sign location in relation to property boundaries and Buildings, and
 - ii. Photographs of the proposed site showing adjacent properties and signs within approximately 30.0 m (98.43 ft.) of the proposed sign location.

SPECIAL FUNCTION BUSINESS

154 Special Function Business General Requirements:

- a) May only be located on a parcel for 15 cumulative days in a calendar year, excluding the time used to erect or dismantle any temporary structures.

Alternate clause for Site 6 in DC Bylaw

155 Special Function Business Site Requirements:

- a) The maximum area of a Special Function Business shall not exceed 400.0 m² (4305.56 ft²) or 1% of the parcel area, whichever is less.

156 Special Function Business Development Permit Requirements:

- a) A Development Permit application will respond to **Section 154** and **155**, and

- b) A Development Permit for a special function business shall not exceed three (3) years.

STRIPPING, GRADING, EXCAVATION AND/OR FILL

157 Site stripping, grading, excavation, or fill is a discretionary use in all land use districts.

158 Site stripping, grading, excavation, or fill Development Permit Requirements:

- a) A Development Permit is required for all Stripping, Grading, Excavation and/or Fill,
- b) A Development Permit application will detail the following:
 - i. Location and area of the site on which the development is proposed,
 - ii. Existing land use,
 - iii. Type of excavation, stripping, or grading proposed, showing dimensions of the operation or the area of the land and depth to which the topsoil is to be removed, and the effect on existing drainage patterns,
 - iv. Pre-development grading plan and post-development grading plan,
 - v. A soil-handling plan depicting movement of fill on the site and confirmation that soil will be transported when it is in a favourable condition,
 - vi. Location of wetlands and watercourses and any ecologically sensitive features,
 - vii. Timing of works, which shall not coincide with bird nesting seasons, as determined,
 - viii. Location where the excavation, stripping, or grading is to be taking place,
 - ix. Proposed access, haul routes and haul activities,
 - x. Methods to prevent dust and erosion,
 - xi. A traffic control plan,
 - xii. A Weed management plan,
 - xiii. Costs to reclaim the site, and
 - xiv. The condition in which the excavation, stripping, or grading is to be left when the operation is complete (including submission of site grading or re-contouring plans if required by the Development Authority), or the use of the area from which the topsoil is removed,
- c) The Development Authority may require a:
 - i. Stormwater Management Plan,
 - ii. Fill Management Plan,
 - iii. Soil Quality Report, and/or
 - iv. Letter of credit for performance of approval conditions based on the cost of remediation.

TEMPORARY RESIDENCE

159 Temporary Residence General Requirements:

- a) Temporary Residence is a discretionary use in all land use districts.
- b) A Development Permit for a Temporary Residence may be issued for a vehicle (recreation), providing that a Building Permit has been issued for the construction of a Principal Dwelling on the same parcel.

160 Temporary Residence Site Requirements:

- a) A Temporary Residence is restricted to Districts in which a dwelling is a permitted use, and
- b) A Temporary Residence shall be removed within 30 days of the occupancy of the principal dwelling.

161 Temporary Residence Development Permit Requirements:

- a) A Development Permit application will respond to **Section 159** and **160**,

- b) The maximum term of a Development Permit issued for a Temporary Residence is one (1) year, and
- c) A Security shall be posted for a Temporary Residence.

TEMPORARY SALES CENTRE AND SHOW HOME

162 Temporary Sales Centre and Show Home General Requirements:

- a) Temporary Sales Centre and Show Home are discretionary uses in all Residential Districts and C-MIX,
- b) A temporary sales centre and/or a show home shall not be occupied as a residence,
- c) Public viewing hours shall not be earlier than 8:00 am and not later than 8:00 pm, and
- d) Conditions of the permit do not limit the private showing by appointment of the show home at any time.

163 Temporary Sales Centre and Show Home Site Requirements:

- a) A temporary sales centre and/or a show home shall be located close to the entrance of a new development, to the satisfaction of the Development Authority.

164 Temporary Sales Centre and Show Home Development Permit Requirements:

- a) A Development Permit application will respond to **Section 162** and **163** and further set out:
 - i. The removal of all advertising signs and features when the use ceases, and
 - ii. Signs posted at any adjacent occupied residences by the show home builder indicating that these homes are private and not for viewing,
- b) A Development Permit may be issued prior to the registration of a phase of a development, providing that the phase has received approval by the Subdivision Authority, and there is a Development Agreement in place,
- c) The maximum term of a Development Permit for a temporary sales centre and/or a show home is five (5) years, and
- d) A security shall be posted for a temporary sales centre and/or a show home.

PART FIVE

General Regulations

5

This part outlines general regulations that apply to development within the County.

Buildings and Structures

ADDRESSING

165 All Principal Buildings shall have the civic address clearly displayed and easily visible from the street.

SERVICING

166 All buildings shall have sanitary and sewer servicing to the satisfaction of the Development Authority.

BUILDING DESIGN

167 A building's character and appearance may be considered in the review of proposed developments with respect to:

- a) Consistency with the prescribed District,
- b) Compatibility with nearby buildings, and
- c) Compliance to the provisions of any Statutory Plan, which sets out specific guidelines as to the design, character, appearance, or building materials used in a development.

MECHANICAL HOUSING

168 In all Non-Agriculture Districts, a building's mechanical housing shall be screened, to the satisfaction of the Development Authority.

BUILDING HEIGHT

169 The height of a building is determined by the average height of all elevations.

170 The average height of an elevation shall be determined based on the finished grade to the highest point of the building.

171 The highest point of a building shall not include the following: elevator housing, mechanical housing or its screening, roof stairway entrance, ventilation fans, a skylight, a steeple, a smokestack, a parapet wall, a flagpole, or similar device not structurally essential to the building.

172 The finished grade shall be determined by the average of the highest and lowest grade adjacent to the façade of the building.

ACCESSORY BUILDINGS

173 An Accessory Building on a parcel in a Residential District shall be similar to, and complement, the Principal Building in exterior material, colour and appearance.

174 Where the Accessory Building is a Shipping Container it:

- a) Shall not be attached, in any way, to a principal building;
- b) Shall not be stacked in any Non-Industrial District; and
- c) Shall be visually screened from public roads and adjacent properties in a manner which satisfies the Development Authority.

ACCESSORY STRUCTURES

175 Accessory structures are not required to comply with applicable yard setbacks.

BEEKEEPING

176 Where Beekeeping is a permitted use in a Residential District, a maximum of three (3) Beehives are allowed.

177 Beehives shall follow the same setbacks for Accessory Buildings in a given District.

MIXED-USE BUILDINGS

178 A building may be occupied by a combination of one or more of the uses listed for this District and each use shall be considered as a separate use, and each use shall obtain a Development Permit.

179 In a Mixed-Use Building:

- a) Dwelling Units shall have at grade access that is separate from the access for commercial premises,
- b) Direct access from a residential Dwelling Unit to a commercial premise shall not be permitted, and
- c) The minimum amenity area shall be of 4.00 m² (43.06 ft²) per Dwelling Unit.

180 No use within any building or structure on the lands shall cause or create air contaminants, visible emissions, or particulate emissions beyond the building which contains them.

Parcels and Setbacks

HISTORICAL SETBACKS

181 The setbacks for all buildings constructed prior to March 12, 1985 are deemed to comply with this Bylaw.

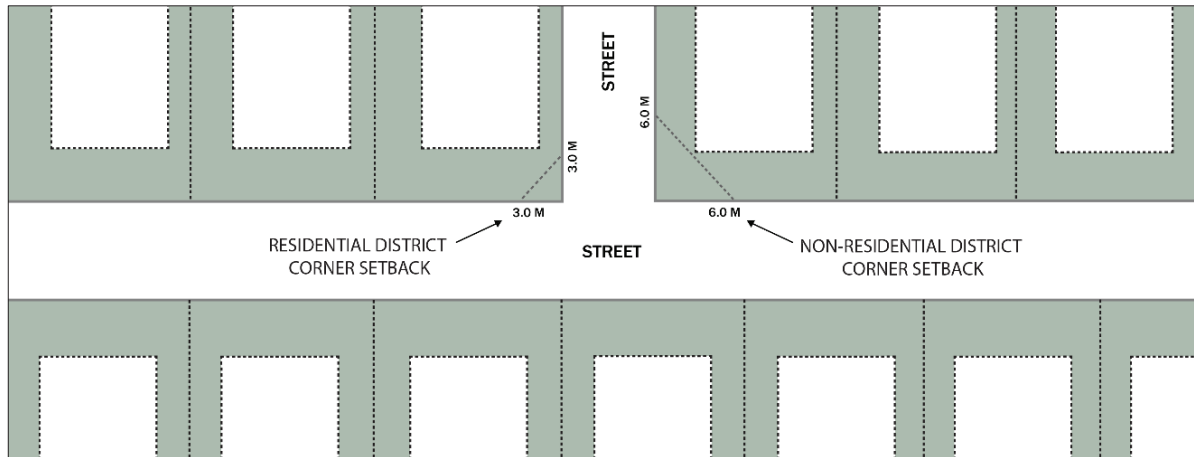
CORNER VISIBILITY

182 In a Residential District, private buildings, structures, fences and landscaping shall be setback at least 3.0 m (9.84 ft.) from the intersection of two roads to maintain corner visibility, as illustrated in **Figure 1 – Corner Visibility Triangle**.

183 In a Non-Residential Districts, private buildings, structures, fences and landscaping shall be setback at least 6.0 m (19.69 ft.) from the intersection of two roads to maintain corner visibility, as illustrated in **Figure 1 – Corner Visibility Triangle**.

184 Corner setbacks may be varied to align with Alberta Transportation requirements at the discretion of the Development Authority.

Figure 1 – Corner Visibility Triangle



DRIVEWAYS

185 In a Residential District, the driveway to a public road shall be a minimum length of 6.0 m (19.69 ft.), measured from the back of sidewalk, or back of curb where there is no sidewalk.

EXTENSIONS INTO YARDS

186 The following items are permitted to extend into any rear or side yard:

- a) Cantilever extensions up to 0.6 m (1.97 ft.) in length, and
- b) Decks and patios, including landings and wheelchair ramps, that are greater than 0.61 m (2.00 ft.) in height shall not extend further than 2.00 m (6.56 ft.) and the resulting required minimum rear or side yard shall not be less than 1.20 m (3.94 ft.).

EMERGENCY ACCESS

187 Comprehensively planned areas shall be so designed that streets and access routes for firefighting vehicles and equipment are provided in accordance with the requirements of the *Safety Codes Act*, as amended or replaced from time to time.

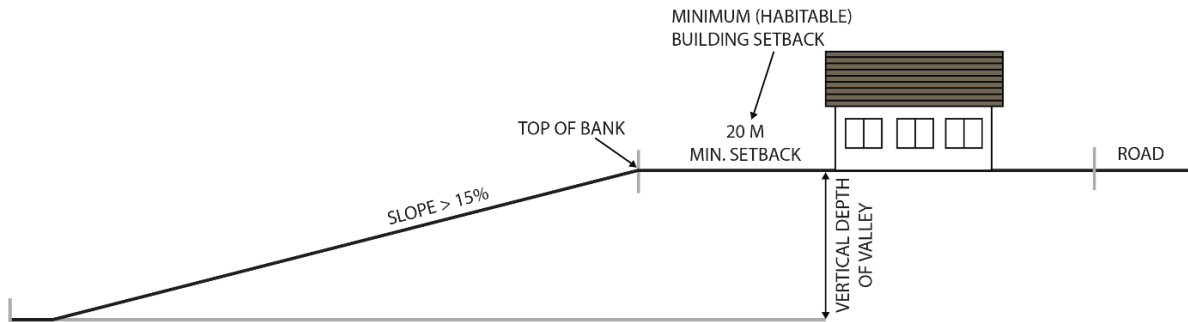
188 Setbacks in any District may be increased at the discretion of the Development Authority in order to provide adequate emergency access.

SETBACKS FROM SLOPES AND BANKS

189 Buildings shall be located at least 20.0 m (65.62 ft.) back from the top-of-bank of an escarpment where the grade exceeds fifteen per cent (15%), as illustrated in [Figure 2 – Setback Requirements](#).

190 The Development Authority may, at their discretion, reduce the setback requirements if the applicant provides a Geotechnical Study, prepared by a qualified engineer, that provides satisfactory proof of bank stability.

Figure 2 – Setback Requirements



PARCELS WITHOUT ACCESS

191 For the purposes of this Bylaw, a parcel is a parcel without access if:

- a) the parcel does not abut a public or private roadway,
- b) the only public roadway that the parcel abuts is an undeveloped road allowance, semi-private road, or low maintenance road, or
- c) the parcel abuts a public or private roadway developed to County Standards, to which the road is subject to an active Cost Recovery Agreement.

192 A parcel is not a parcel without access when it abuts a road approved in a condominium plan of subdivision or a plan of and such roadway directly accesses a County road.

193 Notwithstanding a) above, the Development Authority may, at its discretion, determine that a parcel without access is, for the purposes of this Bylaw, a parcel having access, provided the road which provides access to the parcel is not subject to an active Cost Recovery Agreement.

194 Notwithstanding the parameters of the District in which a parcel without access is located, Agriculture (General), Accessory Buildings, and Utilities shall be permitted uses; all other development is discretionary.

FLOOD HAZARD AREAS

General Restrictions to Development:

195 All development in a Flood Hazard Area is considered to be discretionary, notwithstanding any other section of the Bylaw.

196 No development shall be permitted within a Floodway, except for the:

- a) Repair or maintenance of existing buildings, or
- b) Replacement of existing buildings, provided flood-proofing design measures are undertaken, which do not involve construction below the Floodway.

197 No building or structure shall be developed where the location of the building or structure is on a site where the undisturbed ground elevation:

- a) Is less than 6.0 m (19.69 ft.) above the normal summer low water level and is less than 1,200.0 m (3937.01 ft.) from the edge of the normal summer water channel of a watercourse, major, or
- b) Is less than 3.0 m (9.84 ft.) above the normal summer low water level and is less than 300.0 m (984.25 ft.) from the edge of the normal summer water channel of a watercourse, minor, or
- c) Unless the ground elevation adjacent to and within 5.0 m (16.40 ft.) of the building or structure is 1.0 m (3.28 ft.) above the 1:100 year flood elevation as determined by Alberta Environment and Parks.

198 The placing of fill within the 1:100 year Flood Hazard Area shall not be permitted unless and until Alberta Environment and Parks has determined that the placing of the fill will not have a detrimental effect on the flow of water, either in the watercourse or on adjacent lands.

Bragg Creek Flood Development Restrictions:

199 In addition to **Sections 195 to 198**, the following provision applies to properties in the Hamlet of Bragg Creek:

- a) The minimum area of a site, when a lot or portion of a lot is within the Floodway, is the lot area as defined in the Title to the lands registered in the Alberta Land Titles Office as of January 1, 1995.

Elbow River Development Restrictions:

200 In addition to **Sections 195 to 198**, the following provisions apply to properties along the Elbow River:

- a) No development shall take place in the floodway, except for:
 - i. Roads and bridges,
 - ii. Flood or erosion protection measures or devices,
 - iii. Pathways that are constructed level with the existing natural grades, and
 - iv. Recreation (Outdoor), provided there are no buildings, structures, or other obstructions to flow in the floodway,
- b) All development shall be such that during construction and upon completion there shall not be a negative impact on lands in terms of 1:100 flood levels of water flow velocity upstream and downstream of the site. The Development Authority may require an applicant to provide a Flood Modelling Study to demonstrate this requirement.

FLOOD FRINGE AREAS

201 In a flood fringe area, mechanical and electrical equipment within a building shall be located at or above the designated flood level. The minimum ground floor elevation shall be above the designated flood level.

202 If development is approved within the flood fringe, the first floor of all buildings shall be located at or above the 1:100 year flood level plus 0.5 m (1.64 ft.) freeboard. The Development Authority may allow for variances on the freeboard requirement depending on site specific conditions.

203 When a Development Permit is made for any building on an existing lot which is or may be affected by a Floodway or Flood Fringe area, the Development Authority shall require the applicant to submit a geotechnical report or a flood plain/flood hazard mapping study or both, prepared by a qualified professional in accordance with County requirements. These studies shall confirm that there is a minimum contiguous developable area suitable for the building and related land on the subject lot and specify any flood mitigation measures to reduce potential damage from a flood event.

RIPARIAN PROTECTION AREAS

Determination of the Riparian Protection Area:

204 The extent of the Riparian Protection Area, as measured from the top of bank or furthest extent of a wetted area, shall be:

- a) Minimum of 30.0 m (98.43 ft.) if the underlying soil type is glacial till,
- b) Minimum of 60.0 m (196.85 ft.) if the underlying soil type is alluvial sediment, or
- c) As otherwise established by a geotechnical assessment and environmental assessment prepared by licensed professionals that is acceptable to the Development Authority.

- 205** Notwithstanding **Section 204**, the Riparian Protection Area for the Bow River and Elbow River shall be measured from the river's legal bank, as determined by a qualified professional surveyor in accordance with the *Surveys Act*, R.S.A. 2000 Chapter S-26, as amended or replaced from time to time.
- 206** No tree clearing shall occur within any part of the riparian setback, and no vegetation shall be disturbed within a minimum of 10.0 m (32.81 ft.) from the top of bank or furthest extent of a wetted area.
- 207** If a development setback is required under other section(s) of the Bylaw that results in setback greater than the Riparian Protection Area, that greater setback shall prevail.

Bragg Creek Flood Area Structure Plan Lands:

- 208** Notwithstanding **Sections 204 to 207**, the following applies for lands within the Greater Bragg Creek Area Structure Plan:
- a) Outside the Hamlet of Bragg Creek, a 50.0 m (164.04 ft.) Riparian Protection Area extends outside of the active floodplain of the Elbow River,
 - b) Outside the Hamlet of Bragg Creek, a 30.0 m (98.43 ft.) Riparian Protection Area extends from the edge of a stream or wetted area as measured from the high-water mark,
 - c) Within the Hamlet of Bragg Creek, a 50.0 m (164.04 ft.) Riparian Protection Area extends from the active floodway of the Elbow River, and
 - d) Within the Hamlet of Bragg Creek, a 30.0 m (98.43 ft.) Riparian Protection Area extends from the edge of a stream or wetted area as measured from the high-water mark.

Uses Restricted in the Riparian Protection Area:

- 209** For any development within the Riparian Protection Area the Development Authority shall require a Development Permit to be issued subject to conditions the Development Authority deems necessary for the purpose of minimizing the impact of the development on the Riparian Protection Area. The Development Permit conditions may include but are not limited to:
- a) Preservation of natural vegetation,
 - b) Sediment and erosion control during construction,
 - c) Siting of construction equipment away from a watercourse, and
 - d) Siting of proposed development away from a watercourse.
- 210** Where no buildable area on a lot exists due to the Riparian Protection Area regulations, the following development may be approved by the Development Authority within the Riparian Protection Area:
- a) Buildings,
 - b) Accessory Structures,
 - c) Private Sewage Treatment System and Decentralized Wastewater Systems,
 - d) Communications Facilities,
 - e) Parking lots,
 - f) Stormwater ponds, swimming pools, artificial water bodies, and dugouts, and
 - g) Stripping, fill, excavation, grading, and/or re-contouring.

Riparian Protection Areas Compliance:

- 211** Notwithstanding **Sections 204 to 210**, any development which either has a Development Permit or was exempt from requiring a Development Permit pursuant to the Land Use Bylaw in place at the time of construction may be deemed to be in compliance with the provisions of this Section and shall not be considered as a non-conforming use or building.

Signage

DIGITAL DISPLAYS

212 Digital Display General Requirements

- a) Where a sign contains a digital display, it shall be a discretionary use.
- b) Copy shown on a digital display must be static and remain in place for a minimum of 6.0 seconds before switching to the next copy.
- c) The maximum transition time between each digital copy must not exceed 0.25 seconds.
- d) Copy on a digital display shall not use full motion video or otherwise give the appearance of animation or movement.
- e) The transition between each digital copy shall not be displayed using any visible effects, including but not limited to action, motion, fading in and out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.
- f) Copy shall not be shown in a manner that requires the copy to be viewed or read over a series of sequential copy messages on a single digital display, or sequenced on multiple digital displays.
- g) All digital displays must be equipped with an ambient light sensor.
- h) A digital display shall not increase the light levels adjacent to the digital display by more than 3.0 LUX above the ambient light level.
- i) The light output of a digital display shall be set in accordance with the following maximum luminance levels when measured from the sign face at its maximum brightness:
 - i. From sunrise to sunset, 7500 Nits in all districts; and
 - ii. From sunset to sunrise:
 - iii. 500 Nits in Industrial Districts;
 - iv. 350 Nits in Business and Commercial Districts; and
 - v. 300 Nits in all other districts.
- j) If any component on the sign fails or malfunctions in any way, or fails to operate as indicated on the approved development permit plans, the sign must be turned off until all components are fixed and operating as required.
- k) The backs of all digital displays and all cutouts shall be enclosed.
- l) The space between the faces of a double-faced digital display shall be enclosed.

212.1 Digital Display Site Requirements:

- a) Where a digital display is visible from and located within 125.0 m (410.11 ft.) of a building containing a Dwelling Unit, the sign must not operate, or must only display a black screen between 10 p.m. and 7 a.m.
- b) The electrical power supply to a digital Message Sign must be provided underground.
- c) A digital display must be located at least 300.0 m (984.25 ft.) from another digital display.
- d) Trees required under an approved development permit must not be removed or altered in any way to accommodate the placement or visibility of a digital display.
- e) The lighting or orientation of a digital display shall not adversely affect any neighbouring residential areas.

Alternate
clause for
Site 6 in DC
Bylaw

Section 212.2 Digital Display Development Permit Requirements

- a) A Development Permit application will respond to **Section 212** and **Section 212.1**, and further set out:
 - i. The name and telephone contact information of a person(s) having access to the technology controls for the sign, who can be contacted 24 hours a day in the event that the sign malfunctions.

ii. A detailed specification sheet or operating standards from the manufacturers must be included that identifies both the NITS and that there is a dimming option for night time hours.

b) The maximum term of a Development Permit issued is three (3) years except where copy only displays the date, time, temperature, motor vehicle fuel price, or Drive-Through menu board.

Alternate
clause for
Site 6 in DC
Bylaw

c) Any other requirements of a Development Permit set out in **Sections 211** through **222** based on the sign type.

AWNING/CANOPY SIGNS

213 Means a sign which either forms part of, or is attached to, a retractable or permanently affixed canopy, adhering to the following requirements:

Permit Required		Yes
District	Agriculture	Permitted
	Residential	Prohibited
	Business/Commercial	Permitted
	Industrial	Permitted
	Special	Discretionary
Maximum Sign Dimensions		N/A
Standards		<ul style="list-style-type: none"> • Shall be constructed of durable, waterproof, colourfast material • Shall be attached to the Structure to which it refers • Shall at the minimum project 0.6 m (1.97 ft.) from the Building • Shall have a minimum clearance of 3.0 m (9.84 ft.) above grade

BILLBOARD SIGNS

214 Means a sign which stands independently of a Building for the purposes of third-party advertising of a product or service, adhering to the following requirements:

Permit Required		Yes
District	Agriculture	Discretionary
	Residential	Discretionary
	Business/Commercial	Discretionary
	Industrial	Discretionary
	Special	Discretionary
Maximum Sign Dimensions		<ul style="list-style-type: none"> • 35.0 m² (376.74 ft²) sign area • 12.0 m (39.37 ft.) sign height
Standards		<ul style="list-style-type: none"> • Shall be a minimum 90.0 m (295.28 ft.) apart from any other Billboard • May be illuminated by a constant source of light • Shall be setback at a minimum of 5.0 m (16.40 ft.) from any Parcel line • Shall have no part of the sign face less than 2.4 m (7.87 ft.) above grade • Shall be setback a minimum of 300.0 m (984.25 ft.) from another Billboard Sign • Shall be setback a minimum of 300.0 m (984.25 ft.) from a highway.

ELECTION SIGNS

215 [Deleted January 26, 2021]

FASCIA SIGNS

216 Means a flat sign that is attached flush to a Building face or is painted on, adhering to the following requirements:

Permit Required	Yes	
District	Agriculture	Permitted
	Residential	Discretionary
	Business/Commercial	Permitted
	Industrial	Permitted
	Special	Discretionary
Maximum Sign Dimensions	<ul style="list-style-type: none"> Special Districts, sign area ≤ 20% of the Building face Non-Special Districts, sign area ≤ 40% of the Building face 	
Standards	<ul style="list-style-type: none"> Shall be projected a maximum of 0.3 m (0.98 ft.) Shall have no exposed wiring or bulbs May be illuminated and may include changeable copy For attached fascia signs, shall be safely and securely attached to the Building by means of metal anchors, bolts or expansion screws Shall not exceed 0.5 m² (5.38 ft²) in area for a Bed and Breakfast or Home-Based Business (Type II) Shall not exceed 1.5 m (4.92 ft.) in height for a Bed and Breakfast or Home-Based Business (Type II) 	

FREESTANDING SIGNS

217 Means a sign, other than a billboard, that is self-supporting in a fixed location and not attached to a Building, adhering to the following requirements:

Permit Required	Yes	
District	Agriculture	Discretionary
	Residential	Discretionary
	Business/Commercial	Discretionary
	Industrial	Discretionary
	Special	Discretionary
Maximum Sign Dimensions	<ul style="list-style-type: none"> Residential District, 1.5 m² (16.15 ft²) sign area Residential District, 1.5 m (4.92 ft.) sign height Non-Residential District, 7.0 m² (75.35 ft²) sign area Non-Residential District, 12.0 m (39.37 ft.) sign height 	
Standards	<ul style="list-style-type: none"> May be illuminated and may include changeable copy, unless deemed to distract highway users. 	

Alternate clause for Site 6 in DC Bylaw

-
- Shall be wholly located on the site of the Building or land use to which the sign refers, except where the sign is approved to contain third-party advertising
 - Shall not project over any property line
 - Shall not exceed 0.5 m² (5.38 ft²) in area or 1.5 m (4.92 ft.) in height for a Bed and Breakfast or Home-Based Business – Type II
 - In Agricultural Districts, shall be setback a minimum of 300.0 m (984.25 ft.) from another Freestanding Sign
 - In Non-Agricultural Districts, only one (1) sign shall be permitted per parcel, except where sites have 60.0 m (196.85 ft.) or more of street frontage and signs are placed no closer than 30.0 m (98.43 ft.) apart
 - The area around Freestanding Signs shall be kept clean and free of overgrown vegetation and free from refuse material;
 - For the purpose of marketing or guiding traffic to a new development:
 - i. Shall be located a minimum of 25.0 m (82.02 ft.) from a roadway intersection and 10.0 m (32.81 ft.) from another such sign for the same development
 - ii. Shall be placed no further than the nearest arterial road to the new subdivision or development
-

INFLATABLE SIGNS

218 Means a sign that is inflated, adhering to the following requirements:

Permit Required	Yes
District	
Agriculture	Discretionary
Residential	Discretionary
Business/Commercial	Discretionary
Industrial	Discretionary
Special	Discretionary
Maximum Sign Dimensions	N/A
Standards	<ul style="list-style-type: none"> • Shall be affixed securely • Shall be a minimum of 10.0 m (32.81 ft.) from power and service lines and road rights-of-way

PORTABLE SIGNS

219 Means a sign mounted on a frame, stand or similar Structure that is easily transported, but does not include a sandwich board, adhering to the following requirements:

Permit Required		Yes
District	Agriculture	Discretionary
	Residential	Prohibited
	Business/Commercial	Discretionary
	Industrial	Discretionary
	Special	Discretionary
Maximum Sign Dimensions		<ul style="list-style-type: none"> • 5.0 m² (53.82 ft²) sign area • 3.0 m (9.84 ft.) sign height
Standards		<ul style="list-style-type: none"> • Not more than one (1) Portable Sign is allowed for any one Parcel • Shall only be placed on the ground but shall not be permanently fastened to the ground • May be issued for a maximum of ninety (90) days, or longer at the discretion of the Development Authority

PROJECTING SIGNS

220 Means a sign that is attached to a wall of a Building and horizontally extends more than 0.3 m (0.98 ft.) from the face of that wall, adhering to the following requirements:

Permit Required		Yes
District	Agriculture	Permitted
	Residential	Prohibited
	Business/Commercial	Permitted
	Industrial	Permitted
	Special	Discretionary
Maximum Sign Dimensions		<ul style="list-style-type: none"> • Industrial Districts, 9.0 m² (96.88 ft²) sign area • Non-Industrial Districts, 5.0 m² (53.82 ft²) sign area
Standards		<ul style="list-style-type: none"> • Shall not project more than 2.0 m (6.56 ft.) from the Building face • Shall not be placed at a height less than 2.4 m (7.87 ft.) from grade to the bottom of the sign • Shall not project above the roof or parapet of a Building • Shall not be located within 0.6 m (1.97 ft.) from the back of the curb of a public road • Shall be fixed in place • Only one (1) projecting sign shall be permitted per parcel • Businesses located in the same building may combine their allowable sign areas to form a single projecting sign

REAL ESTATE SIGNS

221 Means any temporary, non-illuminated sign that is displayed on a property for the purpose of advertising the sale, lease or rent of that property, adhering to the following requirements:

Permit Required		No, provided it meets the following standards
District	Agriculture	Permitted
	Residential	Permitted
	Business/Commercial	Permitted
	Industrial	Permitted
	Special	Permitted
Maximum Sign Dimensions		<ul style="list-style-type: none"> R-RUR and R-CRD, 1.0 m² (10.76 ft²) sign area All other Residential Districts, 0.5 m² (5.38 ft²) sign area All other Districts, 3.0 m² (32.29 ft²) sign area 3.0 m (9.84 ft.) sign height
Standards		<ul style="list-style-type: none"> Shall only be located on the property that is for sale Shall be removed within seven (7) days after the closing date of the sale of the property Shall be restricted to a maximum of four (4) signs per development, or Dwelling Unit in multi-unit dwellings

ROOF SIGNS

222 Means any sign erected upon, against, or directly above a building, adhering to the following requirements:

Permit Required		Yes
District	Agriculture	Permitted
	Residential	Prohibited
	Business/Commercial	Discretionary
	Industrial	Discretionary
	Special	Prohibited
Maximum Sign Dimensions		<ul style="list-style-type: none"> <20% of the area formed by the building face 1.0 m (3.28 ft.) sign height
Standards		<ul style="list-style-type: none"> Shall be erected so that the supporting structure is not visible Shall not rotate or employ any flashing or intermittent lights, devices or means to create the impression of flashing lights Shall have a minimum building clearance of 1.2 m (3.94 ft.)

SANDWICH BOARDS

223 Means an “A” shaped form of freestanding sign, sometimes referred to as an A-frame, which is set on but not attached to the ground and has no external supporting Structure for commercial or point-of-sale use, adhering to the following requirements:

Permit Required	No , provided it meets the following standards
District	
Agriculture	Permitted
Residential	Permitted
Business/Commercial	Permitted
Industrial	Permitted
Special	Permitted
Maximum Sign Dimensions	<ul style="list-style-type: none"> • 0.8 m² (8.61 ft.2) sign area • 1.0 m (3.28 ft.) sign height
Standards	<ul style="list-style-type: none"> • Shall be located in proximity to the business advertised and permitted only during hours of operation • Shall not include any illumination or electronic message display • Shall be constructed of a rigid material such that a stable frame is created • Shall not obstruct pedestrian or vehicular traffic • Shall maintain a separation distance of 10.0 m (32.81 ft.) from another Sandwich Board Sign

TEMPORARY SIGNS

224 Means a sign which is not permanently installed and is limited to advertising a yard sale, garage sale or other Special Event, adhering to the following requirements:

Permit Required	No , provided it meets the following standards
District	
Agriculture	Permitted
Residential	Permitted
Business/Commercial	Permitted
Industrial	Permitted
Special	Permitted
Maximum Sign Dimensions	<ul style="list-style-type: none"> • 0.5 m² (5.38 ft.²) sign area
Standards	<ul style="list-style-type: none"> • Shall not be erected for more than a forty-eight (48) hour period, unless the appropriate Special Event permit has been issued • Signs may be removed by the County after forty-eight (48) hours without notice

Lighting

OUTDOOR LIGHTING – GENERAL PROVISIONS

- 225 All outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, that may interfere with the use and enjoyment of neighbouring lands, or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.
- 226 Full cut-off (shielded) outdoor fixtures shall be installed for all exterior lighting.

227 The maximum mounting height for an outdoor light fixture shall be 6.0 m (19.69 ft.) in any Residential District or any parcel that abuts a Residential District.

Alternate clause for Site 6 in DC Bylaw

OUTDOOR LIGHTING – BUSINESS/COMMERCIAL AND INDUSTRIAL

- 228 Business/Commercial and Industrial District lighting shall minimize light pollution, glare, and light trespass into adjacent properties to a degree that maintains on-site visibility of product displays during evening hours of operation.
- 229 The maximum mounting height for an outdoor light fixture shall be 12.0 m (39.37 ft.).
- 230 The County may require an applicant to provide a plan, completed by a qualified professional, indicating the location of all exterior lights, a description of any measures taken to shield direct glare onto adjacent properties, and the projected light patterns in relation to adjacent properties, roadways, and developments.
- 231 No flashing, strobe, or revolving lights shall be installed on any structure, which may impact the safety of motorists using adjacent public roadways.

Onsite Parking and Loading

GENERAL PROVISIONS

- 232 Where any development is proposed, parking shall be provided and maintained by the owner in accordance with the requirements of the Bylaw.
- 233 Barrier-free parking stalls are intended for use by mobility-reduced persons and shall be included in the calculation of the applicable minimum parking requirement.
- 234 Parking areas shall be freely accessible at all times during which the facility is in operation.
- 235 Parking stalls shall have a minimum vertical clearance of 1.99 m (6.53 ft.).

NUMBER OF STALLS

236 The minimum number of parking stalls required is as follows:

Alternate clause for Site 6 in DC Bylaw

Table 5 – Parking Minimums

Use	Required Parking Stalls
Accessory Dwelling Unit	1 additional stall
Agricultural (General)	N/A
Agricultural (Intensive)	1 per 100.0 m ² (1076.39 ft ²) gross floor area
Agricultural (Regulated)	Determined by Direct Control District
Agricultural (Processing)	1 per 100.0 m ² (1076.39 ft ²) gross floor area
Alcohol Production	1 per 100.0 m ² (1076.39 ft ²) gross floor area
Animal Health (Inclusive)	1 per 100.0 m ² (1076.39 ft ²) gross floor area

Animal Health (Small Animal)	1 per 100.0 m ² (1076.39 ft ²) gross floor area
Auctioneering	7.5 per 100.0 m ² (1076.39 ft ²) gross floor area
Automotive Services (Minor)	1 per 100.0 m ² (1076.39 ft ²) gross floor area
Automotive Services (Major)	2 per 100.0 m ² (1076.39 ft ²) gross floor area
Bed and Breakfast	1 per Guest Room
Campground	1 visitor parking stall per 5 campsites
Cannabis Cultivation	1 per 100.0 m ² (1076.39 ft ²) gross floor area
Cannabis Processing	1 per 100.0 m ² (1076.39 ft ²) gross floor area
Cannabis Retail Store	2 per 100.0 m ² (1076.39 ft ²) gross floor area
Car Wash	2 per 100.0 m ² (1076.39 ft ²) gross floor area (minimum of 2)
Care Facility (Child)	3 per 100.0 m ² (1076.39 ft ²) gross floor area
Care Facility (Clinic)	2 per 100.0 m ² (1076.39 ft ²) gross floor area
Care Facility (Group)	2 per 100.0 m ² (1076.39 ft ²) gross floor area
Care Facility (Seniors)	1 per 100.0 m ² (1076.39 ft ²) gross floor area
Care Facility (Medical)	3 per 100.0 m ² (1076.39 ft ²) gross floor area
Cemetery and Funeral Services	2 per 100.0 m ² (1076.39 ft ²) gross floor area
Conference Centre	2 per 100.0 m ² (1076.39 ft ²) gross floor area
Dwelling or Dwelling Unit	2 per unit
Dwelling, Multiple Unit	1 per unit
Dwelling, Duplex/Semi	2 per unit
Dwelling, Single Detached	2 per unit
Equestrian Centre	1 per spectator (as determined within the Development Permit)
Establishment (Eating)	5 per 100.0 m ² (1076.39 ft ²) gross floor area
Establishment (Drinking)	5 per 100.0 m ² (1076.39 ft ²) gross floor area
Establishment (Entertainment)	5 per 100.0 m ² (1076.39 ft ²) gross floor area
Establishment (Restricted)	5 per 100.0 m ² (1076.39 ft ²) gross floor area
Farm Gate Sales	N/A
Farmers Market	7.5 per 100.0 m ² (1076.39 ft ²) gross floor area
Film Production	Applicant shall submit a parking assessment for consideration by the Development Authority
Home Based Business (Type I)	1 additional stall
Home Based Business (Type II)	2 additional stalls
Hotel/Motel	3 plus 1 per guest room
Industrial (Light)	1 per 100.0 m ² (1076.39 ft ²) gross floor area
Industrial (Medium)	1 per 100.0 m ² (1076.39 ft ²) gross floor area
Industrial (Heavy)	1 per 100.0 m ² (1076.39 ft ²) gross floor area
Industrial (Logistics)	1 per 100.0 m ² (1076.39 ft ²) gross floor area for the first 40000m ² (430057.0 ft ²), 0.2 per each additional 100m ² (1076.36 ft ²)
Kennel	1 per 100.0 m ² (1076.39 ft ²) gross floor area
Manure Storage Facility	Determined by Direct Control District
Natural Gas Plant	Determined by Direct Control District
Natural Resource Extraction/Processing	Determined by Direct Control District
Office	3 per 100.0 m ² (1076.39 ft ²) gross floor area
Outdoor Storage	0.5 per 100.0 m ² (1076.39 ft ²) gross floor area (minimum of 4)
Park	N/A
Post-Secondary	3 per 100.0 m ² (1076.39 ft ²) gross floor area
Recreation (Culture & Tourism)	5 per 100.0 m ² (1076.39 ft ²) gross floor area
Recreation (Private)	5 per 100.0 m ² (1076.39 ft ²) gross floor area
Recreation (Public)	5 per 100.0 m ² (1076.39 ft ²) gross floor area
Recycling/Compost Facility	N/A

Religious Assembly	7.5 per 100.0 m ² (1076.39 ft ²) gross floor area
Retail (Small) < 1000 m ²	2 per 100.0 m ² (1076.39 ft ²) gross floor area
Retail (General) 1000-4000 m ²	2 per 100.0 m ² (1076.39 ft ²) gross floor area
Retail (Large) > 4000 m ²	3 per 100.0 m ² (1076.39 ft ²) gross floor area
Retail (Groceries)	3 per 100.0 m ² (1076.39 ft ²) gross floor area
Retail (Restricted)	2 per 100.0 m ² (1076.39 ft ²) gross floor area
Retail (Garden Centre)	3 per 100.0 m ² (1076.39 ft ²) gross floor area
Retail (Shopping Centre)	2 per 100.0 m ² (1076.39 ft ²) gross floor area
Riding Arena	N/A
School	Elementary School (K-6): 2.5 per classroom Middle School (7-9): 2.25 per classroom High School (10-12): 4.5 per classroom
Show Home	Same as Dwelling Type
Station (Gas/Electric)	2 per 100.0 m ² (1076.39 ft ²) gross floor area (minimum of 2)
Station (Bulk Fuel)	2 per 100.0 m ² (1076.39 ft ²) gross floor area (minimum of 2)
Temporary Sales Centre	Same as Dwelling Type
Utilities	N/A
Vacation Rental	Same as Dwelling Type
Waste Management Facility	Determined by Direct Control District

237 Where a use is not listed, the number of spaces shall be determined by the Development Authority, having regard for similar uses and the estimated parking demand of the proposed use.

238 Where a calculation does not yield a whole number, the required number of spaces shall be rounded down to the next whole number.

SIZE OF PARKING STALLS

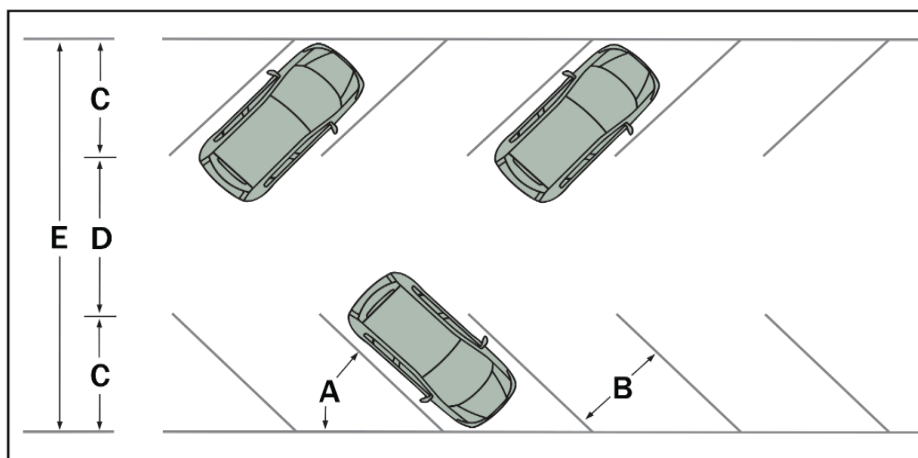
239 Minimum parking stall dimensions, illustrated [Figure 3 – Parking Stall Dimensions](#), are as follows:

Table 6 – Parking Minimums

A	B	C	D	E
ANGLE OF STALL PERPENDICULAR TO AISLE	STALL WIDTH	STALL DEPTH PERPENDICULAR TO AISLE	AISLE WIDTH	OVERALL DEPTH
30°	2.6 m (8.53 ft.)	5.0 m (16.40 ft.)	3.6 m (11.81 ft.)	13.6 m (44.62 ft.)
45°	2.6 m (8.53 ft.)	6.5 m (21.33 ft.)	3.6 m (11.81 ft.)	16.6 m (54.46 ft.)
60°	2.6 m (8.53 ft.)	6.5 m (21.33 ft.)	5.5 m (18.04 ft.)	18.5 m (60.70 ft.)
90°	2.6 m (8.53 ft.)	6.0 m (19.69 ft.)	7.0 m (22.97 ft.)	19.0 m (62.34 ft.)

240 Where parking stalls are located with access directly off a lane, the required width of the aisle may be reduced by the width of the lane, at the discretion of the Development Authority.

Figure 3 – Parking Stall Dimensions



SMALL CAR PARKING

241 For parking stalls other than parallel stalls, up to twenty per cent (20%) of the required parking stalls may be of a depth shorter than that required above, to a minimum of 4.6 m (15.09 ft.). These stalls shall be clearly marked 'SMALL CAR'.

VISITOR PARKING

242 For Residential uses:

- a) Off-street parking shall be located on the site of the development served by the parking, and
- b) All visitor parking should be easily accessible to the building it addresses.

243 Where a development consists of a mix of uses, the total off-street parking requirement shall be the sum of the off-street parking requirements for each use, unless it is demonstrated through a Parking Assessment, prepared by a qualified engineer, that there will be complementary demand for parking that warrants a reduction in the total requirement.

ONSITE LOADING SPACES

244 Off-street loading spaces shall be provided and maintained by the Owner in accordance with the requirements of the Bylaw.

245 Off-street loading space shall be provided entirely within the property of the development being served.

246 The number of off-street loading spaces shall be determined at the Development Permit stage by the Development Authority, having regard for the development's needs.

247 Off-Street Loading Spaces Shall:

- a) Have minimum dimensions of 4.0 m (13.12 ft.) in width and 8.0 m (26.25 ft.) in length,
- b) Have overhead clearance of at least 5.0 m (16.40 ft.) above grade,
- c) Have vehicular access from a street or lane either directly or by a clearly defined traffic aisle, and
- d) Be surfaced to the satisfaction of the Development Authority.

PARKING LOT PLANS

248 For parking areas larger than thirty (30) stalls in Business/Commercial or Industrial Districts, a Parking Lot Plan that addresses parking requirements and landscaping design shall be completed as part of the Development Permit application to the satisfaction of the Development Authority.

DEFICIENT PARKING OR LOADING SPACES

249 In deciding on a proposed development that is deficient in parking or loading spaces, the Development Authority may at their discretion vary the number of parking stalls required (as supported by a parking study prepared by a qualified engineer).

250 When a building is enlarged, or its use is changed or intensified, resulting in deficient parking or loading spaces the increased parking shall be limited to the requirements for the intensification.

GARBAGE STORAGE AND COLLECTION

251 Garbage storage or collection areas should not be located in a front yard or visible from the street.

Alternate
clause for
Site 6 in DC
Bylaw

252 Any garbage storage or collection area co-existing with any parking or loading area shall be:

- a) Clearly delineated as separate from the parking and loading stalls,
- b) Located to optimize collection vehicles access, and
- c) Screened by a fence or landscaped screen.

Landscaping

GENERAL LANDSCAPING REGULATIONS

253 The Development Authority shall require that landscaping be provided in conjunction with, and addressed as part of, any Development Permit in Business/Commercial and Industrial Districts, except for an Agricultural operation.

254 Notwithstanding **Section 253**, the Development Authority may require landscaping for Agricultural (Intensive), Agricultural (Processing), and Agricultural (Regulated).

255 As a condition of the Development Permit, the Development Authority shall require all landscaping to be completed within one (1) year of the issuance of the Development Completion Certificate, unless otherwise stated.

256 The owner, developer and/or successor or assignees, shall be solely responsible for the necessary landscaping and proper maintenance of the development Parcel.

257 The provision of site landscaping is a permanent obligation of a development permit and shall be installed and maintained in accordance with accepted horticultural practices and consistent with an approved landscape plan.

258 Landscaping, including location, design, extent of plantings and other landscaping treatments provided, shall be subject to approval of the Development Authority.

259 All tree/shrub planting required shall be suitable to Zone 3b plant hardiness as is typical in the Calgary Region.

LANDSCAPING REQUIREMENTS

260 All development within Business/Commercial and Industrial Districts is subject to the following landscape standards:

Table 7 – Landscaping Standards

	Minimum Landscaping Area	Landscaping of Parking Lots	Trees	Shrubs	Minimum Tree Size
Business/Commercial	A minimum of 10%, or as otherwise required by the Development Authority	For a parking and loading requiring 30 or more parking spaces, a minimum landscaped area of 1.0 m ² (10.76 ft ²) per on-site parking space shall be provided for visual relief.	One tree for every 40.0 m ² (430.56 ft ²) of the required landscaped area, to a minimum of four trees.	One shrub for every 60.0 m ² (645.83 ft ²) of landscaped area shall be provided, to a minimum of six shrubs.	Deciduous trees shall be a minimum 63.0 mm (2.48 inches) caliper measured 450.0 mm (17.72 inches) from ground level.
Industrial	A minimum 6.0 m (19.69 ft.) wide landscaped yard shall be required adjacent to any public roadway.			One shrub for every 80.0 m ² (861.11 ft ²) of landscaped area shall be provided, to a minimum of six shrubs.	Coniferous trees shall be 2.5 m (8.20 ft.) in height.

261 Where the calculation of the required number of trees and shrubs results in a fraction, the values shall be rounded down to the next whole number.

LANDSCAPING INSPECTIONS

262 Upon receipt of a written request from the applicant, an inspection of the finished landscaping may be scheduled by the Development Authority. Landscaping inspections shall comply with the following:

- a) Conducted only during the normal growing season, approximately May 15th through October 15th,
- b) Development Authority shall perform the landscaping inspection within thirty (30) days of receipt of the inspection request subject to a) above, and
- c) Upon approval of the landscaping by the Development Authority, the security shall be released.

Fencing

GENERAL FENCING REGULATIONS

263 Fences shall complement the character and quality of the principal building.

264 The Development Authority may require an alternate siting of the fence in order to provide unimpeded traffic sight lines.

265 The Development Authority may require a site to be fenced and secured if the Development Authority is of the opinion the development poses a potential safety hazard.

FENCE HEIGHT

266 Fence height shall be measured from grade to the highest part of the fence;

267 Notwithstanding **Section 266**, the height measurement for a fence constructed on top of a deck, berm, or retaining wall shall include the height of the deck, berm, or the retaining wall;

268 Fencing in a Residential District or Agricultural District shall be:

- a) No higher than 2.00 m (6.56 ft.) in side, rear and front yards on lands 0.4 ha (0.99 ac) or more, and
- b) No higher than 1.00 m (3.28 ft.) in front yards on lands less than 0.4 ha (0.99 ac).

269 Fencing in a Business District, Commercial District, Industrial District, or Special District shall be at the discretion of the Development Authority if over 2.00 m (6.56 ft.) in height.

270 Notwithstanding c) above, fencing for Recreation (Outdoor) shall be no higher than 4.0 m (13.12 ft.).

SHELTER BELTS

271 All trees, hedges, shrubs, or wooden fences forming a shelter belt shall be located not closer than:

- a) 15.00 m (49.21 ft.) from the right-of-way of a road,
- b) 35.00 m (114.83 ft.) from the nearest limit of a County road rights-of-way, and
- c) 40.00 m (131.23 ft.) from the nearest limit of a highway.

272 Notwithstanding **Section 271**, single tree planting and screening, either by berm or fence, may be located either on the property line for screening or within 2.00 m (6.56 ft.) for single tree planting.

Stripping, Grading, Excavation and Fill

GENERAL STRIPPING, GRADING, EXCAVATION AND FILL REGULATIONS

273 Site stripping, filling, excavation, grading, and/or re-contouring (including construction of an artificial waterbody, but not a dugout) requires a Development Permit.

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

275 Where the proposed development incorporates excavation and filling/grading, details regarding potential impacts on drainage (subject lands and adjacent) and water bodies as identified in a stormwater management plan shall be required.

STRIPPING AND GRADING

276 Stripping and grading may include stockpiling of site materials, road construction up to but not the final layer of asphalt, and underground utilities.

277 Repairing or resurfacing of existing approved private gravel access roads and driveways in accordance with County Standards does not require a Development Permit when approved grades are unchanged.

278 Unless specifically approved in a Development Permit, topsoil shall not be removed from any site.

279 Stripping, grading, and stockpiling for the purpose of construction site preparation incidental to an approved development does not require a Development Permit provided the following conditions are met:

- a) A Grading Plan is approved, and
- b) Construction site preparation does not include the digging of a building foundation or the installation of pilings.

EXCAVATION (BORROW AREA)

280 The excavation of borrow areas may be allowed providing:

- a) A Development Permit has been issued for that use, including a Reclamation Plan,
- b) The maximum area of excavation does not exceed 8.0 ha (19.77 ac), the maximum material to be removed from the site is 40,000 m³ (52,318.02 yd³) and the excavated material does not contain sand or gravel,
- c) There is no negative impact on water flows to or from adjacent lands, as determined in a stormwater management plan,
- d) A Reclamation Plan satisfactory to the County has been prepared for the site, with the reclamation financially secured in favour of the County, and
- e) The time from commencement of excavation to completion of reclamation does not exceed one hundred and twenty (120) days.

FILLING

281 No Person shall place or dump fill or topsoil or cause or permit fill or topsoil to be placed or dumped anywhere in the County unless:

- a) The placing of fill will not result in offsite drainage impacts to adjacent properties from changes in drainage patterns as determined in a stormwater management plan, and
- b) A Fill Management Plan shall be submitted to the satisfaction of the Development Authority as part of an approved Development Permit application.

282 Notwithstanding **Section 281**, the Development Authority may require:

- a) A Development Permit for reoccurring applications of fill on any site, and
- b) A Road Use Agreement or a written confirmation from the County that a Road Use Agreement is not required.

STOCKPILING

283 Despite any other regulation in this Bylaw, the placing or the storage of topsoil or fill shall not be allowed in any circumstance where:

- a) The topsoil or fill is contaminated, including all hydrovac materials,
- b) Negatively impacting water flows to and from adjacent lands, or
- c) Placed in natural wetlands or drainage courses.

284 Notwithstanding **Section 283**, no fill and topsoil shall be placed and stored in a Flood Hazard Area, wetlands, Riparian Protection Area, and/or drainage courses, unless otherwise approved by the Development Authority.

PART EIGHT

Definitions

8

This part provides definitions for terms used within the Land Use Bylaw.

Please note, definitions pertaining to specific uses are **HIGHLIGHTED** below:

“Abutting” means to have a common boundary, to border on.

“Accessory Building” means a detached building, with or without a permanent foundation, which is subordinate or incidental to the Principal Use or Principal Building located on the same site. Typical accessory buildings include, but are not limited to, fabric covered buildings, garages, sheds, chicken coop etc. Accessory Building does not include Accessory Structure.

“Accessory Structure” means a detached unenclosed structure which is subordinate or incidental to the Principal Use or Principal Building located on the same site. Typical accessory structures include, but are not limited to, flagpoles, grain bins, three sided stock shelters less than 27.87 m² (300.00 ft²), personal swimming pools, personal hot tubs, satellite dishes, personal play structures, utility covers, personal ground mounted solar collectors, etc.

“Accessory Dwelling Unit” means a subordinate Dwelling Unit that may be located within a principal building or an accessory building. An Accessory Dwelling Unit that is external to the principal building shall be on a permanent foundation and has a minimum gross floor area (GFA) of 37.1 m² (399.34 ft²).

“Accessory Use” means a use customarily incidental and subordinate to the principal use or building and is located on the same parcel as such principal use or building.

“Adjacent” means contiguous or would be contiguous if not for an easement, right-of-way, road (excluding a highway), or natural feature.

“Agriculture (General)” means the raising of crops or the rearing of livestock, either separately or in conjunction with one another and includes buildings and other structures limited to the regulations of the District. This use does not include Cannabis Cultivation or Cannabis Processing.

“Agriculture (Intensive)” means a use where plants or animals are intensively grown and processed for food or non-food use. Typical uses include greenhouses, nurseries, tree farms, market gardens, mushroom farming, vermiculture and aquaculture. This use does not include Cannabis Cultivation or Cannabis Processing.

“Agriculture (Regulated)” means a use where the intensity of agriculture operations has significant land or water demands and may include off-site impacts that are licensed under provincial or federal regulations. Typical uses include abattoirs, and fertilizer plants. This use does not include Cannabis Cultivation or Cannabis Processing.

“Agricultural (Processing)” means a use for storage and upgrading of agricultural products for distribution or sale through value added processes such as mixing, drying, canning, fermenting; applying temperature, chemical, biological or other treatments to plant matter, the cutting, smoking, aging, wrapping and freezing of meat, or similar production methods. This use does not include Agriculture (Intensive or Regulated), Cannabis Cultivation or Cannabis Processing.

“Alcohol Production” means a use where beer, spirits and other alcoholic beverages are manufactured that may have a private hospitality area where products made on the premises are provided to private groups for tasting and consumption as a Special Event and are sold to the general public for consumption on the premises and that may include the retail sale of products. Typical uses include breweries, distilleries, wineries, and meaderies.

“Animal Health (Inclusive)” means a use for the care, treatment, or impoundment of animals both considered as domestic pets or farm animals. This would include pet clinics, animal veterinary clinics and veterinary offices with or without outdoor pens, runs and enclosures.

“Animal Health (Small Animal)” means a development such as a hospital or shelter used for the temporary or overnight accommodation, care, treatment or impoundment of animals considered as domestic pets, but not farm animals. Typical uses include pet clinics, animal veterinary clinics and veterinary offices without outdoor pens, runs or enclosures.

“Applicant” means a person who is lawfully entitled to make, and makes, an application for any document, approval, permit or other thing that may be issued, made or done under the authority of the Bylaw.

“Application Form” means a form provided to an Applicant pursuant to the Bylaw, including Text Amendment Application Forms, Land Use Redesignation Application Forms and Development Permit Application Forms etc.

“Auctioneering” means a use where goods, motor vehicles or livestock are auctioned, including the temporary storage of such goods.

“Automotive Services (Minor)” means a use where the servicing and repair of vehicles occurs, excluding the sale of gasoline and related fuels. Typical uses include standalone mechanics shops, transmission and muffler shops, and auto body paint and repair facilities.

“Automotive Services (Major)” means a use where the sale, servicing and repair of vehicles occurs that may include the sale of gasoline and related fuels. Typical uses include automotive dealerships and truck stops and may include ancillary uses such as Establishment (Eating).

“Bed and Breakfast” means a use where temporary sleeping accommodation is provided for up to three guest rooms.

“Beehive” means a dome shaped or boxlike structure in which bees are kept.

“Beekeeping” means the activity of housing bees for the production of honey and/or pollination of agricultural crops, in accordance with the *Bee Act*, as amended or replaced from time to time.

“Building” means any structure used or intended for supporting or sheltering any use or occupancy.

“Building – Common Terms”

- a) **“Awning”** means a cloth like or lightweight shelter projecting from a building.
- b) **“Balcony”** means a projecting elevated platform on a building, which is enclosed by a railing or parapet and is greater than 0.6 m above grade and width. Access is from the building only.

- c) **“Basement”** means that portion of a building or structure which is wholly or partially below grade and has no more than 1.8 m. of its clear height above grade and lies below the finished level of the floor directly above. A basement does not constitute a storey for the purpose of the Bylaw.
- d) **“Bay”** means a self-contained unit of part of a building or of the whole building which can be sold or leased for individual occupancy.
- e) **“Canopy”** means a non-retractable solid projection extending from the wall of the building intended to be used as a protection against weather, other than normal architectural features such as lintels, sills, moldings, architraves and pediments, but includes the structure known as the theatre marquee.
- f) **“Cantilever”** means a long projecting beam or girder fixed at only one end.
- g) **“Deck”** means an above grade open-sided roofless platform that is detached or adjoining a building.
- h) **“Foundation”** means the lower portion of a building, usually concrete or masonry, and includes the footings, which transfers the weight of and loads on a building to the ground.
- i) **“Parapet”** means a low wall or railing to protect the edge of a roof.
- j) **“Patio”** means an uncovered open platform or area situated directly on the ground.
- k) **“Porch”** means a roofed structure having direct access to and projecting from the principal building with walls that are unenclosed and open to the extent of at least 50% and may be glazed or screened.

“Business” means:

- a) a commercial, merchandising or industrial activity or undertaking, or
- b) a profession, trade, occupation, calling or employment, or
- c) an activity providing goods and services, whether or not for profit and however organized or formed, including a co-operative or association of persons.

“Building Permit” means a permit issued in writing by a designated Safety Codes Officer authorizing the commencement of a use, occupancy, relocation, construction, or demolition of any building.

“Bylaw” means the County Land Use Bylaw.

“Campground” means a use where holiday trailers, motor homes, tents, campers, and similar vehicles, are used for recreation, and is not normally used as year-round storage, or accommodation for residential uses.

“Cannabis Cultivation” means the growing and harvesting of cannabis as licensed by Health Canada.

“Cannabis Processing” means a development, as licensed by Health Canada, where cannabis is grown, harvested, processed, tested, destroyed and/or stored on site, but does not include Cannabis Retail Store.

“Cannabis Retail Store” means a building or a portion thereof that is licensed by the Province of Alberta for the sale of cannabis and cannabis accessories for consumption off the premises.

“Car Wash” means a facility for the washing of motor vehicles on a commercial basis.

“Cemetery and Funeral Services” means a use where the development for the preparation of the deceased for interment, the provision of funeral or memorial services for the public, the sale of funeral supplies, or the entombment of the deceased occurs and may include such facilities as funeral home, crematories, columbaria, mausoleums, memorial parks, burial grounds, cemeteries, and gardens of remembrance.

“Care Facility (Child)” means the use of a *building* or portion thereof for the provision of care, instruction, *maintenance* or supervision of seven or more children under the age of 13 years, by persons other than one related

by blood or marriage, for periods not exceeding 24 consecutive hours. Typical uses include all day-care centres, early childhood services, nurseries and after-school or baby-sitting programs.

“Care Facility (Clinic)” means a use where the principal use is to provide medical and health care services on an outpatient basis only. Typical uses include medical and dental offices, health care clinics, pre-natal clinics and counseling services.

“Care Facility (Group)” means a use where individuals who are either disabled or in need of supervision reside on a temporary or long-term basis, in accordance with their individual needs. Typical uses include foster or boarding homes for children, group homes, family homes and long-term care facilities.

“Care Facility (Seniors)” means a use where accommodation with moderate care provisions for residents in a congregate setting. Residents do not require continuous access to professional services or on-site professional services. Room and board services, light housekeeping services, twenty-four (24) hour availability of assistance and oversight with personal care and social and recreation support may be provided. Typical uses include lodges and senior homes.

“Care Facility (Medical)” means a development providing room, board, and surgical or other medical treatment for the sick, injured, or infirm including out-patient services and accessory staff residences. Typical facilities would include hospitals, sanitariums, convalescent homes, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

“Communications Facility (Type A)” means a commercial communications facility with an antennae that is incorporated within or are mounted on existing structures, no more than 4.00 meters (13.12 feet) above the highest point of the structure.

“Communications Facility (Type B)” means a commercial communications facility with either a tower or pole structures between 4.00 and 20.00 meters (13.12 to 65.62 feet) in height, to which antennae are mounted for the purpose of telecommunications broadcast or signal transmission.

“Communications Facility (Type C)” means a commercial communications facility with either a tower or pole structures greater than 20.00 meters (65.62 feet) in height, to which antennae are mounted for the purpose of telecommunications broadcast or signal transmission.

“Compatible” means the characteristics of different uses or activities or designs which allow them to be located near or Adjacent to each other in harmony. Compatibility does not mean “same as”. Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing developments.

“Comprehensively Planned Area” means areas of the County that are guided by a comprehensive plan such as an Area Structure Plan, Area Redevelopment Plan, Conceptual Scheme, Hamlet Plan, and/or Master Site Development Plan. These plans recognize the physical, economic, social, political, aesthetic, and related factors of the community involved.

“Conceptual Scheme” means a non-statutory plan that provides detailed land use direction, subdivision design, and development guidance. A Conceptual Scheme is subordinate to an area structure plan, and may be adopted by bylaw or resolution.

“Conference Centre” means an establishment used for the holding of meetings, conventions, seminars, workshops, product and trade shows, or similar activities, and may include dining and lodging facilities for the use of participants, as well as compatible accessory facilities.

“Construct” means to build, rebuild, or relocate and without limiting the generality of the word, also includes: any preliminary operation such as excavation, filling or draining; altering an existing building or structure by addition, enlargement, extension, or other structural change; and any work which requires a Building Permit.

“Council” means the Council for the County.

“County” means Rocky View County.

“County Road” means a road owned and maintained by Rocky View County, including Township and Range Roads.

“Density” means the number of Dwelling Units on a site expressed in units per hectare (uph).

“Designated Officer(S)” means those persons designated by bylaw under the MGA and for purposes of the Bylaw, are the Development Officer, Bylaw Enforcement Officer, and CAO of the County or their Designate.

“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 on, in, 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.

“Development Agreement” means an agreement which is a contract between a developer and the County regarding the sharing of costs arising from the construction or servicing of a development.

“Development Authority” means a Development Authority established pursuant to the MGA to exercise development powers and duties on behalf of the County.

“Development Commencement” means the moment construction is started on site (i.e. excavation) or the land use has begun for the purposes of the Development Permit application.

“Development Completion” means the moment the required Building/Development Permit conditions and requirements have been met for the purposes of the Development Permit application and/or the final inspection reports have been received.

“Development Completion Certificate” means a certificate issued by a Development Authority confirming that the requirements of a development permit have been satisfactorily completed.

“Development Permit” means a document or permit, which may include attachments, issued pursuant to this Bylaw authorizing a development.

“Digital Display” means a device intended to display copy using electronic screens, projection, television, computer video monitors, liquid crystal displays (LCD), light emitting diode (LED) displays, or any other similar electronic, computer generated or digital technology.

“Direct Control District” means a district in the Land Use Bylaw which details guidelines established by Council for control over the use and development of an area pursuant to the provisions of the MGA.

“District” means a Land Use District.

“Dwelling” or “Dwelling Unit” a building or portion of a building consisting of one or more rooms operated or intended to be operated as a permanent residence for a household, containing cooking, sleeping and sanitary facilities only for that unit. All Dwellings or Dwelling Units, except Dwelling, Tiny, shall have a permanent foundation.

“Dwelling, Manufactured” means a detached Dwelling Unit consisting of a transportable dwelling that is designed and built to CAN/CSA Standard, to be moved, from one point to another as a single unit, and which is upon its arrival at the site where it is to be located, ready for occupancy except for incidental building operations such as connection to utilities. A Dwelling, Manufactured shall have a minimum GFA of 37.1 m² (399.34 ft²).

“Dwelling, Multiple Unit” means a dwelling with three (3) or more Dwelling Units. This use includes condominium style housing types such as Townhouses, Stacked-Townhouses and Four-plexes or Apartments. Accessory Dwelling Units are not permitted in Multiple Unit Dwellings.

“Dwelling, Duplex/Semi” means a dwelling containing two (2) Dwelling Units having the dwelling area of one located above the dwelling area of the other each with a private entry or a dwelling containing not more than two (2) Dwelling Units sharing a common wall, which may be subdivided along the common wall.

“Dwelling, Rowhouse” means a dwelling containing three (3) or more Dwelling Units located side by side, have direct access to grade, and are separated by a common party wall extending from the foundation to the roof; which may be subdivided along the common wall.

“Dwelling, Single Detached” means a dwelling which is supported on a permanent foundation or basement and has a minimum GFA of 37.1 m² (399.34 ft²).

“Dwelling, Tiny” means a detached Dwelling Unit less than 37.1 m² (399.34 ft²) in GFA.

“Dwelling Unit, Accessory to a Principal Use” means a dwelling that is accessory to a non-residential principal use of the parcel.

“Easement” means a right to use land generally for access to other property or as a right-of-way for a public utility.

“Natural Gas Plant” means a use where electrical power is produced and distributed from, including on-site transformers and electrical transmission lines.

“Equestrian Centre” means public facilities (buildings, shelters or other structures) at which horses are exercised or trained, training in equestrian skills or equestrian competitions or shows rodeos or other similar events are held, where a fee has been paid to participate, attend or use the facilities.

“Establishment (Eating)” means an establishment where food is prepared and served on the premises for sale to the public. Ancillary activities may include entertainment and the serving of alcoholic beverages when licensed by the Alberta Gaming and Liquor Commission. Typical uses include restaurants, cafes, delicatessens, tea rooms, lunchrooms, refreshment stands, take-out restaurants and catering services.

“Establishment (Drinking)” means an establishment, licensed by the Alberta Gaming and Liquor Commission, in which alcoholic beverages are served for a fee for consumption on the premises, and any preparation or serving of food is accessory thereto, and includes a licensed lounge that is ancillary to a Restaurant. Typical uses include pubs, bars, lounges, nightclubs, theatre restaurants and banquet facilities.

“Establishment (Entertainment)” means a use where live performances or motion pictures are shown. Typical uses include auditoria, cinemas and theatres, but does not include Establishment (Restricted).

“Establishment (Restricted)” means a use where potentially controversial goods and services are offered to the public. Typical uses include gambling venues such as casino’s and bingo halls.

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

“Farm” means an agricultural operation.

“Farm Building” means a building exclusively used for the housing of livestock, the storage of farm machinery, the storage of farm produce or the storage of feed for livestock.

“Farm Gate Sales” means a use where the sale of farm products which are produced in the same farming operation takes place.

“Farmers Market” means a market which has a primary use of selling goods produced in farming operations, and operates on a regular but temporary occurrence, and can include use of a building, structure or lot for the purpose of selling any or all produce and crafts and may include retail stores and restaurants.

“Fence” means a vertical physical barrier constructed to prevent visual intrusions, unauthorized access, or provide sound abatement and may include confinement of livestock and protection of livestock from wind.

“Filling” means the import and placement of natural uncontaminated earth or aggregate materials (e.g. clay, silt, sand, gravel) on a parcel for the purposes of altering/modifying grades, drainage, or building up a site for a proposed

building or development, but does not include the import and placement of dry-waste, hydro vac material or land fill waste materials, and does not include the placing of topsoil.

“Film Production” means a premises, set structures, props, or installations used in the production of any form of motion picture, television program, live broadcast, special effects, recording, or visual or audio arts projects and may include (but is not limited to) lighting, outdoor storage, parking, temporary trailers, food service (for staff), signage and any other activities reasonably associated with film production.

“Firing Range” means a specialized practice range for target practice, located within an enclosed building or outside area, including targets for rifles or handguns practice.

“First Parcel Out” means a single residential or agricultural parcel created from a previously un-subdivided Quarter Section.

“Flood Fringe” means the portion of the flood hazard area outside of the floodway, as determined by the Province of Alberta. Water in the flood fringe is generally shallower and flows slower than in the floodway.

“Flood Hazard Area” means the area of land bordering a water course or water body that would be affected by a design flood and includes the flood fringe, floodway, and may include areas of overland flow, as determined by the Province of Alberta.

“Floodway” means the portion of the flood hazard area where flows are deepest, fastest, and most destructive, as determined by the Province of Alberta. The floodway typically includes the main channel of a watercourse and a portion of the adjacent overbank area.

“Government Services” means a use where municipal, provincial or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property. Typical facilities would include police stations, fire stations, courthouses, post offices, municipal offices, social service offices, employment offices and airport terminals.

“Ground Cover” means vegetation, other than grass, commonly used for landscaping purposes and includes herbaceous perennials and flowers.

“Grade, Building” means the ground elevation established for the purpose of regulating the number of stories and the height of a building. The grade, building shall be the level 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 the four elevations.

“Grade, Drainage” means the ground elevation established in a lot drainage plan attached to an approved Development Permit for the purpose of controlling the flow of surface water on the lot.

“Gross Floor Area (GFA)” means the total floor area of a building within the exterior walls. This does not include basement areas parking areas below grade, and areas devoted exclusively to mechanical or electrical equipment servicing the development.

“Hamlet” means unincorporated area as defined by the MGA or as declared by a bylaw and Public Hearing process.

“Highway” means a provincial highway pursuant to the *Highways Development and Protection Act*, S.A. 2004 Chapter H-8.5, as amended or replaced from time to time.

“Home-Based Business (Type I)” means a use where business is conducted in a Principal Building with limited weekly visits and employees that reside in the Principal Building. Uses are secondary to the residential use of the parcel and do not change the residential appearance of the land and buildings.

“Home-Based Business (Type II)” means a use where business is conducted in a Principal Building or Accessory Building with moderate weekly visits and which may have employees who does not live on the property. Uses are secondary to the residential use of the parcel and do not change the residential appearance of the land and buildings.

“Hotel/Motel” means a building used primarily for sleeping accommodations and ancillary services provided in rooms or suites of rooms, which may contain bar/kitchen facilities; the building may also contain commercial or other uses and may or may not offer such additional services as party facilities, restaurant or dining room services, or public convention facilities.

“Industrial (Light)” means those developments where activities and uses are primarily carried on within an enclosed building and no significant nuisance factor is created or apparent outside an enclosed building. Any development, even though fully enclosed, where, in the opinion of a Development Authority, there is significant risk of interfering with the amenity of adjacent sites because of the nature of the site, materials or processes, shall not be considered Industrial (Light). Typical uses include laboratories, general contractors and landscaping services, construction firms, self storage facilities and warehouse sales of furniture, floor coverings etc.

“Industrial (Medium)” means those developments in which all or a portion of the activities and uses are carried on outdoors, without any significant nuisance such as noise, appearance, or odour, extending beyond the boundaries of the site. Any development where the risk of interfering with the amenity of adjacent or nearby sites, because of the nature of the site, materials or processes, cannot be successfully mitigated shall be considered Industrial (Heavy). Typical uses include manufacturing and processing plants that do not pose a Nuisance.

“Industrial (Heavy)” means those developments that may have an effect on the safety, use, amenity, or enjoyment of adjacent or nearby sites due to appearance, noise, odour, emission of contaminants, fire or explosive hazards, or dangerous goods, but does not include Cannabis Cultivation or Cannabis Processing. Typical uses include wreckage and salvage yards, and manufacturing and processing facilities that create a Nuisance.

“Industrial (Logistics)” means a use accommodating the storage and inter-modal (rail, highway) distribution of goods resulting in larger traffic volume. Typical uses include shipping/receiving facilities, transshipment and distribution centres.

“Infill Development” is the process of developing vacant or under-used parcels within existing areas that are already largely developed.

“Internal Subdivision Road” means a public roadway providing access to lots within a registered multi-parcel subdivision and which is not designated as a Township or Range Road.

“Kennel” means a facility for the keeping, breeding, boarding, caring, or training of dogs and/or other domestic pets over three months of age, excluding livestock.

“Landscaping” means to change or modify the natural features of a site so as to make it more attractive by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, drives, or other structures and materials.

Alternate definition in DC Bylaw

“Lane” means a public thoroughfare which provides a secondary means of access to a parcel. Commonly referred to as a ‘Back Alley’.

“Livestock” means horses, cattle, sheep, swine, live poultry, fur-bearing animals raised in captivity, game-production animals within the meaning of the *Livestock Industry Diversification Act*, as amended or replaced from time to time.

“Loading Space” means a space for parking a vehicle (commercial) while being loaded or unloaded.

“Maintenance” means the upkeep of a building or property that does not involve structural change, the change of use, or the change of intensity of use.

“Manure Storage Facility” means a structure, reservoir, catch basin, lagoon, cistern, gutter, tank, or bermed area for containing livestock wastes prior to the waste being used or disposed. It does not include a vehicle, motor or any mobile equipment used for transportation or disposal of livestock wastes.

“Master Site Development Plan” means a non-statutory plan that is adopted by Council resolution. A master site development plan provides design guidance for the development of a large area of land with little or no anticipated subdivision.

“Mixed-Use Building” means a building used partly for residential use and partly for commercial use.

“Mixed-Use Development” means a parcel of land or a building or structures developed for two or more different uses that may include uses such as residential, office, manufacturing, retail, public, or entertainment.

“Natural Resource Extraction/Processing” means a use where raw materials are removed, extracted or processed. Typical resources and raw materials would include oil and gas, peat, sand, silt and gravel, shale, clay, marl, limestone, gypsum or other minerals, timber and coal. Typical facilities or uses would include gravel pits (and associated crushing operations), asphalt processing, sand pits, clay or marl pits, peat extraction, stripping of topsoil, timber removal, sawmills and related timber/wood processing and oil and gas processing plants or refineries.

“NIT” A nit is a unit of measurement of luminance, or the intensity of visible light.

“Non-Conforming Building” means a building:

- a) That is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
- b) That on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw.

“Non-Conforming Use” means a lawful specific use:

- a) Being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective, and
- b) That on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.

“Nuisance” means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

“Occupancy” means the utilization of a building or land for the use for which it was approved.

“Occupancy Permit” means a permit issued under the *Alberta Safety Codes Act*, as amended or replaced from time to time, for the right to occupy or use the bay, building or structure for the use intended.

“Office” means a Building that provides space for professional, management, administrative, consulting and similar office and business support services.

“Outdoor Storage” means an outdoor area that may contain a building or structure used for the keeping of goods, inventory, materials, machinery, equipment, unregistered vehicles, or Vehicles (Recreation), outside.

“Overland Flow” means special areas of the flood fringe, as determined by the Province of Alberta.

“Parcel” means the aggregate of the 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. May also be referred to as a site.

“Parcel Area” means the total area of a parcel.

“Parcel Coverage” means the combined area of all buildings or structures upon the parcel, measured at the approved grades, including all porches and verandas, enclosed terraces, steps, cornices, eaves, and similar projections; such area shall include air wells, and all other space within an enclosed building.

“Parcel Frontage” means the length of a street boundary measured along the front line of a parcel.

“Parcel, Corner” means a parcel that abuts two (2) intersecting streets.

“Parcel, Double Fronting” means a parcel which abuts two (2) non-intersecting streets (excluding lanes).

“Parcel, Interior” means a parcel which is bounded by only one (1) street.

“Park” means a use where land is designated for active or passive recreational use by the public which does not require dedicated facilities beyond supporting accessory buildings or structures and landscaping. Typical uses include playspaces, walkways, trails, nature interpretation areas, picnic areas, athletic fields and similar uses.

“Parking Lot” means a portion of land or of a building set aside for the short-term parking of motor vehicles.

Alternate
definition in
DC Bylaw

“Portable Grain Bins” means a manufactured cylindrical steel bin that is less than 5.60 m in diameter and less than 6,000 bushels in capacity and is placed on skids.

“Post-Secondary” means a building or facility of a post-secondary institution such as a technical college, college or university.

“Principal Building” means a building, which in the opinion of the Development Authority occupies the major or the central portion of a site, or is the chief or the main one among the buildings on the site, or constitutes by reason of its use the primary purpose for which the site is used.

“Principal Use” means the use of a site or of a building which in the opinion of the Development Authority constitutes the primary purpose for which the site is used.

“Property Line” means any boundary of a lot or parcel, and includes the rear, front and side property lines of a lot.

“Quarter Section” means a titled area of: 64.7 ha (160 ac) more or less; or a gore strip greater than 32.38 ha (80 ac) in size, that has not been subdivided, excluding subdivisions for boundary adjustments, road widening, and public uses such as a school site, community hall, and rights of way of roads, railroads, and canals.

“Recreation (Culture & Tourism)” means a use where public or private cultural or tourism recreation occurs. Typical uses include tourist information centres, libraries, museums, or other cultural facilities, but does not include Recreation (Public) facilities.

“Recreation (Outdoor)” means a use where outdoor recreation occurs. Typical uses include outdoor skating rinks, lawn bowling greens, tennis courts, swimming and wading pools, water spray parks, rodeo grounds, go-cart tracks, miniature golf, theme parks and golf courses.

“Recreation (Private)” means a use where sports or recreation, that is privately owned, occurs within an enclosed Building. Typical uses include private clubs or lodges, health or fitness clubs, or private recreation facilities such as bowling alleys, arcades or racquet courts.

“Recreation (Public)” means a use where sports or recreation, that is open to the public, occurs within an enclosed building. Typical uses include recreation centres, community halls, public swimming pools, curling rinks and arenas, but does not include Government Services.

“Recycling/Compost Facility” means the use of premises for the collection and sorting of garbage or compost, and the packaging of paper, newspapers, clothing, cans, or bottles and similar domestic or commercial garbage. This use does not include a manure storage facility as defined in the *Agricultural Operation Practices Act*, as amended or replaced from time to time.

“Redesignation” means the conversion of land from one land use to another.

“Reserve, Municipal (MR)” means the land designated as Municipal Reserve per the MGA.

“Reserve, Environmental (ER)” means the land designated as Environmental Reserve per the MGA.

“Religious Assembly” means a development owned by a religious organization used for worship and related religious, philanthropic, or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories, and other buildings. Typical facilities would include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.

“Retail (Small)” means a use where the sale of goods and services occur in a building with a Gross Floor Area less than 1,000.0 m². Typical uses include a convenience store or sandwich shop or personal services such as hairdressers/salons, massage clinics, laundromats, or tailors but does not include Retail (Groceries), Retail (Restricted) or Cannabis Retail Store.

“Retail (General)” means a use where the sale of goods and services occur in a building with a Gross Floor Area between 1,000.0 - 4,000.0 m². Typical uses include a clothing store, pharmacy, or bank but does not include Retail (Groceries), Retail (Restricted) or Cannabis Retail Store.

“Retail (Large)” means a where the sale of goods and services occur in a building with a Gross Floor Area larger than 4,000.0 m². Typical uses include ‘big box’ retailer but does not but does not include Retail (Groceries), Retail (Restricted) or Cannabis Retail Store.

“Retail (Groceries)” means use where the retail of raw or prepared foods (with a Gross Floor Area less than 4,500.0 m²) that may include ancillary uses such as a pharmacy, optometrist or postal services but does not include Retail (Groceries), Retail (Restricted) or Cannabis Retail Store.

Alternate definition in DC Bylaw

“Retail (Restricted)” means a use where potentially controversial goods and services are offered to the public for sale for use or consumption off-site. Typical uses include liquor stores, adult goods stores, and firearm sales but does not include Cannabis Retail Store.

“Retail (Garden Centre)” means a development providing for the sale of bedding, household and ornamental plants, and associated merchandise, and may include display gardens but does not include Cannabis Retail Store.

“Retail (Shopping Centre)” means a use where commercial establishments are grouped on a site planned, developed, and managed as a single unit with on-site parking provided.

“Retaining Wall” means a wall for holding in place, a mass of earth or the like, as at the edge of a terrace or excavation.

“Riding Arena” means a private facility for the training, exercising, and boarding of horses. The arena shall not be used for horse shows, rodeos, teaching sessions or similar events to which there is a fee to participate in or to use the facilities.

“Riparian Protection Area” means the lands adjacent to naturally occurring watercourses, which the County has deemed necessary to protect by limiting certain forms of development within this area. The purpose and intent of the riparian protection area is to conserve and manage riparian lands. The riparian protection area is based on the Province of Alberta’s “Stepping Back from the Water Guidelines: A Beneficial Management Practices Guide for New Development near Water Bodies in Alberta’s Settled Region” as amended or replaced from time to time.

“School, Commercial” means a service commercial establishment which provides instruction in any subject for profit or gain, typical uses include a trade school, a dance school or studio, a school of music, a modeling school, a ceramics school, or studio but does not include a public school, separate school, or private school.

“School” means a place of instruction operated with public funds pursuant to the *School Act*, as amended or replaced from time to time, which may be located on reserve land pursuant to the MGA. This use does not include a School, Commercial.

“Screening” means a fence, earth berm, row of trees, hedge, or established shelterbelt used to visually and/or physically separate areas or functions.

“Servicing Standards” means the County’s technical requirements that govern infrastructure design, construction, testing, inspection, maintenance, and transfer of public works.

“Setback” means the perpendicular distance as measured between that part of a building nearest to the front, side or rear property lines of a parcel. In the case of a setback involving a yard, front, it means the distance measured perpendicularly from the front property line of the parcel, to the nearest point of the building.

“Set Structures” means any structure associated with film production facility activities. Set structures may undergo aesthetic or structural modifications as part of a project or between different projects. These are primarily shell structures and shall not be used for residential, commercial, or industrial occupancy.

“Shelterbelt” means a planting made up of one or more rows of trees or shrubs planted in such a manner as to provide shelter from the wind and to protect soil from erosion.

“Shipping Container” means a painted steel container (also known as a “Sea Can”), 2.6 m in height, that was once used to transport goods and is typically used for storage.

“Show Home” means the use of an unoccupied residential building as a sales office and/or as a facility to demonstrate a builder’s housing product.

“Sidewalk” means a pathway or right-of-way for pedestrian traffic.

“Sign” means an object or device intended to advertise or call attention to a person, matter, event or location.

Alternate
definition in
DC Bylaw

“Sign – Common Terms”

- a) **“Copy”** means the letters, graphics or characters that make up the message on the sign face.
- b) **“Changeable Copy”** means that portion of the copy that can be readily changed either manually or electronically.
- c) **“Building Face”** means any exterior wall of a Building.
- d) **“Third Party Advertising”** means advertising which directs attention to a business, commodity, service or event that is conducted, sold or offered elsewhere than on the premises on which the sign is located.

“Solar Farm” means an installation or area of land in which a large number of solar panels are set up in order to generate electricity.

“Special Event” means an event regulated by Bylaw C-7990-2020 as amended.

“Special Function Business” means a use where events are held on a semi-regular basis that may or may not include the erection of structures. Typical uses include wedding venues, concerts, galas, and tradeshow.

“Station (Gas/Electric)” means a use where fuel for vehicles, such as gasoline and/or electric vehicle charging stations are sold, typically including a Small Retail component. This use does not include a Bulk Fuel Facility.

“Station (Bulk Fuel)” means a use where gas and petroleum products are stored for distribution to customers.

“Statutory Plan” means an inter-municipal development plan, a municipal development plan, an area structure plan or an area redevelopment plan adopted by a municipality under the MGA, as amended or replaced from time to time.

“Stockpile” means an accumulation of goods, materials or raw materials, including snow dumps, stored outdoors in a pile-like formation.

“Street” means a public thoroughfare, often paved and referred to interchangeably as a road.

“Subdivision” the process of dividing land into smaller Parcels, overseen by the Subdivision Authority.

“Temporary” means a use which is limited in its permanence.

“Temporary Sales Centre” means a building less than 150 m² located on a parcel of land used as a sales office and/or as a facility to demonstrate a builder’s housing product.

“Top-Of-Bank” means the line where the surrounding tableland is broken by a valley slope and forms the escarpment as determined by a Geotechnical Engineer.

“Topsoil” means the uncontaminated uppermost layer of soil.

“Underlying Soil” means the layer of soil underneath the Topsoil. The typology of which is determined by the Alberta Geological Survey or by a qualified professional.

“Use” means the utilization of a parcel of land for a particular development activity.

“Use, Discretionary” means the use of land or a building provided for in this Bylaw for which a decision on a Development Permit may be issued upon a Development Permit application having been made and subject to the enabling conditions for each proposed development being satisfied.

“Use, Permitted” means the use of land or a building provided for in this Bylaw for which a Development Permit shall be approved and issued by the Development Authority when the proposed development conforms to all applicable requirements and rules of this Bylaw, with or without conditions, upon application having been made to the Development Authority.

“Use, Intensity Of” means the degree or scale of operation of use or activity in relation to the amount of land and buildings associated with the use, vehicular traffic generation resulting thereof, amount of parking facilities required for the particular land use activity, etc.

“Use, Similar” means a use of a site or building in a District which, in the opinion of the Development Authority, is so similar to a Permitted Use or Discretionary Use in that District that it meets the intent of Council for the development of that District as set out in the purpose and intent statement, but does not include a use that is specifically defined as a Permitted or Discretionary Use in any other District.

“Utilities” means a system or works used to provide services such as potable water, sewage disposal, waste management or storm systems, as well as the Buildings that house the public utility, and any offices or equipment.

“Vacation Rental” means a Dwelling Unit that is rented online via a hospitality service brokerage company that arranges lodging such as Airbnb, Vrbo, TurnKey, HomeAway etc.

“Variance” means a variation, relaxation or waiver of a development regulation or other requirement of the Bylaw.

“Vehicle (Agriculture)” means a vehicle, motor, implements of husbandry and trailers that are commonly used in an agricultural, general operation including but not limited to combines, tractors, cattle liners, grain trucks and carts, and horse/stock trailers.

“Vehicle (Commercial)” means a vehicle, motor, used for commercial or industrial business operations, exceeding 5,500kg or 7.0m in length, such as gravel trucks, gravel trailers, highway truck tractors, highway truck trailers, crane trucks, welding trucks, and vacuum trucks, and any vehicle not meeting the definition of a “private passenger vehicle” in the *Traffic Safety Act*, as amended or replaced from time to time.

“Vehicle (Recreation)” means a vehicle designed to be transported on its own wheels or by other means (including units mounted permanently or otherwise on trucks), which will permit its use for sleeping or living purposes for one or more persons on a short-term basis. Vehicle (Recreation) may include but not limited to motorized watercraft, 5th wheels, and recreational vehicles (RVs). Vehicle (Recreation) shall not be used as a Dwelling Unit.

“Walkway” means a public right-of-way for pedestrian use on which no motor vehicles are allowed

“Waste Management Facility” means a facility or landfill for the collection, storage, treatment or disposal of waste as defined in the County’s Waste Control Regulation.

“Waste Transfer Site” means the use of land or a facility for the collection of waste, recyclables, household hazardous waste, and compost into bulk containers for sorting and preparation for further transport to a waste management facility or recycling/compost facility.

“Water Body” means any location where water flows, is standing or is present, whether or not the flow or the presence of water is continuous, intermittent, or occurs only during a flood, and includes but is not limited to wetlands and aquifers, but does not include part of irrigation works if the irrigation works are subject to a license and the irrigation works are owned by the licensee, except in the circumstances prescribed in the *Water Act*, as amended or replaced from time to time.

“Watercourse” means a naturally occurring flowing body of water including but not limited to a river, creek, or stream, whether it conveys water continuously or intermittently, as identified by the County's Surface Water Data, Geomorphic Data, and Ortho-imagery Data, but excludes any human-made water features including but not limited to irrigation canals, ditches, reservoir, and drainage swales.

“Wind Farm” means an area of land with a commercial-scale group of energy-producing windmills or wind turbines. Ancillary structures may include equipment shelters.

“Yard” means a part of a parcel unoccupied by any portion of a Building or Accessory Building.