

Big Lakes County

Land Use Bylaw



Draft Update
JUNE 2024

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Part 1:

Bylaw Administration

JURISDICTION

1.1. Title

This Bylaw may be referred to as “The Big Lakes County Land Use Bylaw.”

1.2. Scope

No subdivision or development shall hereafter be carried out within the boundaries of the County except in conformity with the provisions of this Bylaw.

1.3. Purpose

The purpose of this Bylaw is to, amongst other things:

- (a) divide the County into districts;
- (b) prescribe and regulate the use(s) for each district;
- (c) establish the Subdivision Authority;
- (d) establish the office of Development Officer;
- (e) establish a method of making decisions on applications for development permits and the issuance of development permits;
- (f) provide the manner in which notice of the issuance of a development permit is to be given;
- (g) establish a method for making decisions on applications for subdivision approval in accordance with the Act and its regulations;
- (h) implement the policies of the statutory plans of the County;
- (i) establish supplementary regulations governing certain specific land uses; and
- (j) establish the procedures for making amendments to this Bylaw.



1.4. Relationship to the Municipal Government Act

This Bylaw has been prepared and adopted in accordance with the provisions of the Act, its regulations, and amendments thereto.

1.5. Previous Municipal Bylaws

No provisions of any other Bylaws with respect to districting, development control and land use classifications shall hereafter apply to any part of the County described in this Bylaw, subject to the transitional provisions of this Bylaw.

1.6. Effective Date and Transition

- (a) 'Big Lakes County Land Use Bylaw No. 03-2017' and all amendments thereto, are rescinded upon this Bylaw passing and coming into full force and effect.
- (b) The 'Big Lakes County Land Use Bylaw No. XX-XXXX' is passed and comes into full force and effect when it receives third reading and is signed pursuant to the MGA.
- (c) All amendments to the Bylaw, any Land Use Redesignations, or Development Permit applications received on or after the effective date of the Bylaw shall be processed and considered upon the provisions outlined herein.

1.7. Compliance with Other Legislation

Nothing in this Bylaw shall exempt any person from any obligation to comply with the requirements of any other municipal, provincial, or federal statute or regulation.

1.8. Interpretation:

- (a) Examples listed in a land use definition are not intended to be exclusive or restrictive.
- (b) Where a specific land use applied for does not adequately conform to the definitions of land uses outlined herein, OR generally conforms with two or more definitions, discretion shall be used by the development officer to identify which land use definition most appropriately reflects the character and purpose of the applied-for land use.
- (c) Where reference is made to other legislation or documents, it is intended to refer to the legislation or documents as amended from time to time.
- (d) The words "shall" and "must" indicate mandatory compliance unless a variance has been granted pursuant to the Act.
- (e) Where a regulation or definition includes two or more conditions, provisions or events connected by the word "or", the connected items may apply individually.
- (f) Where a regulation or definition includes two or more conditions, provisions or events connected by the word "and", the connected items shall apply in combination.
- (g) All measurements within the Bylaw are metric, in accordance with Alberta Land Titles procedures, and where an imperial measurement is also given, it is for information only.



APPROVAL AUTHORITIES

1.9. Municipal Planning Commission

- (a) The Municipal Planning Commission established by separate County bylaw is authorized to act as the Development Authority.
- (b) The Municipal Planning Commission shall:
 - i) issue decisions for development permit applications for those uses listed as Discretionary Uses in the subject District and determine the method of notification;
 - ii) issue decisions for those uses listed as Permitted Uses which the Development Officer refers to the Municipal Planning Commission; and,
 - iii) perform such other duties as described in this bylaw or as may be assigned to it by Council.

1.10. Office of the Development Officer

- (a) The office of the Development Officer is hereby established, and such office shall be filled by a person or persons to be appointed by Resolution of Council.
- (b) For the purposes of the Act, the Development Officer is hereby declared to be a Designated Officer of the County.
- (c) The Development Officer shall perform such duties as are specified in this Bylaw, including among other things:
 - i) keeping and maintaining for the inspection of the public during all regular hours, a copy of this Bylaw and all amendments thereto; and
 - ii) keeping a register of all applications for development including the decisions thereon and the reasons therefore.
- (d) For the purposes of this Bylaw, both the Development Officer and the Municipal Planning Commission shall constitute the Development Authority of the County.
- (e) For the purposes of right of entry, the Development Officer is hereby authorized to carry out the duties and powers of a Designated Officer pursuant to the Act.
- (f) For the purposes of municipal inspections and enforcement, pursuant to the Act, the Development Officer is hereby designated as authorized by Big Lakes County to discharge the relevant powers and functions.

1.11. Office of the Subdivision Officer

- (a) The office of the Subdivision Officer is hereby established, and such office shall be filled by a person or persons appointed by Resolution of Council.
- (b) The Subdivision Officer or designate(s) shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this bylaw and all amendments thereto; keep a register of all applications for subdivision, including the decisions thereon and the reason therefore.



- (c) For the purposes of the *Act*, the Subdivision Officer or his designate(s) is/are hereby declared to be a Designated Officer of Big Lakes County.
- (d) For the purposes of this Bylaw, both the Subdivision Officer, and the Municipal Planning Commission shall constitute the Subdivision Authority of Big Lakes County.

1.12. Council

Council shall be the Development Authority within any Direct Control District, unless specifically delegated to the Municipal Planning Commission.

1.13. Subdivision and Development Appeal Board

- (a) The Subdivision and Development Appeal Board (SDAB) is established through separate County Bylaw.
- (b) The Subdivision and Development Appeal Board (SDAB) shall perform such duties as specified in the *Act*.

1.14. Development Appeals and Procedures

Development appeals and procedures must be undertaken in conformity with the *Act*.

1.15. Subdivision Appeals and Procedures

Subdivision appeals and procedures must be undertaken in conformity with the *Act*.

BYLAW AMENDMENTS

1.16. Amending the Bylaw

- (a) Council may, at any time, initiate an amendment to this Bylaw.
- (b) Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the *Act* regarding enactment of bylaws.
- (c) Where this Bylaw is being amended to accommodate a proposed subdivision or development within a proposed Direct Control District, Council may require the subdivision and development permit application to be in its complete form prior to consideration of third reading of the said bylaw.

1.17. Application to Amend Bylaw

Any person applying to have this Bylaw amended shall apply in writing to the Development Officer, using the application form provided by the County, and request that the Development Officer submit the application to Council. Applications must include the following information:

Text Amendments

- (a) a statement indicating the specific amendment requested;
- (b) reasons in support of the application, as well as a statement outlining how the text amendment may impact land use and development throughout the County;



Land Use District Amendments

- (a) a description of the intended use or uses;
- (b) a certified copy of the Certificate of Title within the last thirty (30) days;
- (c) if the applicant is an agent acting on behalf of the landowner, a letter from the landowner authorizing the agent to make the application;
- (d) a properly dimensioned map indicating the following details, unless otherwise specified by the Development Authority:
 - i) the location, dimensions and boundaries of the affected site, and its relationship to existing land uses on adjacent properties;
 - ii) the dimensions and boundaries of existing rights-of-way (i.e.: public utilities, roads, pipelines, railways, etc.);
 - iii) the location, use and dimension of existing buildings on the site;
 - iv) the location of any river, stream, watercourse, lake or other waterbody, including the top of bank;
- (e) Any additional information the County may require in order to evaluate and make a recommendation concerning the application, which may include, but not be limited to:
 - i) a report on stakeholder consultations;
 - ii) the method and location of servicing (sanitary, water, wastewater);
 - iii) additional studies concerning the rezoning, including geotechnical reports, environmental site assessments, traffic impact assessments, servicing studies, or any other study deemed necessary by the County.

1.18. Payments and Undertaking

A person making an application to amend this Bylaw for a purpose other than the clarification of an existing provision of this Bylaw shall:

- (a) pay the County an application fee as set by Council; and
- (b) undertake in writing on a form provided by the County to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the County may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys, and advertising charges.

1.19. Review Process

Upon receipt of a complete redistricting application to amend this Bylaw, the Development Authority:

- (a) shall provide written notice of the application to each assessed landowner adjacent to, or wholly or partially within the boundaries of the site subject to the redistricting application;
- (b) shall refer the application to internal County departments and applicable external agencies for review and comment;



- (c) shall complete a review and evaluation of the application and prepare a report to Council including comments outlining the potential impacts of the application, as well as recommendations.

1.20. Notification of Public Hearing

In addition to the notification outlined in s1.19 above, where a public hearing is required by the *Act* for an application to amend this Bylaw, a notice of public hearing shall:

- (a) be mailed or otherwise delivered by the County no later than fourteen (14) days prior to the public hearing; to the owners of all parcels subject to the proposed amendment, any adjacent parcel, and may include other lands within the vicinity of the subject site that may be deemed to be affected by the application;
- (b) be advertised in accordance with the Public Notification Bylaw in effect at that time.

1.21. Review by Council

- (a) Upon receiving a prepared recommendations report relating to an application to amend the Bylaw from the Development Officer, Council may:
 - i) approve the proposed amendment as submitted;
 - ii) approve the proposed amendment with modifications, within the scope of the limitations of the *Act*;
 - iii) table the application and request further information or review;
 - iv) refuse the application.
- (b) Following a public hearing, during the same meeting, Council may choose to proceed with second and third readings.

1.22. Revert to Previous Land Use District

Where this Bylaw has been amended for the purpose of accommodating a proposed development or subdivision proposal, and the proposal has been withdrawn or refused, Council may consider an amendment to this Bylaw to restore its previous wording or land use designation.

1.23. Council May Direct Repayment

If it appears that the proposed amendment is one which is applicable to and for the benefit of the County at large, or most of the persons affected in one area, or to the entire district, then Council may direct that the application fee be returned to the applicant and the County pay or cost-share expenses related to the proposed amendment.

1.24. Limit on Frequency of Applications

Where a proposed amendment to this Bylaw has been rejected by Council within the previous six (6) months, another application for the same or similar amendment shall not be considered unless Council otherwise directs.



Part 2:

Development

DEVELOPMENT PERMITS

2.1. Development Permit Required

No development other than that designated in this Bylaw shall be undertaken within the County unless an application for it has been approved and a development permit has been issued.

2.2. Where a Development Permit is Not Required

The following developments shall not require a development permit provided the proposed development complies with all other provisions of this Bylaw:

- (a) The construction, completion, alteration, maintenance or repair of a street, lane or utility undertaken upon a public thoroughfare or utility easement, or undertaken to connect the same with any lawful use of buildings or land.
- (b) The maintenance or repair of any conforming building if the work does not include structural alterations.
- (c) Farmsteads and Agricultural (Extensive) operations including the sowing and harvesting of crops, tillage of soil, and fencing in the AG, RI and UR Districts.
- (d) The completion of a building which was lawfully under construction on the date of the first publication of the official notice of this bylaw as required by the *Act*, provided that the building is in accordance with the terms of any permit granted in respect of it, within a period of twelve (12) months from said date of the first publication of the official notice.
- (e) The use of any such building(s) as are referred to in subsection 2.2(d) above for the purpose for which construction was commenced.



- (f) Water reservoirs or dugouts for water supply, in conformance with the setback requirements of the applicable District.
- (g) Above ground pre-manufactured swimming pools with a water volume less than 6.11 m³ (72 ft³).
- (h) Solar Panels (Roof/Wall)
- (i) Municipal Lagoons, Landfills or Waste Transfer Stations.
- (j) Foster Homes under approval of the Province of Alberta.
- (k) The erection of an uncovered deck which has a height of less than 0.6 m (2 ft) above grade, and which is accessory to a residential structure.
- (l) The construction of farm buildings in the AG district, excluding dwellings, provided that setbacks and other land use regulations of this bylaw are complied with.
- (m) Hard-surfacing of any yard area on a parcel for the purpose of providing vehicular access from a public roadway to an on-site parking stall, provided that such hard-surfacing does not direct surface run-off onto adjoining properties or re-route existing drainage channels.
- (n) The erection of freestanding towers, electronic equipment, flag poles and other poles not exceeding 6.1 m (20 ft), provided that the structure is not located in a front yard or on a building or structure in the AG District or falls within an airport overlay.
- (o) Landscaping where it will not adversely affect the subject or adjacent properties but does not include changes in grade, drainage, stockpiling, or excavation.
- (p) The erection of campaign signs for federal, provincial, municipal, or school board elections on private properties for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation provided that:
 - i) such signs are removed within fourteen (14) days of the election date;
 - ii) the consent of the property owner or occupant is obtained;
 - iii) such signs do not obstruct or impair vision or traffic; and
 - iv) such signs indicate the name and address of the sponsor and the person responsible for removal.
- (q) The erection or construction of 10 m² (108 ft²) maximum floor area storage or garden sheds provided they meet the setback requirements for an accessory building and site coverage regulations as defined under this Bylaw.
- (r) A fence no higher than 1.8 m (6 ft).
- (s) A Home Occupation (minor), provided that the provisions of s4.21 of this Bylaw are adhered to.
- (t) Those developments, uses and activities exempted under the Act.

2.3. Application for Development Permit

- (a) An application for a development permit shall be made to the Development Authority in writing on the application form provided by the County in conformance with this Bylaw, and shall:



- i) be accompanied by a fee set by Council;
 - ii) be signed by the registered owner or their agent where a person other than the owner is authorized by the owner in writing to make application;
 - iii) the correctness of the information supplied shall, when required by the Development Officer, be verified by a Statutory Declaration;
 - iv) state the proposed use or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Officer; and
 - v) at the discretion of the Development Officer, include site plans at a scale satisfactory to the Development Officer, showing any or all of the following:
 - a. front, side and rear yards;
 - b. outlines of the roof overhangs on all buildings;
 - c. north point;
 - d. legal description of the property;
 - e. location of existing and proposed municipal and private local improvements, principal building and other structures including accessory building, garages, carports, fences, driveways, paved areas, and major landscaped areas including buffering and screening areas where provided;
 - f. the provision of off-street loading and vehicle parking;
 - g. access and egress points to and from the parcel;
 - h. location of water and sewage collection systems;
 - i. the grades of the adjacent streets and lanes;
 - j. the exterior elevations showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed;
 - k. the lowest finished floor elevation in either the basement or main floor in the principal and accessory buildings where applicable;
 - l. a site grading plan indicating but not limited to indicating the elevations of the parcel at all corners and the grade at all corners of the proposed development as well as the grades of the adjacent streets, lanes and sewers servicing the parcel;
 - m. stormwater drainage plan;
 - n. on a vacant parcel in a residential district, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal;
- (b) The Development Officer may require the applicant to provide:
- i) an estimated cost of the project, excluding land prices; and
 - ii) any other information or tests respecting the parcel or adjacent lands which is pertinent to an assessment of the conformity of the proposal to this Bylaw and any other Bylaws or resolutions of Council dealing with development.
 - iii) written consent to enter upon the subject property to verify compliance of all existing and proposed development(s) with this Bylaw.



- iv) a real property report to be submitted by the applicant to verify compliance of all existing and proposed buildings with this Bylaw.
- (c) In case of an application for a Development Permit on Crown land, the Development officer will require Provincial authorization prior to the issuance of a Development Permit.

2.4. Direct Control District Application

- (a) In the case of a development permit application made pursuant to a Direct Control District, all requirements and procedures pertaining to the development permit application will be at the discretion and satisfaction of Council. Council may approve, with or without conditions, or refuse the application, giving reasons for refusal.
- (b) In determining the development permit application requirements and procedures pursuant to subsection (a), Council may consider and be guided by the provisions outlined in section 2.3 and shall require the applicant to submit all of the following for the purpose of relating any proposal to the growth of the entire County:
 - i) an explanation of the intent of the project;
 - ii) the features of the project which make it desirable to the public and the County. This is to include an evaluation of how the project may contribute to the present and projected needs of the County as a whole;
 - iii) an economic analysis of the proposal's anticipated economic impact on the County; and
 - iv) a detailed application containing the following information:
 - a. location of all proposed buildings;
 - b. elevation and architectural treatment of all buildings and associated structures;
 - c. proposed servicing scheme and its relationship to the County's existing and/or proposed servicing plans;
 - d. anticipated scheduling and sequence of development;
 - e. mechanisms by which conformance to the plan will be ensured such as normally achieved through a combination of caveats, easements, servicing agreements and performance bonds;
 - f. all yard setbacks, parcel coverage, parcel areas, floor areas, sizes of parcels, number of parking stalls; and
 - g. such additional requirements as are determined necessary by Council having regard to the nature of the proposed development and the surrounding use(s) which may be effected.

DEVELOPMENT PERMIT REVIEW PROCESS

2.5. Duties of the Development Officer

- (a) Upon receipt of a development permit application, the Development Officer shall, within twenty (20) days, issue a written notice to the applicant that the application is complete.



- (b) If the Development Officer determines that the application is incomplete, a written notice shall be issued to the applicant stating that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed upon in order for the application to be considered complete.
- (c) If the information is not submitted on or before the set date, the application shall be deemed refused. A written notice shall be issued to the applicant that the application has been refused and the reason for refusal.

2.6. Decisions on Development Permit Applications

Permitted / Discretionary Uses

- (a) Upon receipt of a completed application, the Development Officer shall approve, with or without conditions, the application for a permitted use where the proposed development conforms to this Bylaw.
- (b) The Development Officer shall refer the application (with recommendations) for a discretionary use to the Municipal Planning Commission for decision.
- (c) The Development Officer, Municipal Planning Commission, or Council may impose conditions on the approval of a development. These conditions may include:
 - i) a Real Property Report, signed by an Alberta Land Surveyor, be submitted along with a signed authorization form or letter from the Alberta Land Surveyor stating that Big Lakes County may utilize the Surveyor's Real Property Report for evaluating the compliance of the proposed or existing development against all land use regulations relating to the use and building(s) that is (are) the subject of the development permit application;
 - ii) that the applicant enters into a development agreement, in accordance with the Act, as amended, with the County to construct or pay for the construction of public roadways, pedestrian walkways, parking and loading facilities, and any off-site levy or redevelopment levy imposed by Bylaw. To ensure compliance with the conditions in the agreement, the County may be protected by caveat registered in their favour;
 - iii) financial guarantees, in a form and an amount acceptable to the County, from the applicant to secure performance of any of the conditions of a development permit;
 - iv) any other condition considered necessary by the development authority to uphold the intent and objectives of any area structure plan, statutory plan, or land use regulation as adopted or amended from time to time; and
 - v) any condition deemed appropriate ensure the orderly and economic development of land within the County.

2.7. Temporary Use Approval

Where a development permit is not required on a permanent basis, the Development Authority may approve the development for a specified period of time. The expiry date of all temporary development permits shall be clearly indicated on the notice of decision.



2.8. DC District Development Permit Applications

- (a) Upon receipt of a completed application for a development permit pursuant to a Direct Control District, Council may, prior to making a decision refer the application to the Development Officer, Municipal Planning Commission, any municipal department, or external agency for comment.
- (b) At some point, as determined by Council, prior to deciding upon the development permit application before it, Council shall provide public notice, through means and to whom it considers necessary, that a decision on a development permit pursuant to a Direct Control District is to be made and that Council shall afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.
- (c) Council may approve, with or without conditions, or refuse the application, giving reasons for the refusal.

2.9. Variance Provisions

- (a) The Development Officer may, in deciding upon an application for a permitted use, allow a variance to a maximum of ~~10-25%~~ of the stated setback or other quantitative development regulation provided that, in the opinion of the Development Officer, such variance does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of land.
- (b) The Municipal Planning Commission, in deciding upon an application for a discretionary use, may allow a variance to a maximum of ~~25 to XX%~~ [Confirm #s w. MPC] of the stated setback or other quantitative development regulation provided that, in the opinion of the Municipal Planning Commission, such variance does not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of land.
- (c) A variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not generally common to other land in the same District.
- (d) Except as otherwise provided in this Bylaw, there shall be no variance from the regulations prescribing density.

2.10. Notice of Proposed Development

- (a) Prior to an application being considered for a discretionary use, or a permitted use with a variance to a quantitative requirement such as a setback distance, the Development Officer shall require one or more of the following:
 - i) cause a notice to be posted in a conspicuous place on the parcel upon which the proposed development is situated not less than fourteen (14) days prior to the date of consideration of such an application;



- ii) cause a similar notice to be advertised in accordance with the Public Notification Bylaw in effect at that time; and/or
 - iii) cause a similar notice to be sent by mail to all assessed property owners within one (1) kilometer of the parcel, and to those assessed property owners who, in the opinion of the Development Officer, may be affected, not less than fourteen (14) days prior to the date of consideration of the application.
- (b) The notices issued pursuant to s.2.11(a) shall state:
- i) the proposed use of the building or parcel;
 - ii) that an application respecting the proposed use will be considered by the Development Authority;
 - iii) that any person who objects to the proposed use of the parcel may deliver to the Development Officer a written statement of their objections indicating:
 - a. their full name and address for service of any notice to be given to them in respect of the objection, and
 - b. the reasons for their objections to the proposed use; and
 - iv) the date by which objections must be received by the Development Officer
- (c) When considering applications for which notices have been served, the Development Authority may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.

2.11. Notice of Decision

- (a) All decisions on applications for a development permit shall be given in writing to the applicant.
- (b) If an application is refused by the Development Authority, the notice of decision shall contain the reasons for the refusal.
- (c) When an approval decision on a development permit is made, the Development Officer shall undertake or be directed to undertake by County Council, as the case may be, any or all of the following:
 - i) cause a notice to be advertised in accordance with the Public Notification Bylaw in effect at that time;
 - ii) immediately mail a notice to all assessed property owners within one (1) km of the parcel with respect to which the application has been made and to those assessed property owners who, in the opinion of the Development Officer, may be affected; and/or
 - iii) publish a notice on the County website.
- (d) The notices issued pursuant to s.2.12(a) shall indicate:
 - i) the date a decision on the development permit application was made;
 - ii) the location and use of the parcel in respect of which the application has been made and the decision of either the Development Authority or Council; and



- iii) that an appeal may be made by a person affected by the decision by serving written notice of the appeal to the Subdivision and Development Appeal Board within twenty-one (21) days after the date on which the notice of the issuance of the permit was given.
- (e) No right to appeal exists on decisions that are made by Council within a Direct Control District.
- (f) Notwithstanding 2.12(a) notification other than to the applicant and/or subject landowner is not required where the proposed use is described as a permitted use and no variance is granted.

2.12. Effective Date of Permit

The decision on a development permit application shall come into effect:

- (a) If it is made by the Development Officer, Municipal Planning Commission, or Council, on the date of decision; or
- (b) If an appeal is made, on the date that the appeal is finally determined.

2.13. Validity of Development Permits

- (a) A development permit is valid unless:
 - i) it is suspended or cancelled; or
 - ii) the development that is the subject of the development permit is not commenced within twelve (12) months from the date of the issuance of the development permit, or not carried out with reasonable diligence; or
 - iii) the development that is the subject of the development permit is not commenced within a time period specified in the permit or not carried out with reasonable diligence, if the Development Officer, or Council has specified that the development permit is to remain in effect for less than twelve months.
- (b) If the development has not commenced prior to the expiry date of the permit:
 - i) the Development Officer may grant a one-time extension to a development permit's effective date for a maximum of one year where the permit was for a building or use which was permitted or in the opinion of the Development Officer, does not adversely impact the use, enjoyment or value of neighbouring properties;
 - ii) time extensions not in accordance with subsection (a) above, may be granted by the Municipal Planning Commission, based upon a review of the permit and its merits;
 - iii) time extensions granted under this section do not apply to land uses or buildings where the permit has a functional time deadline as in the case of a gravel extraction permit.
- (c) Temporary Development Permits shall have the expiry date of the permit clearly indicated on the notice of decision, with an opportunity for extension at the discretion of the Development Authority.



2.14. Deemed Refusals

In accordance with the *Act*, an application in completed form for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Authority is not made within forty (40) days of the completed application, as deemed by the Development Authority, being received by the Development Officer unless an agreement to extend the forty (40) day period herein described is established between the applicant(s) and the Development Officer.

2.15. Subsequent Applications

If an application for a development permit is refused by the Development Authority or on an appeal from the Subdivision and Development Appeal Board, the Development Authority may refuse to accept subsequent development permit applications for the same or similar use on the same parcel within six (6) months of the refused application, 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.

2.16. Suspension or Cancellation of Development Permits

- (a) If, after a development permit has been issued, the Development Officer becomes aware that:
- i) the application for the development contains a misrepresentation; or
 - ii) facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered; or
 - iii) the development permit was issued in error; or
 - iv) the conditions of development permit approval are not complied with in a satisfactory manner,

the Development Officer may suspend or cancel the notice of decision or the development permit by notice, in writing, to the holder of it.

- (b) If a person fails to comply with a notice under the *Act*, the Development Officer may suspend or cancel any existing development permit by notice, in writing, to the holder of the permit.
- (c) A person whose development permit is suspended or cancelled may appeal to the Subdivision and Development Appeal Board (SDAB).

2.17. Applicant's Responsibility

- (a) An applicant to whom a development permit has been issued shall obtain from the appropriate authority where applicable, permits relating to building, gas, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.
- (b) The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents, or contractors to any public or private property.



- (c) The applicant shall prevent excess soil or debris from being spilled on public road allowances streets, lanes, sidewalks, lakes, and run-off lanes and shall not place soil or any other materials on adjacent parcel without permission in writing from adjacent property owners.
- (d) A professional scaled drawing prepared by an Alberta Land Surveyor or Survey Technician shall be provided where the footprint of the building is within 2 m (6.5 ft) of a property line, if required by the Development Officer. The said drawing may be required at the foundation and/or final stages of a building construction.
- (e) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user, or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Development Officer, has been undertaken.

2.18. Development Agreements

- (a) The Development Authority, Subdivision Authority or the Subdivision and Development Appeal Board may require, by condition of issuing a development permit, subdivision decision, that the developer enter into a Development Agreement with the County, in accordance with the Act, as amended.
- (b) In accordance with the Act, the Development Agreement may be registered by a caveat against the title of the affected lot(s) and must be discharged when the conditions of the agreement have been fulfilled.
- (c) The Subdivision Authority or the Development Authority may request a refundable security, in an amount determined by the appropriate authority, be provided to ensure compliance with conditions of the subdivision approval or a development permit.

2.19. Intermunicipal Communications

In addition to the notification requirements described in this Bylaw, the County shall provide notification to adjacent municipalities and any Inuit, Metis, First Nations and Aboriginal Peoples in accordance with the following:

- (a) All applications for proposed land uses that utilize infrastructure or services from adjacent municipalities or Metis and First Nations Settlements for operation including, but not limited to: potable water, waste-water, solid waste, lagoon storage, utility lines and access regardless of distance to the boundary of the said stakeholder jurisdiction.
- (b) All applications to amend this Bylaw that are not of a punctuation or grammatical nature if deemed necessary.



SUBDIVISION

2.20. Control of Subdivision

No subdivision of land shall be undertaken within the County unless an application for it has been approved pursuant to the *Act*.

2.21. Subdivision Applications

An application for a subdivision shall be made to the Subdivision Authority using the Subdivision Application Form available at the County Office and on the County's website and shall include the following:

- (a) An application fee as set out in the County of Big Lakes Schedule of Fees Bylaw, as amended.
- (b) Current copy of the Certificate of Title (within 30 days of submission) for the affected lands.
- (c) A Tentative Plan of Subdivision prepared by an Alberta Land Surveyor showing:
 - i) the location, dimensions and boundaries of:
 - a. the land to be subdivided;
 - b. each new lot to be created including the remnant parcel;
 - c. reserve lot(s), if any;
 - d. right-of-way of each public utility and any other right-of-way.
 - ii) natural features such as:
 - a. water bodies, wetlands, sloughs, muskeg, swamp and/or other bodies of water;
 - b. rivers, creeks, ravines, drainage courses;
 - c. top of bank;
 - d. forest or treed areas.
 - iii) man-made features such as:
 - a. drainage ditches;
 - b. aggregate extraction/borrow areas;
 - c. existing and proposed access locations.
 - iv) the location, numbers, names and other designations of:
 - a. highways;
 - b. public roads.
 - v) the location, dimensions and setbacks to existing and proposed property lines of buildings on the land that is the subject of the application and specifying those buildings that are proposed to be demolished or removed, if any. As well as any proposed improvements.
 - vi) the location of any existing or proposed wells and the location of any existing or proposed private sewage disposal systems with the distance from these to the existing or proposed buildings and property lines.



- vii) contour information (where required) at an interval of 2 m, to be superimposed over the tentative plan, and related to a geodetic datum where possible.
- (d) When required by the Subdivision Authority:
 - i) Area Structure Plan;
 - ii) Geotechnical Report;
 - iii) Environmental Assessment and Biophysical Report;
 - iv) Hydrogeological Report;
 - v) Historical Resource Impact Assessment;
 - vi) 1:100 Year Floodplain Analysis;
 - vii) Traffic Impact Assessment;
 - viii) Noise Attenuation Study;
 - ix) Private Sewage Assessment of Site Suitability;
 - x) A Stormwater Management Plan;
 - xi) Design Brief;
 - xii) Street Names.

2.22. Subdivision Reviews

- (a) Upon receipt of a completed subdivision application, the Subdivision and Development Officer shall, within twenty (20) days, provide acknowledgement that the application is complete in the form of a written notice.
- (b) If the Subdivision and Development Officer determines that the application is incomplete, a written notice shall be issued to the applicant stating that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed upon in order for the application to be considered complete.
- (c) If the information is not submitted on or before the set date, the application shall be deemed refused. A written notice shall be issued to the applicant that the application has been refused and the reason for refusal.

2.23. Subdivision Fees

All fees and charges pursuant to this Bylaw shall be as established by a schedule of fees established by a Schedule of Fees Bylaw of Council.

CONTRAVENTION

2.24. Contravention

- (a) Where an applicant and/or landowner is found to be in contravention of the provisions of this Bylaw, or a development permit or subdivision approval, a Stop Order may be issued by the development authority, in accordance with the Act.



- (b) Where a Stop Order is issued under the *Act*, the Stop Order shall state the following and any other information considered necessary by the Development Authority:
 - i) an explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the *Act* the order is being carried out;
 - ii) the alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;
 - iii) a time frame in which the contravention must be corrected prior to the County pursuing action; and
 - iv) advise the person of his right to appeal the notice to the Subdivision and Development Appeal Board.

2.25. Enforcement

- (a) This Bylaw may be enforced, and the contravention of any provisions contained herein restrained, by the Alberta Court of Appeal upon action brought by Council, whether or not any penalty has been imposed for the contravention.
- (b) A person who:
 - i) contravenes any provision of the *Act* or the regulations under the *Act*;
 - ii) contravenes this Bylaw;
 - iii) contravenes a development permit or subdivision approval or a condition attached thereto; and/or
 - iv) obstructs or hinders any person in the exercise or performance of his powers or duties under the *Act*, the regulations under the *Act* or this Bylaw;is guilty of an offense and is liable to a fine prescribed in the *Act*.
- (c) If a person is found guilty of an offense under this Bylaw or the *Act*, the court may, in addition to any other penalty imposed, order the person to comply with:
 - i) the *Act* and the regulations under the *Act*;
 - ii) this Bylaw;
 - iii) a development permit or subdivision approval or a condition attached to a development permit or subdivision approval.
- (d) Any written notice, order, or decision that is required to be provided to any person, by any provision of this bylaw, shall be deemed to have been so provided if it is:
 - i) delivered personally to the person or their agent it is directed to; or
 - ii) delivered by registered mail to the last known address of the person it is directed to; or
 - iii) left with any agent or employee or resident at the last known address of the person to whom it is directed.



- (e) Where a person fails, or refuses to comply with an order directed to him pursuant to this Bylaw or an order of the Subdivision and Development Appeal Board under the *Act* within the time specified, Council or a person appointed by it may, in accordance with the *Act*, enter upon the land or building and take such action as is necessary to carry out the order. Where an order has not been complied with, Council may register a caveat against the title of the subject property related to the order. Costs and expenses incurred in carrying out the order may be placed on the tax roll for the subject property and shall be collected in the same manner as property taxes.
- (f) Fine and penalty amounts which shall apply and accrue as a result of non-compliance/ enforcement of orders issued under this section shall be established by Council at their discretion through a separate bylaw. Where not defined, the fine and penalty structure provided in the *Act* shall apply.

2.26. Fines

- (a) Any person who:
 - i) Contravenes or fails to comply with any provision of this Bylaw;
 - ii) Uses land in a manner contrary to the provisions of any subdivision or development permit for such land;
 - iii) Contravenes or fails to comply with any development permit or subdivision approval for such land;
 - iv) Contravenes or fails to comply with a decision of the Subdivision and Development Appeal Board;
 - v) Obstructs or otherwise hinders in any manner any person in the exercise or performance of that person's powers authorized under this or any other Bylaw or enactment;
 - vi) Contravenes or fails to comply with a stop order issued pursuant to the *Act*;
 - vii) is guilty of an offence and is liable on summary conviction to a fine.
- (b) A person who proceeds with development without approval required under the *Act* and/or this Bylaw is guilty of an offence and is liable to a fine in the amount of \$250 for the first offence, and \$500 for a second or subsequent offence.
- (c) A person who contravenes or fails to comply with any other provision of this Bylaw is guilty of an offence and is liable to a penalty in the amount of \$250 for the first offence, and \$500 for a second or subsequent offence.
- (d) If a person is found guilty of an offence under this Bylaw, the court may, in addition to any other penalty imposed, order the person to comply with this Bylaw or a permit issued under that Bylaw, or a condition of any of them.



2.27. Non-Conforming Uses

- (a) If a development permit has been issued on or before the day on which this Bylaw or an amendment to this Bylaw comes into force in a municipality and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues to be in effect in spite of the Bylaw coming into force.
- (b) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with the Bylaw in effect.
- (c) A non-conforming use of part of a building may be extended throughout the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.
- (d) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- (e) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - i) to make it a conforming building;
 - ii) for routine maintenance of the building if the development authority considers it necessary; and/or
 - iii) in accordance with a variance that may be granted by the Development Authority.
- (f) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except where allowed under this Bylaw.
- (g) The land use or the use of the building is not affected by a change in ownership or tenancy of the land or building.



Part 3:

Land Use Districts

3.1. Land Use Districts

The County is hereby divided into the following districts:

Agricultural	(AG)
Commercial Recreation	(CREC)
Communal Recreational	(CMR)
Country Residential	(CR)
Crown Land	(CL)
Hamlet Commercial	(HC)
Hamlet Industrial	(HI)
Hamlet Manufactured Home Court	(HMHC)
Hamlet Mixed Use	(HM)
Hamlet Residential	(HR)
Hamlet Residential Estate	(HRE)
Highway Commercial	(HWC)
Parks and Institutional	(PI)
Rural Industrial	(RI)
Urban Reserve	(UR)
Airport Protection Overlay District (Bylaw 06-2018)	(AP)

3.2. Land Use District Map

- (a) The Land Use District Map, as may be amended or replaced by bylaw from time to time, can be found in Schedule A – Land Use District Map.
- (b) The districting of a particular parcel shall be determined by looking at these maps.
- (c) Where uncertainty arises as to the precise location of the boundary of any district, the following rules shall apply:
 - i) where a boundary is shown as following a public lane or street, the boundary follows the middle of the right-of-way.
 - ii) where a boundary is shown as approximately following a lot line or quarter section line, it shall be deemed to follow the lot line or quarter section line.
 - iii) in circumstances not covered by rules (i) and (ii), the location of the district boundary shall be determined:



- a. where dimensions are set out on a Land Use District Map, by the dimensions so set out, or;
 - b. where no dimensions are set out on a Land Use District Map with respect to such boundary, by measurement with the use of the scale shown on a Land Use District Map, or;
 - c. where a street, highway, or railroad right of way, electrical transmission line right of way or watercourse serves as a boundary, a line midway on such right of way shall be considered the boundary between the district unless specifically indicated otherwise.
- (d) where the application of the above rules does not determine the exact location of the boundary of the district, Council, either on its own motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as the circumstances may require

3.3. Direct Control Districts

- (a) In accordance with the *Act*, Direct Control districts are to be applied to areas determined by the County to be unique or of special character or where particular circumstances or difficulties are present.
- (b) Direct Control Districts are intended to ensure that land use and development occurs in these areas in accordance with any applicable provisions prescribed for such areas in a statutory plan in effect or to be put in effect to specifically guide the implementation and administration of a Direct Control District.
- (c) Pursuant to the relevant sections of the *Act* and section 2.4 of this Bylaw, applications under Direct Control Districts will be received, considered, and decided upon by Council.
- (d) Council shall consider the application and designation of Direct Control Districts to those specific sites or areas of the County where:
 - i) development regulation and control by means of the other Districts provided for in this Bylaw may be inappropriate or inadequate having regard to existing or future developments and to the interests of the applicant, the County, and the public generally; or
 - ii) an approved statutory plan for the area could be more effectively implemented through the application of a Direct Control District; or
 - iii) a proposed development is of a unique form or nature not contemplated; or
 - iv) is not reasonably regulated by another District provided for in this Bylaw.
- (e) Buildings and Uses shall be determined by Council.
- (f) Lot Area and Site Regulations shall be determined by Council.
- (g) The authority for development and subdivision may be delegated at the discretion of Council to the Development Officer and/or the Subdivision Officer, and those decisions made by the lower authorities are applicable for SDAB eligibility.



3.4. Agriculture (AG) District

General Purpose of District

The general purpose of this District is to recognize the wide variety of uses that are compatible with the agricultural community.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	Abattoir
Accessory Use	Agricultural Industry
Agriculture (Intensive)	Agricultural Support Services
Boarding or Lodging House	Airport
Cabin (First on Parcel)	Airstrip
Dwelling, Live Work Unit	Animal Health Care Services
Dwelling – Manufactured Home	Apiary
Dwelling – Single Detached	Auctioneering Establishment
Home Occupation (Minor)	Bed and Breakfast Operation
Industrial Wellsite Trailer (up to 3 units)	Bulk Agricultural Chemical Distribution
Solar (Freestanding) < 28 m ²	Cabin (Additional)
Tourist Home	Campground
Utility Building	Cannabis Production & Distribution Facility
	Caretaker’s Residence
	Country Inn
	Dwelling, Multi-Unit (Colony)
	Garden Suite
	Garage Suite
	Guest Ranch
	Home Occupation (Major)
	Industrial Camp
	Institutional
	Kennel
	Liquor Manufacturing
	Pressure Vessel Storage
	Solar (Freestanding) > 28 m ²
	Wind Power



Parcel Requirements

MINIMUM PARCEL SIZE	MAXIMUM DENSITY
<ul style="list-style-type: none"> • An un-subdivided Quarter Section, or • The portion created and the portion remaining after registration of a First Parcel Out subdivision, or • The portion of a parcel remaining after approval of a Land Use Redesignation and Subdivision provided the remainder is a minimum of 16.2 ha. 	<ul style="list-style-type: none"> • One Dwelling Unit will be permitted per parcel; additional Dwelling Units shall be a discretionary use, up to the following maximums: <ul style="list-style-type: none"> ○ On parcels less than 32.4 ha a maximum of two Dwelling Units ○ On parcels greater than or equal to 32.4 ha a maximum of four Dwelling Units

Site Regulations

Minimum Front Yard Setback	40 m (131 ft)
Minimum Rear Yard	7.5 m (24.5 ft)
Minimum Side Yard	6.1 m (20 ft)
Height	N/A



3.5. Commercial Recreation (CREC) District

General Purpose of District

The general purpose of this District is to allow compatible for-profit commercial recreational use within the County.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	Campground
Accessory Use	Cabin
Amusement, Indoor	Retail (Small)
Amusement, Outdoor	Eating and Drinking Establishment
Artisan Shop	Institutional
Bed and Breakfast Operation	Kennel
Canopy	Liquor Sales
Caretaker's Residence	Marina
Guest Ranch	Resort
Park or Playground	Storage Facility
Recreation (Extensive)	
Recreation (Intensive)	
Utility Building	

Lot Requirements

- (a) Lots shall be to an appropriate size to accommodate the proposed use to the satisfaction of the Subdivision Authority and Development Authority, as applicable.

Site Regulations

- (b) Sites within a Hamlet shall conform as a minimum to the property line setback provisions provided in the Hamlet Residential District.
- (c) Sites within a rural area, outside hamlets shall conform to the property line setbacks provided in the Agricultural District.

Additional Requirements

- (d) Council shall consider the overall impact upon the community when determining re-districting applications of land to this District.
- (e) Re-districting of land to this District may require amendments to the applicable Hamlet Area Structure Plan which, where required shall be completed prior to granting of final readings to the re-districting bylaw.
- (f) In remote areas, compliance with Fire Smart guidelines is mandatory.
- (g) Access and signage shall be to the satisfaction of the approving authority including Alberta Transportation



3.6. Communal Recreational (CMR) District

General Purpose of District

The general purpose of this District is to allow for a range of development that typically locates adjacent to prominent natural features, includes overnight accommodation for guests, and a wide variety of recreational opportunities.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	Amusement, Indoor
Accessory Use	Amusement, Outdoor
Artisan Shop	Caretaker’s Residence
Cabin	Campground
Canopy	Eating and Drinking Establishment
Dwelling, Manufactured Home	Garage Suite
Dwelling, Single Detached	Garden Suite
Park or Playground	Institutional
Resort	Recreation (Extensive)
Utility Building	Recreation (Intensive)

Lot Requirements

Lot areas shall be at the discretion of the Subdivision Authority.

Site Regulations

Minimum Front Yard Setback	7.5 m (24.5 ft) from County roads 7.5 m (24.5 ft) from internal road or hamlet roads
Minimum Rear Yard Setback	4.6 m (15 ft)
Minimum Side Yard Setback	2.0 m (6.5 ft)
Maximum Site Coverage	40%
Accessory Building:	
Minimum Side Yard (not adjacent to a road/road allowance)	1.5 m (5 ft)*
Minimum Rear Yard (not adjacent to a road/road allowance)	1.5 m (4.9 ft)**
Minimum Exterior Side and Rear Yard (adjacent to County roads, internal subdivision roads and undeveloped road allowances)	4.6 m (15 ft)
*Dependent on the type of construction, a greater setback may be required as per Building Code	
**Except when an accessory building, such as a garage, has an overhead door that faces the rear lane access, in which case the rear yard setback shall be a minimum of 6.1 m (20 ft)	



- (a) Due to development prior to incorporation of Big Lakes as a Municipal District, site regulations for Shaw’s Point: Plan 032 6208, Pt. SW 12-75-14-W5, and Plan 032 0962 as well as SW3 74-13-W5M within Joussard shall be at the discretion of the Subdivision and Development Authorities.

Additional Requirements

- (b) Permanent Dwellings within this District are restricted to the following resort communities:

COMMUNITY NAME	LEGAL DESCRIPTION
Red Sky Community within the Hamlet of Joussard	Pt. NE 7-74-13-5 and SE 18-74-13-5
Key Cove within the Hamlet of Joussard	Plan 032 5341, Pt. SW 3-74-13-5
South West Shore	Plan 142 0722 within SE 18-74-13-5
Deer Park	Plan 072 4705 within NE 32-73-10-W5
Poplar Point	Plan 112 3283 within NW 32-73-10 W5
Sunset Park	Plan 102 5552 within NE 32-73-10 W5
Hilliard’s Bay Estates	SE 20-75-13-5
Shaw’s Point	Plan 032 6208, Pt. SW 12-75-14-W5, and Plan 032 0962
	SW 3 74-13-W5M within Joussard



3.7. Country Residential (CR) District

General Purpose of District

The purpose of this District is to provide for traditional country residential living on rural lands in a manner that does not detract from the character of the surrounding agricultural community.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	Bed and Breakfast Operation
Accessory Use	Boarding or Lodging House
Canopy	Garden Suite
Dwelling – Single Detached	Garage Suite
Dwelling – Manufactured Home	Home Occupation (Major)
Home Occupation (Minor)	
Institutional	
Utility Building	

Lot Requirements

Minimum Parcel Area	1.2 ha (3 ac)
Maximum Parcel Area	4.0 ha (10 ac)
Minimum Lot Width	30.0 m (98 ft)

(a) Parcel density shall be at the discretion of the Subdivision Authority.

Site Regulations

Minimum Front Yard Setback	40 m (131 ft) from highways and County roads 7.5 m (25 ft) from internal road or hamlet roads
Minimum Rear Yard Setback	7.5 m (25 ft)
Minimum Side Yard Setback	6.1 m (20 ft)
Height	N/A

Additional Requirements:

- (b) All newly created parcels shall be accessed from internal roads except where no reasonable alternative exist.
- (c) Notwithstanding the requirements of 7.6.4 above, moveable (not on fixed foundation) buildings with a floor area less than 10 m² (108 ft²) in area may be located in the rear or side yard with a minimum setback of 5 m (16 ft).



3.8. Crown Land (CL) District

General Purpose of District

The general purpose of this district is to provide a basis for the direction of development on Crown Lands through collaboration with the Provincial Government and provide development direction for lands if released by the Crown for private ownership.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	General Industrial
Accessory Use	Heavy Industrial
Agriculture (Intensive)	Industrial Camps
Industrial Wellsite Trailer (up to 3 units)	Natural Resource Processing
Water Reservoir	Oil and Gas Processing Plant
	Solar (Freestanding) > 28 m ²
	Wind Power

Additional Requirements

- (a) In case of an application for development permit on Crown Land, the County shall require Provincial authorization and/or copy of the Provincial Land Disposition prior to the issuance of a development permit.
- (b) Notwithstanding (a), the Province may require municipal development permit approval as part of a lease agreement (e.g. Spruce Point Park Association recreation lease, Winagami Lake Provincial Park Cottage lot development area). In this instance, development permit approval shall be at the discretion of the development authority.
- (c) In the event that Crown Land is transferred to private ownership, the land must be re-districted to an appropriate District suitable for the proposed use.
- (d) All development standards, including minimum requirements and maximum limits, shall be at the discretion of the Development Authority.



3.9. Hamlet Commercial (HC) District

General Purpose of District

The general purpose of this District is to allow for a wide range of retail commercial and related land uses designed to service the needs of residents in and around the hamlet area, that is consistent with and sensitive to existing development and adjacent residential uses.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	Animal Health Care Services
Accessory Use	Cannabis Retail Store
Amusement Indoor	Caretaker’s Residence
Artisan Shop	Convention Services
Automobile Repair Services	Flea Market
Canopy	Funeral Service
Retail (Small)	Kennel
Cultural Facility	Liquor Manufacturing
Day Care Services	Liquor Sales
Dwelling, Live Work Unit	Service Station
Eating and Drinking Establishment	Storage Facility
Health Service	Vehicle Sales/Rentals
Hotel/Motel	
Institutional	
Office	
Personal Service Establishment	
Retail (General)	

Lot Requirements

Minimum Lot Area	At the discretion of the Subdivision/Development Authority
Minimum Lot Width	15 m (49 ft)

Site Regulations

Minimum Front Yard Setback	3 m (10 ft)
Rear Yard Setback	3 m (10 ft)
Side Yard Setback	3 m (10 ft)
Height	12 m (39 ft)

Additional Requirements

- (a) Outside storage of goods, products, materials, or equipment shall be screened from public thoroughfares and residential properties to the satisfaction of the Development Authority.



3.10. Hamlet Industrial (HI) District

General Purpose of District

The general purpose of this District is to accommodate opportunities for workshop, light industrial and manufacturing development within Hamlets, which do not cause any nuisance or danger to surrounding hamlet development.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	Bulk Fuel Depot
Accessory Use	General Industrial
Agricultural Support Services	Industrial Wellsite Trailer
Animal Health Care Services	Kennel
Auctioneering Establishment	Liquor Manufacturing
Automobile Repair Services	Maintenance Yard
Canopy	Pressure Vessel Storage
Dwelling, Live Work Unit	Storage Facility
General Contractor Services	Storage Tank, Above Ground
Oilfield Services	
Service Station	
Solar (Freestanding) < 28 m ²	
Trucking Operation	
Utility Building	
Vehicle Sales/Rentals	
Warehousing	

Lot Requirements

- (a) All lots shall be a minimum of 0.2 ha (0.5 ac) in size.
- (b) All other parcel standards are at the discretion of the Development Authority or Subdivision Authority.

Parcel Regulations

- (c) Front, side and rear yard setbacks shall be a minimum of 10 m (33 ft).
- (d) Maximum building height shall be 14 m (46 ft).

Additional Regulations

- (e) Where a multi-lot business park is proposed, an Area Structure Plan shall be prepared to guide development.



3.11. Hamlet Manufactured Home Court (HMHC) District

General Purpose of District

The general purpose of this District is to allow compatible manufactured home communities in an urban setting.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	Bed and Breakfast Operation
Accessory Use	Garden Suite
Dwelling, Manufactured Home	Home Occupation (Major)
Home Occupation (Minor)	
Institutional	
Manufactured Home Court	
Park or Playground	
Utility Building	

Lot Requirements

Minimum Lot Area	370 m ² (3,983 ft) All lots shall have a minimum size to accommodate the proposed use to the satisfaction of the Subdivision Authority and Development Authority, as applicable.
Minimum Lot/Unit Widths	12 m (39 ft) – Single Wide 20 m (65.5 ft) – Double Wide

Site Regulations

Minimum Front Yard Setback	7.5 m (24.5 ft)
Minimum Rear Yard Setback	3 m (10 ft)
Minimum Side Yard Setback	3 m (10 ft)
Maximum Site Coverage	40%

Additional Regulations

- (a) All roads in a manufactured home court shall be hard-surfaced to the satisfaction of the County.
- (b) All units within a manufactured home park shall be fully serviced in accordance with the servicing standards of the County.
- (c) All utilities shall be underground.
- (d) No principal building shall be closer than 6.1 m (20 ft) to another principal building.



- (e) The development area of a manufactured home court shall be landscaped to the satisfaction of the Development Officer.
- (f) A minimum of 10% of the court gross area shall be designated as municipal reserve.
- (g) All homes shall be skirted or parged to the satisfaction of the Development Authority.
- (h) Where a development permit for a manufactured home court has been approved, separate development permits for each individual Dwelling - Manufactured Home will be required.
- (i) An overall site plan indicating the general layout of lots, roads, buildings and open spaces shall be provided as part of an application for a manufactured home court.



3.12. Hamlet Mixed Use (HM) District

General Purpose of District

The general purpose of this District is to allow compatible residential and commercial land uses within the same area.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	Animal Health Care Services
Accessory Use	Apartment Building
Artisan Shop	Bed and Breakfast Operation
Canopy	Boarding or Lodging House
Retail (Small)	Caretaker's Residence
Cultural Facility	Convention Services
Dwelling - Duplex	Day Care Services
Dwelling, Live Work Unit	Drive Through Business
Dwelling – Manufactured Home	Flea Market
Dwelling – Row House	Funeral Service
Dwelling – Single Detached	Garage Suite
Eating and Drinking Establishment	Garden Suite
Health Service	Group Home
Home Occupation (Minor)	Home Occupation (Major)
Institutional	Hotel/Motel
Park or Playground	Liquor Manufacturing
Utility Building	Liquor Sales
	Personal Service Establishment
	Retail (General)
	Service Station
	Tourist Home
	Vehicle Sales/Rentals

Lot Requirements

Lot Width:	15 m (49 ft)
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All other parcel standards are at the discretion of the Development Authority or Subdivision Authority.



Site Regulations

Minimum Front Yard Setback	7.5 m (24.5 ft)
Minimum Rear Yard Setback	7.5 m (24.5 ft)
Side Yard (Interior)	2 m (6.5 ft)
Accessory Building:	
Minimum Side Yard (not adjacent to a road/road allowance)	1.5 m (5 ft)*
Minimum Rear Yard (not adjacent to a road/road allowance)	1.5 m (5 ft)**
Minimum Exterior Side and Rear Yard (adjacent to County roads, internal subdivision roads and undeveloped road allowances)	4.6 m (15 ft)
Site Coverage	40% or a maximum coverage of 371 m ² (3993 ft ²), whichever is greater
*Dependent on the type of construction, a greater setback may be required as per Building Code	
**Except when an accessory building, such as a garage, has an overhead door that faces the rear lane access, in which case the rear yard setback shall be a minimum of 6.1 m (20 ft)	

Additional Requirements

- (a) The Development Authority shall consider the overall impact upon the community when determining redistricting applications of land to this District; and
- (b) Redistricting of land to this District may require amendments to the applicable Hamlet Area Structure Plan, which, where required shall be completed prior to granting of final readings to the redistricting Bylaw.



3.13. Hamlet Residential (HR) District

General Purpose of District

The general purpose of this District is to allow a variety of residential land uses of a smaller scale and higher density compared to the Hamlet Estate district, which are compatible with the overall residential character of a Hamlet.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	Apartment Building
Accessory Use	Bed and Breakfast Operation
Canopy	Boarding or Lodging House
Dwelling – Duplex	Cabin
Dwelling – Single Detached	Dwelling, Row House
Home Occupation (Minor)	Dwelling – Manufactured Home
Institutional	Garden Suite
Utility Building	Garage Suite
	Group Home
	Home Occupation (Major)
	Tourist Home

Lot Requirements

Minimum Lot Area - Single Detached	465 m ² (5,000 ft ²)
Minimum Lot Area (Per Dwelling Unit) - Duplex	200 m ² (2,152 ft ²)
Minimum Lot Area (Per Dwelling Unit) – Row House	175 m ² (1,883 ft ²)
Minimum Lot Width – Single Detached	15 m (49 ft)
Minimum Lot Width (Per Dwelling Unit)- Duplex	7.5 m (24.5 ft)
Minimum Lot Width (Per Dwelling Unit) – Row House	7.5 m (24.5 ft)



Site Regulations

Minimum Front Yard Setback	7.5 m (24.5 ft)
Minimum Rear Yard Setback	7.5 m (24.5 ft)
Minimum Side Yard (Interior) Setback	2 m (6.5 ft)
Minimum Side Yard (Exterior) Setback	3 m (10 ft)
Accessory Building:	
Minimum Side Yard (not adjacent to a road/road allowance)	1.5 m (5 ft)*
Minimum Rear Yard (not adjacent to a road/road allowance)	1.5 m (5 ft)**
Minimum Exterior Side and Rear Yard (adjacent to County roads, internal subdivision roads and undeveloped road allowances)	4.6 m (15 ft)
Site Coverage	40% or a maximum coverage of 371 m ² (3993 ft ²), whichever is greater
*Dependent on the type of construction, a greater setback may be required as per Building Code	
**Except when an accessory building, such as a garage, has an overhead door that faces the rear lane access, in which case the rear yard setback shall be a minimum of 6.1 m (20 ft)	



3.14. Hamlet Residential Estate (HRE) District

General Purpose of District

The general purpose of this District is to allow lower density single detached dwellings, and those uses which are compatible with the overall residential character of a Hamlet.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	Bed and Breakfast Operation
Accessory Use	Boarding or Lodging House
Canopy	Garden Suite
Dwelling – Single Detached	Garage Suite
Home Occupation (Minor)	Home Occupation (Major)
Institutional	
Utility Building	

Lot Requirements

Minimum Lot Area	510 m ² (5489 ft ²)
Minimum Lot Width	15 m (49 ft)
Minimum Lot Depth	34 m (111.5 ft)

Site Regulations

Minimum Front Yard Setback	7.5 m (24.5 ft)
Minimum Rear Yard Setback	7.5 m (24.5 ft)
Minimum Side Yard (Interior) Setback	2 m (6.5 ft)
Minimum Side Yard (Exterior) Setback	3 m (10 ft)
Height	11 m (36.1 ft)
Accessory Building:	
Minimum Side Yard (not adjacent to a road/road allowance)	1.5 m (5 ft)*
Minimum Rear Yard (not adjacent to a road/road allowance)	1.5 m (5 ft)**
Minimum Exterior Side and Rear Yard (adjacent to County roads, internal subdivision roads and undeveloped road allowances)	4.6 m (15 ft)
Site Coverage	40% or a maximum coverage of 371 m ² (3993 ft ²), whichever is greater
*Dependent on the type of construction, a greater setback may be required as per Building Code	
**Except when an accessory building, such as a garage, has an overhead door that faces the rear lane access, in which case the rear yard setback shall be a minimum of 6.1 m (20 ft)	



3.15. Highway Commercial (HWC) District

General Purpose of District

The general purpose of this District is to allow for development that would accommodate the travelling public, along highways and major roadways, in a manner that does not conflict with other land uses, or highway safety.

Uses

PERMITTED	DISCRETIONARY
Animal Health Care Services	Amusement, Indoor
Accessory Building	Amusement, Outdoor
Accessory Use	Automobile Repair Services
Automobile Dealership	Bulk Fuel Depot
Canopy	Cabin
Retail (Small)	Cannabis Retail Store
Drive Through Business	Caretaker/Security Residence
Dwelling, Live Work Unit	Cultural Facility
Eating and Drinking Establishment	Dwelling
Health Service	Funeral Service
Hotel/Motel	General Contractor Services
Institutional	Industrial Wellsite Trailer
Retail (General)	Liquor Manufacturing
Service Station	Liquor Sales
Utility Building	Storage Facility
	Trucking Operations
	Vehicle Sales/Rentals

Lot Requirements

Minimum Site Width	60 m (197 ft)
Minimum Site Depth	45 m (148 ft)
Parcel Density	At the discretion of the Subdivision Authority



Site Regulations

Minimum Front Yard Setback	40 m (131 ft) from Highways 20 m (64.5 ft) from County Roads 10 m (33 ft) from Internal Roads
Minimum Rear Yard Setback	40 m (131 ft) from Highways 20 m (64.5 ft) from County Roads 10 m (33 ft) from Internal Roads 10 m (33 ft) adjacent to other property lines
Minimum Side Yard Setback	40 m (131 ft) from Highways 10 m (33 ft) adjacent to County Roads 10 m (33 ft) from Internal Roads 6.1 m (20 ft) adjacent to other property line.
Maximum Building Height	12 m (39 ft)
Maximum Site Coverage	40% including both principal and accessory buildings combined.



3.16. Parks and Institutional (PI) District

General Purpose of District

The purpose of this District is to provide a range of park, recreation and institutional land uses which are compatible with urban and rural communities within the County.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	Day Care Services
Accessory Use	Funeral Services
Canopy	Group Home
Cemetery	Marina
Community Recreation Services	Recreation (Extensive)
Cultural Facilities	Recreation (Intensive)
Educational Services	
Institutional	
Park or Playground	
Place of Worship	
Public Works Building	
Utility Building	
Water Reservoir	

Subdivision Requirements

All lots shall have a minimum size to accommodate the proposed use to the satisfaction of the Subdivision Officer and Development Officer, as applicable.

Site Requirements

Minimum Front Yard Setback	7.5 m (24.5 ft) within hamlets 40 (131 ft) from highways and County Roads
Minimum Rear Yard Setback	7.5 m (24.5 ft)
Minimum Side Yard Setback	6.1 m (20 ft) abutting a public road 3 m (10 ft) abutting another lot line
Height	N/A



3.17. Rural Industrial (RI) District

General Purpose of District

The general purpose of this district is to provide for larger-scale intensive industrial development best suited for areas outside of Hamlets and urban settings.

Uses

PERMITTED	DISCRETIONARY
Abattoir	Bulk Fuel Depot
Accessory Building	Caretaker's Residence
Accessory Use	Concrete / Asphalt Plant
Agricultural Industry	General Contractor Services
Agricultural Support Services	General Industrial Use
Animal Health Care Services	Heavy Industrial
Auctioneering Establishment	Industrial Camp
Automobile Repair Services	Industrial Wellsite Trailer
Bulk Agricultural Chemical Distribution	Liquor Manufacturing
Canopy	Maintenance Yard
Dwelling, Live Work Unit	Medical Marijuana Facility
Oilfield Services	Natural Resource Processing
Service Station	Oil and Gas Processing Plant
Solar (Freestanding) < 28 m ²	Pressure Vessel Storage
Trucking Operation	Salvage Yard
Utility Building	Storage Facility
Warehousing	Storage Tank, Above Ground
	Transloading Facility
	Solar (Freestanding) > 28 m ²
	Wind Power

Lot Requirements

(a) Rural areas, outside hamlets: All lots shall be a minimum of 0.8 ha (2 ac) in size.

Site Regulations

(b) Front yard setbacks shall be a minimum of:

- i) 40 m (131 ft) from a Highway;
- ii) 40 m (131 ft) from a County Road;
- iii) 10 m (33 ft) from an internal road or hamlet road.

(c) Rear and Side yard setbacks are to be a minimum of:

- i) 40 m (131 ft) from a Highway;



- ii) 40 m (131 ft) from a County road;
 - iii) 10 m (33 ft) from an internal road or hamlet road;
 - iv) 10 m (33 ft) from another property line.
- (d) Caretaker's Residence:
- i) In this District a Caretaker's Residence may be allowed at the discretion of the Development Authority, to a maximum of one (1) suite per Lot and accessory to the Principal Use. Where approval is given, the following regulations shall apply:
 - a. where the Caretaker's Residence is a manufactured home unit, the unit shall have Canadian Standards Association certification or equivalent. Proof of these shall be submitted with the Development Permit application.
 - b. The manufactured home unit shall be secured and properly skirted to the satisfaction of the Development Authority.
- (e) Outside Storage and Display:
- a. there shall be no outside storage of goods, products, materials, or equipment permitted within the front yard setback of this District.
 - b. outside storage of goods, products, materials, or equipment shall be screened from public thoroughfares to the satisfaction of the Development Authority.

Additional Requirements

- (f) All parcels shall be large enough to accommodate the proposed use.



3.18. Urban Reserve (UR) District

General Purpose of District

The general purpose of this District is to allow some development within lands that are identified for future urban growth.

Uses

PERMITTED	DISCRETIONARY
Accessory Building	Institutional
Accessory Use	
Agriculture – Intensive	
Park or Playground	
Solar (Freestanding) < 28 m ²	
Utility Building	

Lot Requirements

- (a) As required by the Subdivision Officer and appropriate for the proposed use.
- (b) Parcels must be designed to incorporate fully serviced lots.

Site Regulations

Minimum Front Yard Setback	40 m (131 ft) from Highways 7.5 m (24.5 ft) All other roads
Minimum Rear Yard Setback	7.5 m (24.5 ft)
Minimum Side Yard Setback	2 m (6.5 ft)
Accessory Building:	
Minimum Side Yard (not adjacent to a road/road allowance)	1.5 m (5 ft)*
Minimum Rear Yard (not adjacent to a road/road allowance)	1.5 m (5 ft)**
Minimum Exterior Side and Rear Yard (adjacent to County roads, internal subdivision roads and undeveloped road allowances)	4.6 m (15 ft)
*Dependent on the type of construction, a greater setback may be required as per Building Code	
**Except when an accessory building, such as a garage, has an overhead door that faces the rear lane access, in which case the rear yard setback shall be a minimum of 6.1 m (20 ft)	



3.19. Airport Protection Overlay (AP) District

General Purpose of District

The purpose of the Airport Protection Overlay District is to reflect the extent of the noise exposure of forecast areas and height limitations affecting airports in the County.

Uses

- (a) Permitted and discretionary uses within the AP District are the same as those in the underlying district unless they are prohibited by this overlay because they will cause objectionable or dangerous conditions that would interfere with safety by reason of causing excessive:
 - i) discharge of toxic, noxious, or other particulate matter into the atmosphere;
 - ii) radiation or interference by the use of electronic equipment such as equipment for commercial purposes that cause electrical interference with navigational signals or radio communications;
 - iii) conflicting aircraft movements from private airstrips;
 - iv) fire and explosive hazards;
 - v) accumulation of any material or waste edible by or attractive to birds, or
 - vi) development that creates glare or lighting that interferes with lights necessary for aircraft landing or take-off.

Subdivision Regulations

- (b) The subdivision regulations of the underlying district apply.

Development Regulations

- (c) All developments adjacent to an Airport and/or within the AP District shall be reviewed in accordance with “Transport Canada’s Guide – TP 1247E, Land Use in the Vicinity of Airports” as updated from time to time.
- (d) No development shall be approved which will jeopardize the safe use of the airports.
- (e) The following criteria shall be applied to subdivision and development near all airports within the AP District as identified on the Land Use Map in Schedule A:
 - i) Development shall not exceed in height the structural height limitation requirements as prescribed by Transport Canada and indicated on Schedules “1A: High Prairie Airport Height Limitation” and “2A: Swan Hills Airport Height Limitation” located at the end of this Subsection 7.19. The height of the development shall be approved in consultation with Transport Canada;
 - ii) Buildings shall conform to Canada Mortgage and Housing Corporation Standards for sound insulation for buildings situated in Noise Exposure Forecast (NEF) Areas as identified in Schedules “1B: High Prairie Airport Noise Exposure Projection” and “2B: Swan Hills Airport Noise Exposure Projection.”
- (f) Applications to erect or construct on any land within the AP District shall be forwarded to Transport Canada for technical comment prior to issuance of a development permit. Applications will be analyzed on a case-by-case basis and may be refused, notwithstanding that a land use class is listed as permitted, if it is deemed that such use class shall interfere with the operation of the airport.



- (g) Before considering any of the land uses listed below, the Development Authority shall consult with Transport Canada:
- i) A plant for processing and/or manufacturing of products from petroleum, natural gas, or other hydrocarbons, chemical or related products, stone, clay or glass products, fertilizers, animal by-products.
 - ii) Anything that includes an electronic device, apparatus and or equipment that is used for industrial, scientific, medical, research purposes and/or produces and utilizes radio frequency in its operations but does not interfere with radio communication.
 - iii) Uses that will or will likely result in:
 - a. emissions of steam or smoke or other particles which may impair vision
 - b. outdoor storage of large quantities of any material or waste edible by or attractive to birds, or
 - c. the use of extensive exterior lighting
 - iv) Uses that will result in:
 - a. Interference with airspace up to 305 m (1,000 ft) above ground level;
 - b. tethered balloons (with conditions) within five nautical miles; and
 - c. private airstrips (with conditions) within five nautical miles
 - v) Construction of towers or masts extending upwards more than 45 m (147.5 ft) within five (5) nautical miles of an airport reference point
- (h) If the Development Authority is satisfied that a proposed development shall not interfere with the safe operation of the airport, then the proposed development may be approved with or without conditions.
- (i) Development within the AP District shall not, in the opinion of the Development Authority with due regard to Transport Canada's comments, cause excessive
- a. discharge of toxic, noxious or other particulate matter into the atmosphere;
 - b. radiation or interference through the use of electric or electronic equipment;
 - c. fire and explosive hazards; or
 - d. accumulation of any material or waste edible by, or attractive to, birds
- (j) In addition to the general submission requirements of this Bylaw, where required by the Development Authority, an application within the AP District must provide the following information:
- i) The grade elevation of the highest point of proposed buildings, to be referenced to geodetic elevations. Geodetic elevation is the elevation of a point and its vertical distance, determined by employing the principles of geodesy above or below an assumed level surface or datum; and
 - ii) The proposed building height, in metric measurement, including clearance lights, mechanical penthouses, antennas, building cranes during construction, receiving or transmitting structures, masts, flagpoles, clearance markers or any other erection beyond the height of the principal building structure.



Part 4:

General Regulations

4.1. Applicability

The general regulations included in this section apply in all districts with the exception of agricultural practices. Where a conflict appears with regulations in other sections in this Bylaw, the general regulations apply unless those sections specifically exclude or modify these general regulations.

4.2. Accessory Buildings

- (a) In residential districts, an accessory building is not allowed without a principal building or use.
- (b) In residential districts, unless otherwise provided, accessory buildings shall be built and located based on the following:
 - i) a maximum of one (1) detached garage on a lot or parcel may be considered a permitted use within a non-agricultural District;
 - ii) all required yards and setbacks are maintained;
 - iii) the total floor area for all buildings shall not exceed site coverage specified in the applicable District;
 - iv) the Development Officer will require that there be adequate clearance between all buildings;
 - v) all accessory buildings shall be located in the rear yard except in the case of lakefront parcels;
 - vi) a boathouse on a lakefront parcel will be located to the satisfaction of the Development Officer;
 - vii) all enclosed accessory buildings shall have a vertical man-door for access;
- (c) Accessory buildings and uses shall be permitted when accessory to a permitted use, and discretionary when accessory to a discretionary use.



- (d) Notwithstanding subsection (a), at the discretion of the Development Authority, an accessory building may be constructed on a lot in the absence of a principal building if the proposed accessory building is required to accommodate the storage of vehicles or equipment.
- (e) Where a building is attached to the principal building by an open or enclosed roofed structure, it is to be considered a part of the principal building and subject to the setbacks required for the principal building.

4.3. Sea Can

- (a) Industrial structures such as Sea Can units and similar storage containers may be approved as an accessory building and shall be placed in accordance with the regulations for an Accessory Building in each District;
- (b) A Sea Can shall be aesthetically compatible to the main residential structure on the lot and the surrounding neighbourhood;
- (c) Colour photographs of the Sea Can shall be included with the development permit application;
- (d) Sea Cans shall be located in the rear or side yard only and shall not be permanently fixed to the ground nor shall it project beyond the front of the principal building on the subject lot;
- (e) In a residential or commercial district, the maximum number of Sea Cans allowed on a lot shall be:
 - i) less than 0.2 ha (0.5 ac) – One (1) Sea Can
 - ii) greater than 0.2 ha (0.5 ac) – at the discretion of the Development Authority
- (f) In a residential district the maximum length of a Sea Can shall be 6.1 m (20 ft).
- (g) In a non-residential district the maximum number of Sea Cans that may be placed on a lot in a non-residential district is at the discretion of the Development Authority. This provision does not apply where containers are being sold or rented as part of an approved Sea Can storage or sales related business.
- (h) A Sea Can shall have an exterior finish to match or complement the exterior finish of other buildings on the subject property. If the exterior finish is not acceptable, the Development Authority may require the sea can to be painted to match the surrounding building colours;
- (i) A Sea Can shall be suitably screened from public view to the satisfaction of the Development Authority.
- (j) A temporary permit for the placement and use of a Sea Can on a residential lot may be permitted at the discretion of the development authority for a period of six (6) months for the storage of equipment and materials during a period of construction or renovation on the said lot. After the temporary permit has expired the developer may apply for a one-time extension to the permit for an additional six (6) months.
- (k) The temporary placement of a Sea Can on a construction site will not require screening and will not be restricted to the side or rear yards.



- (l) Sea Cans cannot be stacked on top of each other or any other building and cannot exceed an overall height of 3.0 m (10 ft).
- (m) No human or animal habitation will be allowed within a Sea Can.

4.4. Tent and Air Supported Structures

Tents and Air Supported Structures may be approved as an accessory building and shall be placed in accordance with the regulations for an Accessory Building in each District.

4.5. Wind Power

- (a) Windmills shall be classified as small (up to 3KW), medium (up to 50KW) and large (greater than 50 KW);
- (b) Large windmill structures shall be separated from a residential dwelling with a minimum distance of 1 km (0.6 mi);
- (c) A horizontal windmill blade must be entirely within the property line setback or 1.5 m (5 ft), whichever is less;
- (d) A vertical windmill blade must have a minimum 10 m (33 ft) clearance above grade.
- (e) Agreements with impacted landowners may be used in support of a request for a reduction in site setbacks;
- (f) Noise from windmills shall be subject to County Noise Bylaw 7-99;
- (g) All windmill applications shall be subject to the obtaining of approval from the relevant provincial and federal governments; and
- (h) All windmills shall be removed from the site and the site shall be reclaimed once the site is no longer required for the proposed use.

Additional Application Requirements

- (i) In addition to the requirements for an application for Development Permit, the following may be required by the Development Officer:
 - (a) a site plan at scaled elevation showing the proposed height, tower height, rotor diameter, colour and proximity to property lines and buildings;
 - (b) an analysis for noise at the site and the property boundary of the site;
 - (c) specifications for anchor design, foundation and guy wires; and
 - (d) details on consultation with Alberta Environment and Parks, NAV Canada, Transport Canada and the Alberta Energy Regulator as applicable.

4.6. Solar Panels (Freestanding)

- (a) Solar Panels (Freestanding) shall be located such that they do not create undue glare on neighbouring parcels or roadways.
- (b) Solar Panels (Freestanding) shall not be located in the front yard or side yard of a parcel smaller than 1.2 ha.



- (c) A Development Permit is not required for Solar Panels (Freestanding) with an area of 28 m² or less so long as they comply with the above Requirements and all setbacks and height regulations of the applicable District.
- (d) A Development Permit is required for Solar Panels (Freestanding) with an area greater than 28 m² and a Development Permit application will respond to the above Requirements and all setbacks and height regulations of the applicable District.
- (e) Installations of Solar Panels (Freestanding) larger than 5MW (approximately 8 hectares in size) shall be circulated to adjacent landowners and require Alberta Utilities Commission (AUC) approval.

Additional Application Requirements

- (f) In addition to the requirements for an application for Development Permit, the following may be required by the Development Officer:
 - i) a site plan at scaled elevation showing the proposed height, tower height, rotor diameter, colour and proximity to property lines and buildings;
 - ii) an analysis for noise at the site and the property boundary of the site;
 - iii) specifications for anchor design, foundation and guy wires; and
 - iv) details on consultation with Alberta Environment and Parks, NAV Canada, Transport Canada and the Alberta Energy Regulator as applicable.

4.7. Solar Panels (Roof/Wall)

- (a) Solar Panels (Roof/Wall) may project a maximum of 1.3 m from the surface of the roof and shall not exceed the maximum height requirements of the applicable District.
- (b) Solar Panels (Roof/Wall) shall not extend beyond the outermost edge of the roof.
- (c) Solar Panels (Roof/Wall Mounted) may project a maximum of 1.5 m from the surface of the wall, when the wall faces the rear property line, subject to the setback requirements of the applicable District.
- (d) Solar Panels (Roof/Wall) may project a maximum of 0.6 m from the surface of the wall when the wall faces the front, or side property line, subject to the setback requirements of the applicable District.
- (e) Solar Panels (Roof/Wall) shall be located such that they do not create undue glare on neighbouring parcels or roadways.
- (f) Solar Panels (Wall Mounted) shall be located a minimum of 2.4 m above grade.
- (g) A Development Permit is not required for Solar Panels (Roof/Wall) so long as they comply with the above Requirements.

4.8. Bareland Condominiums

- (a) A bareland condominium development must comply with all applicable Land Use Bylaw regulations and *Condominium Property Act*.
- (b) For the purposes of this Bylaw, a bareland condominium plan is a plan of subdivision. A unit within a bareland condominium plan is considered a lot for development control purposes.



- (c) Development of land within a bareland condominium shall be considered the same as the development of land within a fee simple subdivision, with each unit of land treated as an individual lot.
- (d) Development within a bareland condominium shall be subject to all of the provisions of the relevant District.

4.9. Bed and Breakfast Operations

- (a) Bed and Breakfast Operations shall:
 - i) be limited to one meal provided on a daily basis to registered guests only, with such meal being prepared in one common kitchen and served in one common room;
 - ii) be limited to residential and agricultural Districts and the guest units shall be contained entirely within the principal building;
 - iii) be limited to one (1) off-street parking space per rented guest room in addition to off-street parking required for the residential use;
 - iv) be required to hold any permits or authorizations required by the local or Provincial Health Authority, as well as be in compliance with the Safety Codes Act;
 - v) accommodate no more than 8 (eight) registered guests at one time.

4.10. Building Appearance and Building Exteriors

- (a) The design, construction and architectural appearance of any building or structure shall be to the satisfaction of the Development Authority.
- (b) The exterior finish on all buildings shall be of a permanent material, complementary to the surrounding neighbourhood, and satisfactory to the Development Authority.

4.11. Building Demolition

- (a) The demolition of a building within non-Agricultural Districts shall require a Development Permit. Such a permit shall contain a statement indicating:
 - i) how the demolition will be carried out;
 - ii) how the parcel will be reclaimed and/or redeveloped.
- (b) Demolitions shall be completed within a six (6) month time period from the date of issuance of the Development Permit.

4.12. Campgrounds and Resorts

- (a) When considering an application for development of a campground or resort the Development Authority shall have regard for the suitability of the site based upon its physical attributes, accessibility, surrounding land uses and environmental sensitivity.
- (b) An application for a campground or resort shall include a detailed stormwater management plan, indicate the locations of camper and visitor parking, children's play areas, utility systems, buildings and play areas, as well as clearly identify internal road networks.
- (c) The layout and overall campground or resort design shall be to the satisfaction of the Development Authority.



- (d) The County may require the submission of a Traffic Impact Assessment (TIA) at the time of application. The County may impose conditions on the development permit based on the recommendations of the TIA.
- (e) All campgrounds and resorts should comply with FireSmart Guidelines in accordance with the Province of Alberta FireSmart Manual.
- (f) All campgrounds and resorts shall be accessible to emergency services at all times when in operation.
- (g) Campgrounds are to be used on a short-term basis and cannot be used for long term or seasonal occupancy.
- (h) Resorts may be used on a short term, long term, or seasonal basis.
- (i) A campground or resort shall provide for both on-site and off-site security with due regard to minimization of issues related to the impact and security of adjoining properties.
- (j) A minimum of 10% of the land area of the campground or resort area shall incorporate open space areas for recreational use in a manner consistent with the use standards of a municipal reserve lot.
- (k) All campgrounds and resorts shall include communications, lighting, water, wastewater, and electrical services appropriate for the intended use.
- (l) A campground shall be of a size appropriate for the intended use but shall not be less than 0.4 ha (1 ac) in area. A resort shall have a minimum size of 2 ha (4.9 ac) in area. For this provision, area means all stalls, units, recreation and open spaces, utility areas and roadways.
- (m) Applicants may be required to prepare a land use plan for phased and larger scale campgrounds and resorts.
- (n) Storage of private chattels, decks, equipment, and other improvements within a resort through non-operational seasons shall be prohibited unless approved through a condition of development permit approval.
- (o) Subsection (n) above shall not be considered within the Communal Recreation including bareland condominium developments.
- (p) Internal roads surfaces shall be a minimum of 3 m (10 ft) in width for one-way traffic and 6.1 m (20 ft) in width for two-way traffic.
- (q) Camping stalls shall be large enough to accommodate a parking space, picnic table and an area for the setting up of a tent.
- (r) Camping stalls for Recreational Vehicles shall be designed in accordance with the following design standards:

Min width	10.7 m (35 ft)
Depth	18 m (60 ft)

*A zero-lot line setback shall not adjoin another zero lot line setback



4.13. Communal Servicing

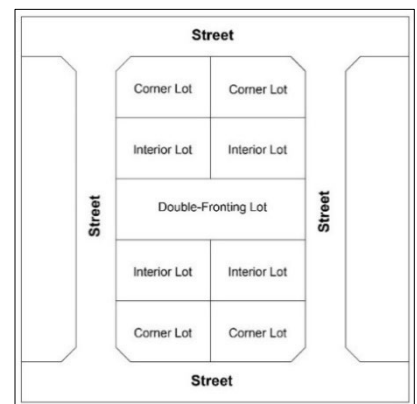
- (a) All applicable development shall provide sewage disposal facilities to the satisfaction of the Development Authority, including compliance with the Alberta Environment and Parks Standards of Practice and obtaining the necessary approvals.
- (b) The availability and suitability of on-site water shall be confirmed and provided, at the time of subdivision application submission, in accordance with the Public Health Act as amended.
- (c) Resort developments shall be serviced through piped communal systems for both water and wastewater services unless future utility network services or engineering constraints make the service impractical in the opinion of the County.

4.14. Communication Towers

- (a) Unless excluded under Section 6 of 'CPC-2-0-03 – Radiocommunication and Broadcasting Antenna Systems,' an Antenna System shall be reviewed by the Development Authority to ensure concurrence with the Bylaw.
- (b) The system's tower shall be set back a minimum distance equal to the height of the tower from all parcel lines, and a minimum distance of 3.0 m from any other structure on the parcel on which the system is located.
- (c) A Development Permit application will respond to the above noted requirements and shall include the following:
 - i) Any feedback from Transport Canada based on the submission of the Aeronautical Obstruction Clearance form including aeronautical obstruction marking requirements,
 - ii) Any feedback from NAV CANADA based on the submission of the Land-use Proposal Submission form,
 - iii) A Site Plan showing:
 - a. the location and dimensions of the system tower including the locations of any anchors,
 - b. all existing buildings, structures on the parcel,
 - c. all distances from the system tower and any anchors to property lines
 - d. all distances between the system tower and other buildings or structures on the parcel, and
 - e. such other considerations as the Development Authority may deem to be relevant.

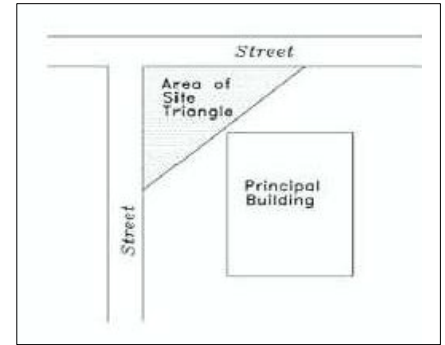
4.15. Corner and Double Fronting Sides

The front lot line of corner parcels abutting onto two public roadways shall be the shorter line of the two. In the case that both lot lines are the same length, the front lot line shall be designated at the discretion of the development authority. In the case of a double-fronting, either street line may be considered the front line, but the other street line shall be the rear lot line.



4.16. Sight Triangles

On any corner site in a residential district, no person shall erect, place or maintain within the sight triangle a wall, fence, shrub, trees, hedge or any object over 0.9 m (3 ft) in height above the lowest street grade adjacent to the intersection. Generally, the sight triangle is measured 6.1 m (20 ft) back from the intersection.



4.17. Development Near Highways

- (a) A minimum building setback of 40 m (131 ft) is required from the right-of-way boundary of a highway, unless a lesser distance is approved by Alberta Transportation.
- (b) All highway approaches shall be developed to the satisfaction of Alberta Transportation and the County. The cost of all improvements shall be borne by the developer.
- (c) Any development permit approved for a development located within 300 m (984 ft) of a provincial right-of-way or 800 m (0.5 mi) of the centre point of the intersection of a highway and public road intersection shall be issued subject to approval of the development by Alberta Transportation (or the government agency having jurisdiction).

4.18. Development Near County Roads

- (a) A minimum building setback of 40 m (131 ft) is required from the edge of the right-of-way boundary of a County Road or undeveloped County road allowance unless specified otherwise in this Bylaw.
- (b) Where a County Road has been identified for future road widening, the setback from the edge of the right-of-way may be increased by the width of the said proposed road widening upon consultation with the County's Public Works Department.

4.19. Development Near Waterbodies and Slopes

- (a) Where development is adjacent to waterbodies or slopes, the following regulations shall apply:
 - i) a minimum setback of 10 m (33 ft) from a waterbody or the high-water mark of the 1:100-year flood plain, if known.
 - ii) notwithstanding the setback from waterbodies identified in 6.11.1(a), a minimum of 30 m (98 ft) from the shoreline of Lesser Slave Lake.
 - iii) where a slope is in excess of 15%, a 15 m (50 ft) setback from the toe and crest, as defined by a certified professional engineer, shall apply, unless a lesser distance is supported through a geotechnical analysis.

4.20. Development on Lands Containing a High-Water Table

- (a) A high-water table is defined as land within a proposed building site that features a near surface water table less than 2 m (6.5 ft) below grade. As part of a development permit approval, the County:



- i) may allow the development of basements where the water table is greater than 1 m (3 ft) and less than 2 m (6.5 ft) where supported by a report completed by a qualified geotechnical engineer, satisfactory to the County and the Safety Codes approving authority;
- ii) shall prohibit basement development where the near surface water table is less than 1 m (3 ft).

4.21. Dwelling Density

- (a) No person shall construct or locate or cause to be constructed or located more than one (1) principal dwelling unit on a parcel unless specifically provided for in this bylaw (e.g. multiple unit buildings that are considered specific uses within certain districts, and more than one (1) single detached dwelling within the AG district).
- (b) Notwithstanding subsection (a), the Development Officer may issue a development permit allowing one (1) or more additional dwellings on a parcel. When determining whether or not to allow an additional dwelling on a parcel, the Development Officer shall consider:
 - i) the suitability of the site for the proposed dwelling;
 - ii) the length of time that the developer requires the proposed dwelling;
 - iii) access to and from the site;
 - iv) the provision of proper water and sewer services;
 - v) existing and future surrounding land uses;
 - vi) whether or not the proposed development meets the spirit and intent of the subject District;
 - vii) no more than two (2) dwelling units on a parcel that is less than 32 ha (80 ac); and
 - viii) no more than three (3) dwelling units on a parcel greater than 32 ha (80 ac).
- (c) Notwithstanding subsection (b), the Development Authority may issue a development permit allowing a multi-unit (colony) dwelling(s) on a parcel within the Agriculture (AG) District.

4.22. Environmentally Sensitive Lands

- (a) Development on lands deemed environmentally sensitive, by the County, shall be discouraged.
- (b) As part of a subdivision review on a parcel that includes Environmentally Sensitive Land, the County may require the landowner to enter into an Environmental Conservation Agreement or dedication of land to Environmental Reserve or an Environmental Reserve Easement that will support the protection of environmentally sensitive lands without unduly impacting lands that are developable.
- (c) As part of a development permit application, the Development Officer may require a geotechnical study, prepared by a qualified geotechnical engineer, addressing the proposed development. The geotechnical study will recommend development setbacks from property lines based upon land characteristics of the subject property.



- (d) As part of a development permit application, the Development Officer may require a professional biologist to prepare a biophysical report to address biophysical issues on the subject property and to recommend appropriate development setbacks from property lines.
- (e) In addition to the list of development permit conditions provided in this Bylaw, the Development Officer shall consider the following:
 - i) the impact of the proposed development on the subject and surrounding lands;
 - ii) professional recommendations including those of geotechnical engineers, biologists, Alberta Environment and Parks; and
 - iii) conditions of development approval which will mitigate the impact of the proposed development upon the biodiversity and/or stability of the parcel and adjoining lands.
- (f) Notwithstanding the above, redevelopment of environmentally sensitive lands may be considered by the Development Officer provided appropriate and reasonable measures are undertaken to minimize risk. This may include, but not necessarily be limited to:
 - i) the creation of a building site a minimum of 0.5 m (1.5 ft) above the 1 in 100-year flood plain elevation;
 - ii) the inclusion of Federally and Provincially approved flood reduction building standards; and
 - iii) ensuring that access points to water wells and sewage holding tanks are above the flood plain elevation.

4.23. Existing Substandard Lots

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

4.24. Fences and Screening

- (a) In any Hamlet district, no fence, wall, or hedge shall be higher than 1.8 m (6 ft) unless approved by the Development Authority through a development permit.
- (b) Siting of a fence, wall, or hedge over 1.8 m (6 ft) in height shall be determined by the Development Authority, taking into consideration the fences which exist on the parcels abutting the parcel in question.
- (c) Electrified or barbed wire fences will be permitted in a district at the discretion of the Development Officer but shall not be permitted under any circumstances in a residential district.
- (d) In front yards, no fence shall be higher than 1.8 m (6 ft).
- (e) The height of a fence shall be determined from the elevation of the facing property line.
- (f) A fence or natural screen planting may be required for a storage facility at the discretion of the Development Authority.

4.25. Filling

- (a) The use of filling on undeveloped flood prone lands shall be prohibited.



- (b) The County shall not provide development permit approval to a proposal for the use of filling unless the appropriate permit has first been obtained from Alberta Environment and Parks or other applicable agencies.
- (c) Filling proposals must be prepared by a qualified professional engineer registered in the Province of Alberta.

4.26. Garden Suites

- (a) A garden suite may be approved on a lot of 0.8 ha (2 ac) or more if, in the opinion of Development Authority, it would not interfere with the existing quality of life or character of the neighbourhood.
- (b) A garden suite shall be located and designed to connect with utilities serving the host residence and shall not jeopardize services to neighbouring lots.
- (c) A garden suite shall be designed, constructed, and finished in a manner that is, in the opinion of the Development Authority, visually compatible with the principal dwelling on the site and the general development of the neighbourhood.
- (d) The gross floor area of a garden suite shall be no less than 37.2 m² (400 ft²) and no more than 65 m² (700 ft²).
- (e) The maximum height of a garden suite shall be no more than 4.6 m (15 ft).
- (f) A garden suite shall comply with the minimum setback requirements of the district.
- (g) A permit issued for a garden suite shall be temporary, for a term not exceeding five (5) years and may be renewed upon subsequent application. Upon expiry of the permit, and if it is not renewed, the suite shall be removed or incorporated into the principal dwelling, and the site restored to the satisfaction of the Development Authority.

4.27. Hazard Lands

- (a) Development Near Wastewater Treatment Sites, Landfills and Waste Transfer Stations
 - i) Development near wastewater treatment sites, landfills and waste transfer stations shall be in accordance with the Alberta Subdivision and Development Regulation, as amended.
- (b) Development Near Sour Gas Facilities
 - i) Development near sour gas facilities shall be in accordance with the Alberta Subdivision and Development Regulation, as amended.

4.28. Pressure Vessel Storage

- (a) Pressure vessel storage facilities for materials including but limited to anhydrous ammonia, propane, oxygen, with a liquid volume capacity exceeding 4546 l (1,000 gal) shall not be allowed within 0.8 km (0.5 mi) of an, institutional use, commercial business, or residence.
- (b) Upon receipt of a development permit application for a development which includes a pressure vessel storage container with a liquid volume capacity exceeding 4546 l (1,000 gal), the Development Officer may require the applicant to provide:



- i) a site plan detailing the location and orientation of each pressure vessel;
 - ii) an emergency response plan, detailing procedures in the event of a pressure vessel rupture, discharge, or explosion; and
 - iii) where applicable, a contact person and the location of the nearest emergency response team provided by the product vendor.
- (c) Commercial pressure vessel storage facilities for the above storage materials with a water capacity less than 4546 l (1,000 gal) the Development Authority shall consider:
- i) the material to be stored in the pressure vessel;
 - ii) the orientation of the pressure vessel to buildings in the surrounding neighborhood, especially those which are used for residential use or public assembly;
 - iii) the ability of the local fire department to respond to an accident involving the proposed development; and
 - iv) the truck route through the community which will be used to service the proposed development.
- (d) Upon receipt of a development permit application which includes a pressure vessel with a water capacity in excess of 4546 l (1,000 gal), the Development Officer shall refer the development proposal to the applicable fire department fire chief for his/her comments and recommendations.
- (e) Notwithstanding any other provision of this bylaw, no new residential site development shall be allowed within 0.8 km (0.5 mi) of an existing anhydrous ammonia storage vessel with a water capacity exceeding 4546 l (1,000 gal).
- (f) All pressure vessel containers shall be constructed, located, and inspected in accordance with the provisions of the Alberta Safety Codes Act and its regulations, as amended.

4.29. Home Occupation (Minor)

- (a) The Home Occupation (Minor) shall be incidental and subordinate to the primary residential function of the residence.
- (b) At all times, the privacy of the adjacent dwellings shall be preserved, and no activity may be carried on which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the parcel, by reason of traffic, parking, lighting, noise, or odours, etc.
- (c) The Home Occupation (Minor) shall be contained entirely within the principal dwelling.
- (d) Persons employed in the Home Occupation (Minor) shall be residents of the principal dwelling.
- (e) The Home Occupation (Minor) shall not alter the character or external appearance of the land or buildings.
- (f) No outside storage of equipment, goods, materials, commodities, or finished products is permitted.



4.30. Home Occupations (Major)

- (a) The Home Occupation (Major) shall be incidental and subordinate to the primary residential function of the residence.
- (b) The Home Occupation (Major) may utilize accessory buildings, while maintaining residential as the primary use on site.
- (c) The Home Occupation (Major) shall not alter the character or external appearance of the principal dwelling.
- (d) The Home Occupation (Major) may employ up to two (2) employees who are not residents of the principal dwelling.
- (e) The Home Occupation (Major) shall accommodate all required parking on-site.
- (f) Outside storage of materials, goods or equipment directly related to the Home Occupation may be permitted, at the discretion of the Development Authority, and may require adequate screening or fencing.
- (g) A Development Permit for a Home Occupation (Major) shall be subject to the condition that they may be reviewed, and possibly revoked at any time, if, in the opinion of the Development Authority, the use is or has become detrimental or otherwise incompatible with the amenities of the neighbourhood.

4.31. Industrial Camps

- (a) All Industrial camps shall be required to conform to the standards of the local health authority and the *Alberta Safety Codes Act*.
- (b) Where an industrial camp accesses a public roadway, the camp shall have an access satisfactory to the County and may be subject to a road use agreement in accordance with the road use requirements.
- (c) All industrial camps located in remote areas shall conform to FireSmart guidelines.

4.32. Keeping of Animals

- (a) Ducks and hens in hamlets and household pets (dogs) are regulated through the County Animal Control Bylaw No. 01-2017.
- (b) No animals other than ducks, hens and household pets shall be allowed on parcels smaller than 0.4 ha (1 ac).
- (c) On parcels larger than 0.4 ha (1 ac) in area, outdoor animals shall be in accordance with the provisions of the *Agricultural Operations and Practices Act*.

4.33. Kennels

- (a) No Kennel shall be located within 300 m (984 ft) of a Hamlet or the boundary of a multi-parcel subdivision.
- (b) No buildings or exterior exercise area(s) to be used to accommodate dogs or other domestic pets shall be allowed within 300 m of any dwelling located on adjacent parcels.



- (c) Kennel sites should be visually screened from adjoining land properties to the satisfaction of the Development Authority.
- (d) All outdoor kennel facilities shall be located behind the principal building unless better suited elsewhere for sound prevention purposes.
- (e) Exterior run areas shall be fenced with the minimum height required to sufficiently contain dogs by nature of their size, disposition, and the type of fencing used (chain link, wood, electric, etc.).
- (f) Animal day care areas such as doggy day cares shall be regulated as a kennel under this Bylaw.
- (g) Kennel development permit applications shall include a description of pens, rooms, exercise runs and holding stalls as well as soundproofing measures that are planned for the site.
- (h) In the approval of a kennel and small animal breeding facility, the Development Authority may apply conditions regarding:
 - i) the location, soundproofing, screening and enclosure of any facility,
 - ii) the number of animals, and
 - iii) the hours that animals are allowed outdoors.
- (i) An Applicant may be required to submit the following in support of a Development Permit:
 - i) a diagram indicating the distances between buildings or exterior exercise areas used to accommodated dogs and dwellings located on adjacent parcels, and
 - ii) An inspection report by a Doctor of Veterinary Medicine.

4.34. Landscaping

- (a) In all Districts, no person shall commence or continue the removal of topsoil, without first obtaining an approved development permit.
- (b) Landscaping in commercial and industrial districts shall be required at the discretion of the Development Authority, where the subject parcel is adjacent to a residential district.
- (c) The site area shall be landscaped to the satisfaction of the Development Authority.

4.35. On-Parcel and Off-Parcel Services and Improvements

Where any on-parcel services or improvements, or any off-parcel local improvements are required to service a proposed development, a person shall not begin the excavation for the foundation nor commence the development until the Development Officer is satisfied that such services or improvements will be undertaken in an appropriate, and where applicable, approved manner.

4.36. Parcel Grading

In all cases, parcel grades shall be established with regard to preventing drainage from one parcel to the next except where drainage conforms to an acceptable local or subdivision drainage plan which has been approved by the Alberta Environment and Parks and/or other applicable authority.



4.37. Parking Regulations

- (a) Parking stalls and loading spaces shall be clearly marked and regularly maintained in the parking facility to the satisfaction of the Development Officer.
- (b) All off-street parking areas shall be separated from public street rights-of-way by a landscaped area at least 1 m (3 ft) in width as measured from the public street right-of-way, except in the case of residential land uses where the off-street parking area for an individual residential dwelling unit is accessed directly from the public street, and unless otherwise specified in this Bylaw.
- (c) Off-street parking facilities shall be designed such that no vehicle is required to back out directly onto a public street, including laneways, except in the case of one- and two-unit dwellings.
- (d) All off-street parking facilities shall be constructed according to the following standards:
 - i) necessary curb cuts shall be located and designed in accordance with the County’s General Servicing Standards.
 - ii) in all Districts where the requirement for off-street parking spaces exceeds two (except for a bed and breakfast operation), every off-street parking space provided and its access shall be hard-surfaced if the access is from a street or lane which is hard-surfaced, using the same or similar material.
 - iii) off-street parking facilities shall have adequate lighting for the entire parking facility. Such lighting shall be directed away from adjacent residential parcel and other parcel(s) where in the opinion of the Development Authority it would have adverse effects.
 - iv) grades and drainage shall dispose of surface water to the satisfaction of the Development Authority. In no case, shall grades be established that would permit surface drainage to cross any sidewalk or parcel boundary without the approval of the Development Authority.
 - v) parking for the physically disabled shall be provided as provincial regulations require and shall be considered as part of the number of stalls required for the project. Stalls shall be clearly identified for use by the physically disabled.
- (e) A building or use shall not be enlarged or added to, nor shall the use be altered unless provision is made in accordance with this Bylaw to increase the number of parking stalls or loading spaces required on the total parcel for which the addition or change in use is proposed.
- (f) The minimum number of off-street parking space required for each use of building or development shall be as follows:

Use	Parking Space Requirements
i) Automotive Repair Services	1 space per 46.5 m ² (500 ft ²).
ii) Bed and Breakfast Operation	1 space per sleeping unit.
iii) Boat Launches	As required in Subsection (7) Seven
iv) Business Office	1 space per 37.2 m ² (400 ft ²) gross floor area.
v) Day Care	1 space per 35.5 m ² (350 ft ²)



vi) Eating & Drinking Establishments	1 space per four (4) seating spaces.
vii) Health Service	1 space per 27.9 m ² (300 ft ²) gross floor area.
viii) Hospitals	1 space per 93 m ² (1,000 ft ²)
ix) Hotel/Motel	1 space per sleeping unit
x) Multiple Unit Dwellings of two or more people/dwelling	1.5 space per dwelling unit
xi) Place of Assembly/Worship	1 space per five (5) seating spaces
xii) Residential Dwelling	2 spaces per dwelling.
xiii) Campgrounds & Resorts	1 visitor parking space per four (4) stalls or units.
xiv) Retail Businesses	1 space per 46.5 m ² (500 ft ²) gross floor area.
xv) Schools (Grades K-9)	5 spaces plus 1 per daytime employee.
xvi) Schools (Grades 10-12)	1 space per daytime employee and 1 per 8 students.
xvii) Senior Citizen self-contained dwelling units	1 space per dwelling unit.

- (g) Boat launches which are accessible to the public shall require a minimum of five (5) parking spaces or such greater number as required by the Development Authority based on the size and frequency of use of the launch. Boat launch parking areas shall require curbs, markings, and landscaping to the satisfaction of the Development Authority.
- (h) Where, in the opinion of the Development Authority, municipal parking facilities have previously been provided to specifically serve a proposed project, the number of parking stalls required on a parcel may be reduced accordingly.
- (i) The number of parking stalls required may be reduced where, in the opinion of the Development Authority, the parking required by various users on a parcel will vary according to time so that all needs as defined in this Bylaw can be met at any given time by a reduced number of stalls.
- (j) In the case of a use not specified, the number of stalls provided shall be the same as for a similar use as determined by the Development Authority.
- (k) Where a development on a parcel falls within more than one use, the required number of spaces shall be the sum of the requirements for each of the uses.
- (l) Where there are a fractional number of parking spaces required by this Bylaw, the next highest number of stalls shall be provided.
- (m) No development shall be permitted unless all parking needs are accommodated on-site.

4.38. Relocation of Existing Buildings

- (a) No person shall:
 - i) place on a parcel a building which has previously been erected or placed on a different parcel;
 - ii) alter the location of a building which has already been constructed on that parcel;



- iii) unless a development permit is issued to approve the placement or alteration, ensuring the relocation meets the requirements of this Bylaw.
- (b) The Development Authority shall require any applicant for a relocated building to submit recent photographs of the building which demonstrate the condition and appearance of the proposed building to the satisfaction of the Development Authority.
- (c) All external renovations required to any moved-in structure shall be completed within three (3) months of the relocation of the structure onto the property unless approved through a condition of development permit approval.
- (d) Security may be required to ensure the completion of proposed structural improvements. The amount of security shall be the minimum of the cost of removal of the structure from the site.

4.39. Residential Dwelling Regulations

- (a) Dwellings (single detached) that are of new construction shall include the following design standards:
 - i) all components or modules of the dwelling must be consistent in construction standards and external appearance;
 - ii) all homes constructed outside of the Province of Alberta must comply with the Alberta Safety Codes Act;
 - iii) minimum floor area shall be reviewed on a case-by-case basis and shall be at the discretion of the development authority.
- (b) Dwellings that are of new construction and comply with this Bylaw may be considered as a single detached dwelling under the applicable District regardless of whether or not the dwelling is constructed off-site and/or in modules.

4.40. Setbacks from Railway Lines

- (a) The minimum setback for new residential development from railway rights-of-way shall be as follows:

Railway Operation	Setback Requirement
Freight Rail Yard	300 m (984 ft)
Principal Main Line	30 m (98 ft)
Secondary Main Line	30 m (98 ft)
Principal Branch Line	15 m (49 ft)
Secondary Branch Line	15 m (49 ft)
Spur Line	15 m (49 ft)

- (b) The Development Officer may refer any application for Development Permit Approval and the Subdivision Officer may refer any application for Subdivision Approval to the Railway company for review and comment.



- (c) The development authority shall allow a variance for a railway line that transects a property line as per the Variance Provisions and Limitations on Variance Provisions in the Bylaw.

4.41. Recreational Vehicle Parking

- (a) In a Hamlet Residential District, Hamlet Estate Residential District, or Hamlet Mixed Use District, the number of Recreational Vehicles shall be limited to two (2) per lot, provided that the lot coverage of 40% or a maximum coverage of 371 m² (3,993 ft²), whichever is greater, is not exceeded.
- (b) Recreational vehicles parked on a residential lot within a Hamlet Residential District, Hamlet Estate Residential District, or Hamlet Mixed Use District:
 - i) Shall:
 - a. be located entirely within the area of the driveway;
 - b. the rear yard; or
 - c. a recreational vehicle parking site.
 - ii) shall not:
 - a. impede emergency access to any area on the site;
 - b. encroach into any required setbacks within the District; or
 - c. encroach on a sidewalk or roadway.
- (c) In the Communal Recreation District (CMR), lots/units smaller than 1 ha (2.5 ac) shall be limited to two (2) Recreational Vehicles and lots/units larger than 1 ha (2.5 ac) shall be limited to four (4).

4.42. Subdivision Standards

- (a) All subdivision applications must conform to the standards provided in the Big Lakes County Municipal Development Plan Bylaw and the Big Lakes County General Servicing Standards, as amended.
- (b) Subject to minor variations along property lines, all lands determined to be environmentally sensitive lands may be dedicated for environmental conservation in a manner determined by the Subdivision Authority.
- (c) All subdivisions that result in six or more lots and require a potable water supply from an aquifer shall include as part of the subdivision application a preliminary groundwater availability report prepared in accordance with the *Alberta Water Act*, as amended.
- (d) All subdivision applications shall conform to applicable approved statutory plans.
- (e) The Subdivision Authority may require additional information from a subdivision applicant as part of the subdivision process in order to effectively review and decide a subdivision application.



4.43. Wastewater Collection and Disposal Systems

- (a) A building or dwelling shall be adequately serviced for wastewater collection, treatment, and disposal, as a condition of development permit approval.
- (b) The County shall require an on-site tertiary treatment system, holding tanks or a piped wastewater service on all lands where the near surface water table is less than 2 m (6.5 ft) below grade.
- (c) The County shall require on-site wastewater systems located on lands with a water table less than 1 m (3 ft), and shall require a holding tank or piped service on non-resort properties.
- (d) The County may require security as a condition of development permit approval for a building or dwelling to ensure that the wastewater system is in compliance with this Bylaw.
- (e) The County shall require any application for a resort development to include a communal water and wastewater system.
- (f) The County shall require Alberta Safety Codes approval on a water and wastewater servicing concept prior to issuing a notice of decision for the proposed development where applicable.

4.44. Water Supply

- (a) Water wells are not permitted in areas that are serviced by a piped water supply.
- (b) The County may require the identification of proposed locations for water wells on residential development permit applications.

4.45. Cannabis Production and Distribution Facility Development Standards

- (a) A Cannabis Production and Distribution Facility shall only be located within the Agriculture (AG) District.
- (b) A Cannabis Production and Distribution Facility shall not be located less than 100 m (328 ft) from any of the following uses:
 - i) The lot boundary of a provincial health care facility;
 - ii) The lot boundary of a building containing a school or licensed day care facility;
 - iii) The lot boundary of a parcel of land that is designated as school reserve or municipal and school reserve under the Act;
 - iv) The lot boundary of a commercial recreation facility, indoor recreation facility, outdoor recreation facility, park or recreational use (intensive or extensive);
 - v) Separation distances shall not be varied by the Development Authority.
- (c) A Cannabis Production and Distribution Facility shall not be located less than 100 m (328 ft) from a Residential District. For the purposes of this subsection only:
 - i) The 100 m (328 ft) separation distance shall be measured from the closest point of the lot boundary of the Cannabis Production and Distribution Facility use to the closest point of the residential district boundary.



- ii) Separation distances shall not be varied by the Development Authority except where the Cannabis Production and Distribution Facility is separated from the Residential District by publicly owned land used for the purpose of a buffer strip, walkway, or public utility lot, in which case the Development Authority may reduce the separation distance by up to 50 m (164 ft).
- (d) A Cannabis Production and Distribution Facility shall operate under applicable Federal licensing. Proof of valid Federal licensing and the activities as approved hereunder shall be provided to the Development Authority.
- (e) All activities linked to a Cannabis Production and Distribution Facility shall be carried out indoors within an enclosed building designed and equipped to prevent odours and noise from negatively impacting adjacent properties as per the requirement of Health Canada and Federal Legislation.
- (f) A Cannabis Production and Distribution Facility must have equipment designed and intended to remove odours from the air where it is discharged from the facility as part of the ventilation system and must be maintained in good operating condition at all times. A ventilation plan must be provided to the Development Authority and must include how the system prevents any offensive odours from leaving the building.
- (g) The design of a Cannabis Production and Distribution Facility shall incorporate crime prevention through environment design (CPTED) principles and the entire site on which it is located.

4.46. Cannabis Retail Store Development Standards

- (a) A Cannabis Retail Store use shall not be located less than 100 m (328 ft) as measured from the boundary of the parcel from which a Cannabis Retail Store is located to any of the following uses:
 - i) The lot boundary of a provincial health care facility, health service, or health clinic.
 - ii) The lot boundary of a building containing an elementary school, secondary school, or licensed day care facility.
 - iii) The lot boundary of a parcel of land that is designated as school reserve or municipal and school reserve under the Act.
 - iv) Separation distances shall not be varied by the Development Authority.
- (b) A Cannabis Retail Store development permit applicant shall comply with the Alberta Gaming, Liquor and Cannabis (AGLC) Act requirements for premises, security, and signage.
- (c) A copy of the Retail Cannabis License issued by the AGLC shall be provided to the Development Authority prior to occupancy as a condition of development permit approval.
- (d) The hours of operation for a Cannabis Retail Store shall be from 10:00 am to 10:00 pm.
- (e) Signage on a Cannabis Retail Store shall not use the term “Big Lakes”, promote intoxication, use graphics that appeals to minors, show the use of cannabis, display intoxication, display or identify a cannabis plant, product, or accessory, display a price, or display any sporting or cultural event or activity.



- (f) The Cannabis Retail Store is subject to the parking requirements for Retail Businesses within section 4.37(f)xiv).

4.47. Industrial Wellsite Trailer Development Standards

- (a) Unless specifically listed as a Permitted Use or a Discretionary Use in a District, an Industrial Wellsite Trailer shall not be considered as part of a development permit application.
- (b) All units shall have Canadian Standard Association certification where applicable.
- (c) All components of the trailer shall meet the requirements of Part 9 of the Alberta Building Code.
- (d) The applicant shall submit recent photographs of the trailer to demonstrate the condition and appearance of the proposed trailer to the satisfaction of the Development Authority.



Part 5:

Definitions

The following words, terms and phrases included in this Bylaw shall have the following meaning assigned to them:

ABATTOIR: the use of land or building in which animals are slaughtered and may include the packing, treating, storing and sale of the product.

ACCESSORY BUILDING: a building separate, incidental, and subordinate to the principal use and is located on the same lot as the principal building. This may include, but is not limited to a shed, detached garage, storage building, or gazebo that are less than 3m² or a deck, patio, or other similar building.

ACCESSORY USE: a use or development normally incidental and subordinate to the principal use or building and is located on the same parcel as the principal use or building.

ACT: the Municipal Government Act.

ADJACENT LAND: (*see also "CONTIGUOUS"*) land that is contiguous to the parcel of land in question and includes:

- a) land that would be contiguous if not for a utility right-of-way, reserve land, railway, highway, road, river, or stream; and
- b) any other land identified in this Bylaw as adjacent land for the purpose of notification.

AGRICULTURAL SUPPORT SERVICES: development providing non-industrial services directly related to the agricultural industry, and may include the retail, service and repair of farm implements and machinery. Services supporting Cannabis production and distribution are not included in this use class.

AGRICULTURE (EXTENSIVE): the use of land or buildings for the raising or production of any cultivated crops, livestock or dairy products which utilizes relatively large areas of land where the use of buildings and confinement areas is auxiliary to the use of the land itself. Cannabis Production and Distribution Facility is not included in this use class.



AGRICULTURE (INTENSIVE): a commercial agricultural or horticultural operation other than a Confined Feeding Operation that, due to the nature of the operation, requires smaller tracts of land. Without restricting the generality of the foregoing, this may include nurseries, greenhouses, market gardens, tree farms, small scale animal husbandry, poultry, and pork operations. This use does not include Apiaries, or Cannabis Production and Distribution Facility.

AGRICULTURAL INDUSTRY: an industrial use related to agriculture involving the production, initial processing, or storage of farm products. Without restricting the generality of the foregoing, this may include a grain elevator, seed cleaning plant, pelletizing plant, bulk storage tank or area, livestock holding station, aquaculture and other similar uses, but does not include an abattoir, auctioneering establishment. or Cannabis Production and Distribution Facility.

AIRPORT: any area of land to be used either in whole or in part for the arrival and departure or servicing of aircraft or helicopters; and includes any building, installation, or equipment in connection therewith, operated by the Department of National Defense or for which an airport license has been issued by Transport Canada.

AIRSTRIP: an area of land designed to accommodate the arrival or departure of aircraft for which an airport license has not been issued by Transport Canada.

AMENITY AREA: space provided for the active or passive recreation and enjoyment of the occupants of a residential development, which may be for private or communal use and owned individually or in common, subject to the regulations of this Bylaw.

AMUSEMENT, INDOOR: a building or a group of buildings used for providing entertainment and amusement to patrons, usually for a fee or admission charge. Typical uses and facilities would include indoor go-cart track, bingo hall, pool hall or arcade, and theatre.

AMUSEMENT, OUTDOOR: a lot or non-enclosed building used for providing entertainment and amusement to patrons, usually for a fee or admission charge. Typical uses and facilities would include a go-cart track, miniature golf course, carnival, circus, amusement theme-park and drive-in motion picture theatre.

ANIMAL HEALTH CARE SERVICES: a development such as a hospital or shelter used for the temporary accommodation, care, treatment, or impoundment of animals. This use class would include pet clinics, animal veterinary clinics and veterinary offices.

DWELLING (APARTMENT) a residential building containing three or more dwelling units which share a common entrance, and are arranged in any horizontal or vertical configuration, and which does not conform to the definition of any other residential use.

APIARY: a development consisting of beehives in which bees are kept or raised for the production of honey.

APPLICANT: the registered owner of the land or his or her representative or agent certified as such.

AREA STRUCTURE PLAN: a statutory plan prepared pursuant to the Act that applies to a defined area of land that provides a framework for more detailed subdivision and development staging, land uses, densities and infrastructure matters which must be addressed. The Area Structure Plan is adopted by bylaw.



ARTISAN SHOP: Development used for the purpose of small scale, on-site production of goods and simple processes or hand manufacturing, primarily involving the use of hand tools. Typical uses include pottery, sculpture, artist, and photography studios.

AUCTIONEERING ESTABLISHMENT: development intended for the auctioning of livestock, goods, and equipment, including the temporary storage of such livestock, goods, and equipment, but does not include garage sales, flea markets, or sale of items on an irregular basis.

AUTOMOBILE REPAIR SERVICES: a development intended for servicing and mechanical repairs of motor vehicles, trucks and utility vehicles, motorcycles, snowmobiles, motor homes and similar vehicles; the sale, installation or servicing of related accessories and parts, autobody or paint services; and servicing and repair of small engines and equipment.

BARELAND CONDOMINIUM: a condominium development containing Bareland Condominium Units, created specifically through subdivision, and registered as a condominium plan in accordance with the *Condominium Property Act*, RSA 2000, c. C-22.

BARELAND CONDOMINIUM UNIT (UNIT): a bare land unit as defined in the *Condominium Property Act*, RSA 2000, c. C-22; Within this Bylaw, a “unit” in the context of a bare land condominium shall have the identical meaning as a “lot”.

BED AND BREAKFAST OPERATION: a single detached dwelling occupied by the owner or operator that offers overnight lodging and breakfast, but no other meal, for a fee to no more than 8 (eight) registered guests at one time. This use shall be subordinate to the principal use of the dwelling.

BOARDING OR LODGING HOUSE: a use accessory to a single detached dwelling or modular home in which the owner lives and supplies sleeping unit accommodation, for remuneration, for not more than six (6) rooms. It may or may not include meal service.

BOATHOUSE: an accessory building designed and used primarily for the storage of boats and which is designed in such a way as to permit the direct removal of boats from the water to the structure.

BUFFER: a row of trees, shrubs, berming, or fencing to provide visual screening and separation between sites and incompatible land uses.

BUILDING: includes anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway.

BUILDING HEIGHT: the vertical distance between final grade and the highest point of a finished building; excluding an elevator housing, a mechanical housing, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smokestack, a fire wall, a parapet wall, a flagpole, or similar device not structurally essential to the building.

BUILDING SEPARATION: the minimum distance between two abutting buildings measured from the final finish of exterior walls.

BULK AGRICULTURAL CHEMICAL DISTRIBUTION: means the land, building and structure for the bulk storage and distribution of fertilizer and other agricultural chemicals.



BULK FUEL DEPOT: lands, buildings, and structures for the bulk storage and distribution of petroleum products. This does not include service stations and key lock retail sales.

BYLAW ENFORCEMENT OFFICER: an employee of the County who has been appointed as a Bylaw Enforcement Officer.

CABIN: a self-contained dwelling or guest house used as a temporary residence that may or may not be placed on a foundation. A Cabin is not a single detached dwelling.

CAMPGROUND: an area which has been planned and improved for the seasonal short-term use of holiday trailers, motor homes, tents, campers, and similar recreational vehicles, and is not used as accommodation for residential use. Typical uses include tourist trailer parks, campsites and tenting grounds and related recreational activities such as trail riding, picnic grounds, boating facilities, and playgrounds. This may also include facilities for eating and assembly purposes as well as a camp store.

CANNABIS PRODUCTION AND DISTRIBUTION FACILITY: premises used for growing, producing, testing, destroying, storing, or the distribution of Cannabis authorized by a license issued by the federal Minister of Health. Distribution of Cannabis does not include a Cannabis Retail use.

CANNABIS RETAIL STORE: a retail store licensed by the Province of Alberta where non-medical Cannabis and Cannabis Accessories are sold to individuals who attend at the premises.

CANOPY: a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun.

CARETAKER'S RESIDENCE: an accessory development that provides accommodation for the sole purpose of security personnel and/or the accommodation for the owner, operator, or required on-site employees.

CARPOR: a roofed structure used for storing or parking of not more than two private vehicles which has not less than 40% of its total perimeter open and unobstructed.

CEMETERY: development of a parcel of land primarily as landscaped open space for the entombment of the deceased, and may include accessory developments such as crematories, and mausoleums. Typical uses include memorial parks, burial grounds, and gardens of remembrance.

CHATTEL: a moveable item of personal property.

COMMUNICATION TOWER: a structure intended for the transmission or reception of communications.

COMMUNITY RECREATION SERVICES: development for recreational, social, or multi-purpose use primarily intended for local community purposes. Typical facilities would include community halls, pools, hockey rinks, gymnasiums, and community centres.

CONCRETE / ASPHALT PLANT: the processing, manufacturing, recycling, and sales of concrete and asphalt and the accessory manufacture and sales of products made from concrete and asphalt.

CONDOMINIUM BOARD: the elected board of directors of an association of unit owners in a condominium building or development. This Board handles the maintenance and repair of common areas, disputes among unit owners, and enforcement of rules and regulations, and condominium fees.



CONFINED FEEDING OPERATION: as defined by the *Agricultural Operation Practices Act*, means fenced or enclosed land or buildings where livestock are confined for the purpose of growing, sustaining, finishing, or breeding by means other than grazing, and any other building or structure directly related to that purpose but does not include residences, livestock seasonal feeding and bedding sites, equestrian stables, auction markets, racetrack, or exhibition grounds.

CONTIGUOUS: areas immediately adjacent to one another without intervening vacant land or undevelopable lands.

CONVENTION SERVICES: development which provides permanent facilities for meetings, seminars, conventions, product and trade fairs and other exhibitions with or without eating and drinking facilities. This use class does not include Boarding or Lodging House.

CORNER: the intersection of any two property lines of a parcel.

COUNTRY INN: a single detached dwelling or modular home where temporary lodging or sleeping accommodation with more than three (3) and less than ten (10) guest rooms is provided with a breakfast meal to the travelling public. This use shall be subordinate to the principal use of the dwelling and does not include a boarding or lodging house, hotel/motel, or garden suite.

COUNTY: Means Big Lakes County

COUNTY ROADS: all roads within the County's municipal boundaries, that do not fall within a Hamlet, for which it has direction, control, and management. This also includes all roads and road diversions surveyed for the purpose of opening a road allowance as a diversion from the road allowance on the south or west boundary of the district although the roads or road diversions are outside the boundaries of the County.

CULTURAL FACILITIES: development for the collection of literary, artistic, musical and similar reference materials, or, a building intended for live theatrical, musical, or dance performances. Typical facilities would include libraries, museums, art galleries, auditoriums, theatres, and concert halls.

CURB CUT: the lowering of a curb, sidewalk, or boulevard to provide vehicular access to a parcel, and pedestrian and non-vehicular accessibility at intersections.

DAY CARE SERVICES: development licensed by the Province to provide daytime personal care, education, or supervision to seven (7) or more children at one time for more than three (3) but less than twenty-four (24) consecutive hours in a day and does not include overnight accommodation. Typical facilities would include daycare centres, day nurseries, drop-in centres, playschools and out of school care.

DEALERSHIPS: premises for the display and sale of motor vehicles g farm equipment, heavy equipment designed for specialized purposes, and purpose-built recreational vehicles.

DECK: a hard surfaced (usually wooden) area usually adjoining a dwelling unit; more than 0.6 m (2 ft) high above grade.

DEMOLITION: any act or process which destroys in part or whole any building or structure.



DESIGNATED OFFICER: Development Officer, Bylaw Enforcement Officer or any other official appointed by the Council or the Chief Administrative Officer to enforce the provisions of this Bylaw, pursuant to the provisions of the *Act*.

DEVELOPABLE LAND: the area of land that is the subject of a proposed subdivision less the total area of land required to be provided for roads and public utilities and land required to be provided as reserve land, pursuant to the provisions of the *Act*.

DEVELOPER: an owner, agent or any person, firm or company required to obtain or having obtained a development permit.

DEVELOPMENT: as defined by the *Act* means:

- a) an excavation or stockpile and the creation of either of them;
- b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land;
- 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 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, as defined in the MGA, as amended.

DEVELOPMENT AGREEMENT: a contract entered into between a municipality and a developer, the principal purpose of which is to negotiate and to establish the development regulations that will apply to the subject property during the term of the agreement and to establish the conditions to which the development will be subject including, without limitation, a schedule of fees.

DEVELOPMENT AUTHORITY: the Municipal Planning Commission or Development Officer of Big Lakes County, as per delegated authority based on the *Act*.

DEVELOPMENT OFFICER: the person(s) appointed as Development Officer in accordance with the Development Authority Bylaw.

DEVELOPMENT PERMIT: a certificate or document permitting a specified development and includes, where applicable, a plan or drawing or a set of plans or drawings, specifications, or other documents. This permit is separate and distinct from a building permit.

DISCONTINUED: the time at which, in the opinion of the Development Officer, substantial construction activity or nonconforming use, or conforming use has ceased.

DISCRETIONARY USE: a use of land or buildings provided for in the District Regulations of the Bylaw, for which a development permit may or may not be issued with or without conditions.

DRIVE-THROUGH BUSINESS: an establishment that services customers travelling in motor vehicles driven onto the parcel where such business is carried out, where normally the customer either remains in the vehicle for service or parks his vehicle for a short period for the purpose of doing business at the premises.



DUGOUT: the excavation of land which results in manmade features that entrap water and includes excavation for a water supply and borrow pits. At its deepest point, a dugout shall have a depth of no less than 1 m (3 ft). Anything designed for a depth shallower than one metre may be considered an ornamental pond for landscaping purposes, excluding storm water management facilities or other features as required by the Subdivision Authority or Development Authority such as, but may not be limited to ponds for water supply or fire protection.

LANDFILL: any landfill development wherein only solid, inert waste/garbage is placed, and which is not reasonably expected to undergo physical, chemical and/or biological changes to such an extent as to originate substances which may have a negative environmental impact. Clay, sand, silt, gravel and other naturally occurring, uncontaminated aggregate fill materials are not considered dry-waste landfill for the purposes of this Bylaw.

DWELLING OR DWELLING UNIT: A building or portion of a building consisting of one (1) 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. Includes all buildings built in accordance with the provincial and municipal building code and meant for permanent residence.

DWELLING, DUPLEX: means a structure comprised of two attached dwelling units, either side by side or one above the other, with each unit having a separate entrance. A single-detached dwelling with a Secondary Suite is not a semi-detached dwelling.

DWELLING, LIVE WORK UNIT: means a building that contains a dwelling unit that is secondary to a floor space dedicated for the purpose of conducting work or providing a service with an internal connection between the two uses. For example, a dwelling unit is located above a convenience store; the convenience store is the primary land use, and the owner of the convenience store lives in the attached dwelling unit. This is different than home occupations, where the dwelling unit is the primary use, and the occupation is the secondary use.

DWELLING, MANUFACTURED HOME: means a dwelling that is manufactured to be moved from one point to another that is located on a permanent foundation and which provides completely self-contained, year-round residential accommodation and meets the requirements for a residence under the Canadian Standards Association.

DWELLING, MULTI-UNIT (COLONY): a multi-unit dwelling(s) and associated facilities which may be contained within one building or within multiple buildings and are directly associated with a colony. Multi-unit dwellings (colony) are designed to provide living accommodations to colony members and their families who are directly involved in the day-to-day function of the agricultural operation owned and operated by the colony. Associated facilities may include a communal kitchen, dining room, school, or church.

DWELLING, ROW HOUSE: a building designed and built to contain three or more dwelling units with a separate exterior entrance at grade that shares no more than two party walls with adjacent dwelling units and intended as a permanent residence. No part of a dwelling unit is placed over another in part or in whole and every dwelling unit shall have separate, individual direct access to grade. For the purposes of this Bylaw row and townhouse units are considered to be row house dwellings. Row house units have the following features:

- a) they are adjoined by a vertical party wall that is insulated against sound transmission; and
- b) each dwelling unit has a minimum floor area of 80 m² (861 ft²).



DWELLING, SINGLE DETACHED: A building (constructed on site, modular, or ready-to-move) containing one (1) dwelling built in accordance with the Provincial Building Code, intended for occupancy, and built on a permanent foundation as defined in National Building Code.

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

EATING AND DRINKING ESTABLISHMENT: development where prepared food and beverages are offered for sale to the public, for consumption within the premises or off site, but does not include adult entertainment or Cannabis Lounge.

EAVES: the projecting overhang at the lower edge of a roof.

EDUCATIONAL SERVICES: development for instruction and education purposes, involving assembly for educational, training or instruction purposes and includes administration offices, dormitory, and any accessory building. Typical facilities would include public and separate schools, private schools or seminaries, community colleges, universities, aboriginal schools, technical and vocational facilities.

ENVIRONMENTALLY SENSITIVE LANDS: means:

- (a) hazardous lands and areas that are unsuitable for development in their natural state (i.e. floodplains, steep and unstable slopes);
- (b) areas that perform a vital environmental, ecological or hydrological function (i.e. aquifer or recharge groundwater storage areas);
- (c) areas that contain unique geological or physiological features;
- (d) areas, buildings or features that are important for cultural, historical, prehistoric or archeological reasons;
- (e) areas that contain significant rare or endangered animal or plant species;
- (f) areas containing unique habitats with limited representation in the region or small remnants of previously abundant habitats which have virtually disappeared;
- (g) areas that contain large, relatively undisturbed habitats and provide shelter for species that are intolerant of human disturbance; and
- (h) areas that provide an important link for the natural migration of wildlife.

EXCAVATION: any breaking of ground, except common household gardening and ground care.

FARMSTEAD: the habitable residence, farm buildings and other improvements used in connection with the raising or production of crops, livestock, or poultry, and situated on the same land used in connection with the above farming operations.

FENCE: a vertical physical barrier constructed to prevent visual intrusion or unauthorized access or sound abatement.

FILLING: 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 drainage grades or building up a site for a proposed building or development, but does not include the import and placement of dry-waste or land fill waste materials.



FLEA MARKET: development used for the sale of new or used goods by multiple vendors renting tables or space in an enclosed building. Vendors may vary from day to day, although the general layout of space to be rented remains the same. The goods sold are generally household items, tools, electronic equipment, food products or concessions, plants, clothing, and furniture.

FLOODPLAIN: the area of land along a river, stream or creek that is potentially at risk of flooding from time to time, based on a 1:100-year event as established by the County and/or the Province of Alberta. A floodplain consists of the low-lying land next to a watercourse that is subject to periodic inundation.

FOUNDATION: the lower portion of a building, usually concrete or masonry, and includes the footings and pilings which transfer the weight of and loads on a building to the ground

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

FRONTAGE: the length of a street boundary measured along the front lot line. On corner or double fronting lots all sides of a parcel adjacent to streets shall be considered frontage

FUEL AND CHEMICAL SALES/STORAGE: a development where refined or crude oil or liquid or solid chemicals are for sale and storage, including the sale of lubricants and other automotive fluids or motor vehicle accessories and the sales and storage of chemicals.

FUNERAL SERVICE: a facility designed for the purpose of furnishing funeral supplies and associated services to the public and includes facilities intended for the preparation of the dead human body for internment, the keeping of bodies other than in a cemetery, and the reduction of the human body through cremation. Typical uses include funeral homes and crematoriums.

GARAGE: an accessory building or part of the principal building, designed and used primarily for the storage of motor vehicles.

GARAGE SUITE: a secondary level to a garage that has a maximum height of the garage being 1 ½ stories (22 ft) which is fully self-contained and designed for living accommodations.

GARDEN SUITE: a dwelling with or without permanent cooking facilities, separate from the principal dwelling.

GENERAL CONTRACTOR SERVICES: development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site indoor and/or outdoor storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office, or technical support service areas shall be accessory to the principal General Contractor Services Use only. This use class does not include professional, financial and office support services.

GENERAL INDUSTRIAL: means the following activities:

- a) the processing of raw or finished materials and includes food processing;
- b) the manufacturing or assembly of goods, products or equipment;
- c) development used for industrial service support and construction;



- d) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts;
- e) the storage or warehousing of materials, goods and equipment, including petrochemical products and supplies;
- f) the training of personnel in general industrial operations; and
- g) it may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial uses. A general industrial development shall not adversely affect surrounding non-industrial uses through the generation of emissions, noise, odours, vibrations, heat, bright light, or dust.
- h) Cannabis Production and Distribution Facility is not included in this use class.

GEOTECHNICAL REPORT: a document signed and stamped by a professional engineer certified in the Province of Alberta that characterizes site soil and groundwater conditions and slope stability through field investigation and laboratory testing and provides design and construction recommendations for proposed development.

GRADE, BUILDING: the ground elevation established for the purpose of regulating the number of stories and the height of a building. The building grade 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 each face of the building.

GRADE, DRAINAGE: 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 parcel.

GREENHOUSE: commercial development for the growing, acclimating, propagating, harvesting, displaying and selling of fruits, vegetables, bedding, household, and ornamental plants and may include accessory uses related to the storing, displaying, and selling of gardening, nursery and related products. Cannabis Production and Distribution Facility is not included in this use class.

GROSS FLOOR AREA: the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centreline of fire walls but not including the floor areas of basements, attached garages, sheds, open porches or breezeways.

GROUP HOME: a dwelling which is recognized, authorized, licensed, or certified by a public authority as a social care facility intended to provide room and board for foster children or disabled persons, or for persons with physical, mental, social, or behavioural problems, and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance, and supervision.

GUEST RANCH: A ranch house that includes sleeping facilities which are rented on a daily basis to registered guests and meals are prepared in a residential kitchen.

HAMLET: an unincorporated community designated as a hamlet by Council pursuant to the *Act* as amended from time to time.



HAZARD LANDS: lands that may pose a hazard to human settlement or bio-diversity through man-made activities such as storage or hazardous materials (explosives, chemicals, gases, etc.).

HEALTH SERVICE: a building or structure where a professional health practitioner(s), including but not limited to doctors, dentists, optometrists, acupuncturists, naturopaths, chiropractors, physiotherapists, and counsellors, excluding veterinarians, provide diagnosis and treatment to the public without overnight accommodations. Medical and Health Offices include such uses as x-ray and other diagnostic services as well as minor operating rooms and uses accessory to the provision of Medical and Health Services.

HEAVY INDUSTRIAL: an industrial use that due to its appearance, noise, odour, risk of toxic emissions, or fire and explosion hazards are incompatible with residential, commercial, and other land uses. Heavy industrial includes land treatment and general industrial uses that create nuisances that extend beyond the boundaries of the site but does not include agriculture or Cannabis Production and Distribution Facility. This use should normally be located on the interior of industrial or agricultural areas, such that it does not interfere with the safety, use, amenity, or enjoyment of any surrounding districts.

HIGH GROUNDWATER TABLE: a water table level measuring less than 2.0 m (6.6 ft.) from the ground surface, or as otherwise determined by a geotechnical professional.

HIGHWAY: land used or surveyed for use as a public highway or road, and includes a bridge forming part of a public highway or road and any structure incidental to the public highway or road or bridge, subject to the direction, control, and management of Alberta Transportation.

HIGHWAY COMMERCIAL BUILDING: a commercial building intended primarily for the use of the travelling public and which is located on a parcel adjacent to a major route designated as a public highway pursuant to the *Public Highway Development Act*.

HOME OCCUPATION (MINOR): the use of a residential building to conduct a business or commercial enterprise. The business portion shall be incidental or subordinate to the primary residential function and shall be limited to the confines of the residence. For the purposes of clarification this includes hairdressers, accountants, cosmetic sales, seamstresses, home day cares, and other similar uses. Cannabis Production and Distribution Facility and Cannabis Retail Store are not included in this use class.

HOME OCCUPATION (MAJOR): the use of a building and/or site which is incidental to the principal residential use of the building and/or site and shall not be limited to the confines of the primary use dwelling. Accessory Buildings may be utilized. Cannabis Production and Distribution Facility and Cannabis Retail Store are not included in this use class.

HOTEL/MOTEL: the provision of rooms or suites for temporary sleeping accommodation which may be equipped with individual kitchen facilities. This use may include accessory eating and drinking establishments, meeting rooms, and personal service shops.

INDUSTRIAL CAMPS: a residential complex used to house camp workers by various contracting firms on a temporary basis, and without restricting the generality of the above, the camp is usually made up of mobile units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time.



INDUSTRIAL WELLSITE TRAILER: a factory-constructed relocatable industrial dwelling unit designed to be used as temporary living quarters containing sleeping, cooking, living and sanitary facilities. Included in this definition are industrial wellsite office units.

INFILL DEVELOPMENT: the process of developing vacant or under-used parcels within existing urban areas that are already largely developed.

INSTITUTIONAL USE: uses for the purpose of assembly, education, health care, public administration, or public service, and shall also include uses related to culture or other community, area, or regional activities as determined by the Development Authority.

INTERNAL ROAD: A public roadway that provides access to lots within a multi-parcel subdivision.

KENNEL: development used for the breeding, boarding, caring, or training of dogs. Typical facilities include dog boarding and dog training establishments, and animal rescue homes.

LANDSCAPING: to preserve or change the natural features of a parcel by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, or other structures and materials as used in modern landscape architecture but does not include changes in grade, stockpiling, and excavation.

LANE: a public thoroughfare for vehicles, the right-of-way of which does not exceed 10 m (33 ft) and is not less than 6 m (20 ft) wide, and which provides a secondary means of access to a parcel or parcels.

LIQUOR MANUFACTURING: an establishment where beer, wine or alcoholic spirits are produced on site and are for retail sale. This facility must be appropriately licensed by the AGLC. Cannabis Production and Distribution Facility and Cannabis Retail Store are not included in this use class.

LIQUOR SALES: the wholesale or retail sale or distribution to the public of any and all types of alcoholic spirits or beverages as defined by the AGLC. Cannabis Retail Store is not included in this use class.

LOT: may mean:

- a) a quarter section;
- b) a river lot shown on an official plan, as defined in the *Surveys Act*, that is filed or lodged in a land titles office;
- c) a settlement lot shown on an official plan, as defined in the *Surveys Act*, that is filed or lodged in a land titles office;
- d) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision; or
- e) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision, as defined in the *Act*.

LOT COVERAGE: in the case of a residential building or structure, the combined area of all buildings on the parcel, measured at the level of the lowest storey above grade, and in the case of a non-residential building or structure, the combined area of all buildings or structures upon the lot, measured at the level of the lowest storey above grade, including in both cases, square footage of all porches and verandas, open or covered but excluding open and enclosed terraces at grade, steps, cornices, eaves, and similar projections; such area shall include air wells, and all other space within a building except inner and outer courts.



LOT DEPTH: the average horizontal distance between the front and rear lot boundaries.

LOT, DOUBLE-FRONTING: a site which abuts two public roadways, excluding lanes, which are parallel or nearly parallel where abutting the site. In the case of a double-fronting lot, either street line may be considered the front line, but the other street line shall be the rear lot line.

LOT, INTERIOR: a site which abuts another property line on either side of its side property line.

LOT WIDTH: the distance between the side property lines of a parcel at the minimum permissible front yard, measured parallel to the road or to the tangent on a curved road.

MAINTENANCE YARD: premises for the storage, manufacture, maintenance or repair of buildings, infrastructure, materials, or equipment..

MANUFACTURED HOME COURT: Any parcel where three (3) or more pads for Manufactured Homes are located, regardless of tenure type. This does not include industrial camps.

MARINA: a development which provides a sheltered area where boats are kept in the water and services for the needs of recreational boating purposes are found. This may include re-fueling, washing and repair stations.

MINOR: where added as a prefix to a permitted or discretionary use, a use which due to its nature or relatively small size will, at the discretion of the Development Officer, have a limited impact on surrounding uses, or which is intended to serve a small or local rather than a major or municipal area.

MULTI-LOT RESIDENTIAL SUBDIVISION: a subdivision of a parcel that requires the construction of internal roadways.

MUNICIPAL DEVELOPMENT PLAN: the Big Lakes County Municipal Development Plan.

MUNICIPAL WASTEWATER LAGOON: a pond used to purify sewage by allowing sunlight, oxygen, and bacteria to act on the mixture of sewage and water.

NATURAL RESOURCE PROCESSING: the processing of natural resources, including, but not limited to, minerals, sand, gravel, coal, peat, limestone, gypsum, wood, granite, and salt. Gravel, processing may include crushing, washing and the preparation of asphalt.

NON-CONFORMING BUILDING: a building 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, 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: a lawful specific use 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, 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 this Bylaw.

OCCUPANCY: the use or intended use of a building or part thereof for the shelter or support of persons or property.



OFFICE: a facility providing for the administration of business or government, or the provision of professional services.

OIL AND GAS PROCESSING PLANT: a plant for the extraction from gas of hydrogen sulfide, ethane, natural gas liquids or other substances, but does not include a well head separator, treater, or dehydrator.

OILFIELD SERVICES: a development used to provide services for field operations in the exploration and ground extraction of fossil fuels.

OWNER: means:

- a) in matters of unpatented land, the Crown;
- b) in matters of other land, the person who is registered under the *Land Titles Act* as amended from time to time as the owner of the fee simple estate in the lands; and
- c) in respect of any property other than land, the person in lawful possession of it.

PARCEL: 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.

PARK: an area of land that is used for recreation purposes and may include such facilities as playground equipment, pedestrian and bicycle paths, landscaped areas, picnic areas and associated public washrooms.

PARKING FACILITY: the area on-site set aside for the storage and parking of vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area, and traffic/landscaping islands where they are part of the parking facility.

PARKING STALL: a hard-surfaced space set aside for the parking of one vehicle.

PEACE OFFICER: any sworn member of the Royal Canadian Mounted Police, a Peace Officer appointed under the Peace Officer Act, SA 2016, P-35, and any amendments thereto and employed by contract to the County.

PERMITTED USE: the use of land or building provided for in the District Regulations of this Bylaw for which a development permit shall be issued with or without conditions upon application having been made which conforms to this Bylaw.

PERSONAL SERVICE ESTABLISHMENT: a development used for the provision of personal services to an individual which are related to cleaning and repair of personal effects or of the care and appearance of the body. Typical uses include, but are not limited to the following: hairdressers, shoe repair, dress makers, laundry cleaning and jewelers. This does not include uses which are determined by the Development Officer to be strictly for adult entertainment purposes.

PLACE OF WORSHIP: a building for public religious worship.

PRESSURE VESSEL STORAGE: A closed container designed to store gases or liquids at a pressure different the ambient pressure.

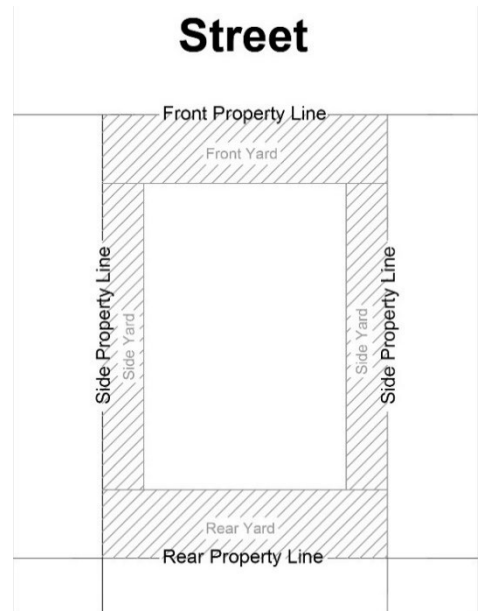
PRINCIPAL BUILDING OR USE: the primary building or use for which the site is ordinarily used. Garages, lofts, boathouses, and similar building or uses on lots which have a developed and usable residence shall not be regarded as a primary building or use in Residential Districts. There can only be one principal building or use on a single lot.



PROPERTY LINE, FRONT: the property line adjacent to the public roadway other than a lane, and, in the case of more than one property line adjacent to the public roadway, the front property line shall be the shorter of the two. In the case that both lot lines are the same length, the front lot line shall be designated at the discretion of the development authority. In the case of a double-fronting lot, either street line may be considered the front line, but the other street line shall be the rear lot line. Where lots abut Lesser Slave Lake, the front property line shall be the boundary adjacent to the Lake.

PROPERTY LINE, REAR: the boundary line of a lot lying opposite to the front line of the lot and/or farthest away from a highway or road.

PROPERTY LINE, SIDE: the boundary line of a lot lying between a front line and a rear line of a lot. In the case of a corner lot, the longer of the two boundary lines adjacent to the highway or road shall be considered a side property line.



PUBLIC ROAD: the right-of-way for a highway, street or lane that is registered at the Land Titles Office and is used or intended to be used to accommodate vehicular traffic, and includes a bridge forming part of a public roadway or any structure incidental to a public roadway as defined in the Act.

PUBLIC WORKS BUILDING: any building, structure, facility, yard, or complex used by the County to facilitate the performance of, or storage with respect to, the maintenance and care of public infrastructure.

RECREATION (EXTENSIVE): means uses which are located in areas to take advantage of natural physical features and to provide for non-facility oriented recreational activities such as hunting, trail riding, snowmobiling, hiking, cross-country skiing, rustic camping and similar uses in rural areas.

RECREATION (INTENSIVE): high density recreational activities such as picnic grounds, fishing lodges, beach areas, riding stables, sports fields, curling rinks, arenas, skating rinks, swimming pools, bowling alleys and golf courses, but does not include campgrounds.

RECREATIONAL VEHICLE: a portable structure intended as temporary accommodation for travel, vacation, or recreational use. Such structures may include but not be limited to a motor home, fold-down camping trailer, truck camper, holiday trailer, fifth wheel travel trailer, and park model trailer. Conventional or converted manufactured homes are not recreational vehicles, as defined under this bylaw.

RECREATIONAL VEHICLE PARKING SITE: a plot of ground intended for the accommodation of a recreational vehicle. It can either be a serviced or non-serviced Site.

RESORT: land that is generally used for recreational living purposes and includes a natural or man-made feature such as a recreational lake or golf course that is connected to the resort. Resorts may be subdivided within the context of a bareland condominium or unsubdivided when intended for short term occupancy to service the travelling public.



RETAIL (GENERAL): development used for the retail sale of a wide variety of consumer goods from within an enclosed building. Minor government services, such as postal services, are permitted within retail stores. Cannabis Retail Store is not included in this use class.

RETAIL (SMALL): development used for the retail sale of those goods required by area residents or employees on a day-to-day basis, from business premises that do not exceed 275 m² (2,960 ft²) in gross floor area. Typical uses include small food stores, drug stores and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware, or printed matter. Wholesale or retail liquor sales/distribution outlets or facilities or Cannabis Retail Store are not included in this use class.

RURAL FARMLAND ASSESSMENT: the agricultural use value of land used as determined by the Act.

SALVAGE YARD: a scrapyard or junkyard (also called wreck yard, wrecker's yard, salvage yard, breakers yard and scrapheap), which is the location of a dismantling business where wrecked or decommissioned vehicles are brought, their usable parts are sold for use in operating vehicles, while the unusable metal parts, known as scrap metal parts, are sold to metal-recycling companies.

SEA CAN: a large standardized shipping container, designed and built for intermodal freight transport meaning these containers can be used across different modes of transport – from ship to rail to truck – without unloading and reloading their cargo. They are also known as shipping, intermodal, ocean or box container(s) or c-can.

SERVICE STATION: an establishment used for the sale of gasoline, propane or other automotive fuels or petroleum products; and may include the sale of other accessories for motor vehicles. Typical uses include gas bars, car washes, and may also include an eating and drinking facility and/or convenience store but does not include servicing and minor repair of motor vehicles.

SETBACK: the distance that a development, or a specified portion of it, must be set back from a property line.

SEWAGE COLLECTION SYSTEM: consists of a CSA approved sealed impermeable holding tank.

SHORELINE: the land covered by water for such a period of time that it no longer features the natural vegetation or marks a distinct boundary from the water environment and the soil of the waterbody and the vegetation of the surrounding land.

SIGN: anything that serves to indicate the presence or the existence of something, including, but not limited to a lettered board, a structure, or a trademark displayed, erected, or otherwise developed and used or serving or intended to serve to identify, to advertise, or to give direction.

SIGHT TRIANGLE: The triangle formed by a straight line drawn between two (2) points on the exterior property lines of the said site, 6 m (20 ft) from the point where they intersect.

STEEP SLOPES: Any land with a slope angle of 20% or greater for a minimum of 9.1 m (30 ft) horizontally.

STORAGE FACILITY: land and/or buildings designed and available for rent for the storage of recreational vehicles or motor sport vehicles when not in use. This does not include camping, vehicles or goods of a non-recreational nature, storage containers, salvage of abandoned vehicles or equipment, construction material, dangerous or hazardous goods or materials.



STORAGE TANK, ABOVE GROUND: a tank that sits on or above the ground and whose top and complete external sides can be visually inspected. The tank is used is for the storage, commercialization, and sale of crude oil and/or other petroleum or chemical products.

STOREY: a floor of a building, excepting the basement.

STOREY, HALF: that part of any building wholly or partly within the framing of the roof, where the habitable floor area is not more than 70% of the ground floor.

STREET: a right-of-way no less than 10 m (33 ft) in width for a public thoroughfare and designed for the use of vehicular or pedestrian traffic but does not include a lane or as defined as a street in the *Highway Traffic Act*.

STRUCTURE: a building (including eaves) or other thing erected or placed in, on, over or under land, whether or not it is so affixed to the land as to become transferred without special mention by a transfer or sale of the land.

SUBDIVISION AUTHORITY: a Subdivision Authority established Pursuant to the *Act*.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD: means the Subdivision and Development Appeal Board appointed pursuant to the provisions of the *Act*.

SUBDIVISION OFFICER: a person authorized to accept, process, and endorse subdivisions on behalf of the subdivision authority pursuant to the provisions of the *Act*.

TRANSLOADING FACILITY: a facility used for the process of transferring a product from one form of transport (i.e. truck or pipeline) to another form of transport (i.e. rail or truck). Short term temporary storage of the product shall only be allowed if there are approved storage tanks on site. (see also "STORAGE TANK, ABOVE GROUND")

TEMPORARY DEVELOPMENT: a development for which a development permit has been issued for a limited time only.

TEMPORARY USE OR BUILDING: a use or building developed on a parcel which is not permanent in nature and can conveniently and economically be removed so as to not prejudice the future subdivision or development of that parcel.

TEMPORARY LIVING ACCOMMODATION: any recreational vehicle, holiday trailer, camper or tent situated on a residential lot.

TOURIST HOME: a dwelling unit operated as a temporary place to stay, with or without compensation, and includes all vacation rentals of a dwelling unit. The characteristics that distinguish a tourist home from a dwelling unit used as a residence may include any of the following:

- a) the intent of the occupant to stay for short term vacation purposes rather than use the property as a residence; and/or
- b) the commercial nature of a tourist home; and/or
- c) the management or advertising of the dwelling unit as a tourist home or "vacation property"; and/or
- d) the use of a system of reservations, deposits, confirmations, credit cards or other forms of electronic payment.



- e) These examples do not represent an exhaustive list of operating practices that may constitute a tourist home.

TRUCKING OPERATION: a parcel of land that is used to store trucks and related equipment. May include a maintenance shop/garage and office.

USE: a use of land or a building as determined by the Development Officer.

UTILITY: the components of a sewage, storm water or solid waste disposal system, or a telecommunication, electrical power, water, gas, or oil distribution system.

UTILITY BUILDING: a building in which the proprietor of a utility company, cooperative or the County maintains his office or offices and/or maintains or houses any equipment used in connection with the utility. Equipment may include a potable water reservoir.

VEHICLE SALES/RENTALS: the retail sale or rental of new or used automobiles, bicycles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles, together with incidental maintenance services, sales of parts and accessories. This includes automobile dealerships.

VIOLATION TICKET: a ticket issued pursuant to the Provincial Offences Procedure Act RSA 2000, Chapter P-34.

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

WAREHOUSING: a building or structure used for the storage and distribution of raw materials, processed or manufactured goods, and establishments providing servicing for those purposes. Cannabis Production and Distribution Facility is not included in this use class.

WATER RESERVOIR: a natural or artificial place where water is collected and stored for use, especially water for supplying a community, irrigating land, furnishing power, etc.

YARD: a required open space unoccupied and unobstructed by any structure or portion of a structure above the general ground level of the graded parcel, unless otherwise permitted in this Bylaw.

YARD, FRONT: that portion of the parcel extending across the full width of the parcel from the front property boundary line of the parcel to the front wall of the main building.

YARD, REAR: that portion of the parcel extending across the full width of the parcel from the rear property boundary of the parcel to the exterior wall of the principal building.

YARD, SIDE: that portion of the parcel extending from the front yard to the rear yard and lying between the side property boundary of the parcel and the nearest portion of the exterior wall of the principal building.

YARD, ZERO SIDE: a case where a development is allowed to be built on an interior lot line with no required side yard setback to the side upon with the development(s) are located.



Schedule A: Land Use District Map

[LINK TO COUNTY GIS](#)