BY-LAW NO. 7-08-LU

BEING THE LAND USE BY-LAW OF PONOKA COUNTY PROVINCE OF ALBERTA

(Including amendments up to June 2025)

Pursuant to the Municipal Government Act, the Council of Ponoka County, duly assembled, hereby enacts as follows:

Part 1: General

101 Purpose

The purpose of this By-Law is to prohibit or regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and for that purpose, among other things:

- to establish agencies, offices, and procedures for reviewing and making decisions on applications for rezoning and development permits and for issuing decisions on those things,
- to establish a procedure for notifying owners of land likely to be affected by a change of zoning or the issuance of a development permit,
- to establish a procedure for appeals against decisions of the development authority,
- to divide the municipality into districts, and
- to prescribe and regulate for each district the purposes for which land and buildings may be used.

102 Definitions

In this By-Law:

Accessory building	means a building separate and subordinate to the main building, the use of which is incidental to that main building and is located on the same lot.
Accessory use	means a use customarily incidental and subordinate to the main use or building and located on the same lot with such main use or building.
Act	means the Municipal Government Act and the regulations pursuant thereto.
Agribusiness	means a business engaged in assisting the operations of farming, the production and distribution of farming equipment and supplies, and value adding through complementary processes and procedures. (By-Law 30-20-A)
Agriculture	means all forms of farming except for intensive livestock facilities but excluding marijuana production (By-Law 9-14-A). See also *Intensive Agriculture, Intensive Livestock Operation,* and *Confined Feeding Operation*.
Agricultural, Industrial	means an agricultural land use which functions using a higher input and output level per unit of agricultural land area. (By-Law 30-20-A)
Agricultural Processing	means the physical processing of agricultural products to prepare these products for sale, such as mixing, drying, canning, size reduction, fermentation,

	heat treatments, cold treatments, chemical treatments and biological treatments of plant matter or the cutting, curing, smoking, aging, wrapping or freezing of meat. (By-Law 30-20-A)
Agricultural, Tourism	means opportunities which occur in an agricultural area and provide for low-impact tourism, providing visitors to the area the opportunity to experience and become educated on agricultural and/or natural environments. (By-Law 30-20-A)
Ag-Services	means any service that indirectly or directly assists agriculture operations. (By-Law 30-20-A)
Agricultural Value-Add	means the process or procedure by which value is added to a raw agricultural material to increase the products value at market when sold by a producer (farmer). This may include some form of processing including, but not limited to, cleaning, distilling, drying, milling, slaughtering, and sorting. (By-Law 30-20-A)
Airport	means an area of land and any associated buildings and other improvements, used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, for which an airport license has been issued by a provincial or federal authority.
Airstrip	means an area of land used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, but which is not licensed by any provincial or federal authority.
Animal unit	means the number of animals of a particular type and size that will excrete approximately 73 kg of total nitrogen in a twelve month period, as shown in the Agricultural Operations Parts 2 Matters Regulation, AR 257/2001.
AOPA	means the Agricultural Operations Practices Act.
Applicant	means an owner, agent or any person, firm or company required to obtain or having obtained a development permit.
Area Structure Plan	means a plan accepted or adopted by Council as an Area Structure Plan pursuant to the Act.
Auto wrecker	means a site containing six or more inoperative or unlicensed vehicles which have been or are to be dismantled to obtain parts for sale.
Bank	of a water body means the ordinary high water mark.
Bed and breakfast	means a commercial business, accessory to the private use of a residence, which provides guest accommodation and where one daily meal is provided to registered guests.
Building	has the meaning set out in the Act, but for the purposes of calculating coverage of a lot, does not include patios, driveways, or other at-grade hard surfaces.
Campground	means an area of land which is intended for short term use by tents and recreational vehicles, and is not used for year-round residence or storage.

Church	includes a house of worship of any religion.
Complete quarter section	includes a quarter section out of which land has been subdivided only for road widening or for public and quasi public purposes (but see also *Quarter Section* below).
Confined feeding operation	has the meaning given in AOPA, and in particular an operation of the size listed in the Agricultural Operations Part 2 Matters Regulation, AR 257/2001.
Council	means the Council of Ponoka County.
Detached residence	means a building intended to be used by a single household, but which may also contain a separate suite for a family member or servant.
Development Authority	means either an individual appointed under this By-Law, or, where an application has been referred to the Municipal Planning Commission for a decision, the Municipal Planning Commission.
Development officer	means a person filling the role of Development Authority.
Development permit	means a document authorizing a development issued pursuant to this By-Law.
Discretionary Use	means the use of land or a building provided for in this By-Law for which a development permit *may* be issued upon an application having been made.
Duplex	means two dwelling units sharing a common wall, each with a separate outside entrance at grade.
Dwelling Unit	means a self-contained living premises with cooking, eating, living, sleeping and sanitary facilities for domestic use of one or more individuals.
Extensive agriculture	means the growing of crops and the raising of livestock except in an intensive livestock operation or confined feeding operation, but excluding marijuana production. (By-Law 9-14-A)
Farm building	means a building located on farm, other than a dwelling.
Flood plain	means the area of land adjacent to a water body which has a greater than 1% probability of being flooded in any year, calculated using methods accepted by Alberta Environment.
Food establishment	means a food establishment as defined in the Food Regulation, AR 240/85 or its successors.
Front	of a lot means the side adjacent to the road. Where a lot abuts more than one road, the Development Authority may define which side of the lot is the front or may designate more than one side as the front for the purpose of calculating Building Setbacks.
Front yard	means that portion of the site extending across the full width of the site from the front property boundary of the site to the nearest portion of the exterior wall of the building and shall be measured at right angles to the front property boundary.

Golf course	includes associated buildings including a club house and staff residences.
Greenhouse	includes the sale of gardening and nursery related products.
Guest ranch	means a commercial business providing meals and accommodation to paying guests on a farm or ranch.
Highway	includes a proposed highway which has been designated in the Alberta Gazette.
Home business	means a business, trade, craft occupation, storage activity, or other commercial operation on a residential lot on a scale greater than a home office, but excluding marijuana production. (By-Law 9-14-A)
Home office	means an office in a dwelling which: (a) is not visited by a significant number of clients, (b) does not change the external appearance or residential character of the dwelling, and (c) is carried on only by the residents of that dwelling.
Intensive agricultural operation	means the cultivation of crops on a small area of land, managed so as to generate a significantly higher return per acre than extensive agriculture, and includes but is not limited to market gardens, tree farms, and the breeding and training of horses, but does not include intensive livestock operations or confined feeding operations, and excludes marijuana production (By-Law 9-14-A).
Intensive livestock operation	means an activity and its associated buildings where livestock are confined at a density of at least one animal unit per 2,000 square feet for the purpose of breeding, sustaining, growing, or finishing by means other than grazing, but at a smaller scale than a confined feeding operation. It does not include a seasonal feeding site where livestock are confined from November to May, or an area used for short term assembling, sorting, branding, or health management. (By-Law 14-25-A)
Kennel	means an establishment where more than three dogs (excluding pups) are bred, trained, or boarded as a business.
Letter of compliance	means a letter issued by the Development Authority certifying that the use of land and buildings and the placement of buildings on a lot comply with this By-Law.
Lot	means an individual lot for which a title has been issued under the Land Titles Act, or, where two or more lots are 'tied' for assessment purposes, or are included in a single title, the area encompassed by the two or more lots.
Main building	means a building in which is conducted the main or principal use of the lot on which it is erected.
Main road	means a numbered highway, a secondary road, a county grid road, or a diversion or realignment of any of these.
Manufactured home	means a building containing one dwelling unit, built in a factory and transported in one or more sections to a suitable site for use. Manufactured homes typically

	have a long, narrow rectangular plan, a low roof pitch, and narrow eaves. For the purposes of this By-Law, a modular home is not a manufactured home.
Market gardening	means the commercial production of crops in greenhouses or under intensive conditions but excluding marijuana production. (By-Law 9-14-A)
Minimum distance separation	or MDS means the separation distance required between a confined feeding operation (CFO) and a residence, as set out in regulations under the Agricultural Operations Practices Act. If no distance is provided by the provincial authorities, the distances set out in By-Law 5-97-LU shall be used.
Mobile home	means a manufactured home which does not meet current industry or building code standards.
Modular home	means a new residential building containing one dwelling unit, built in a factory and transported to a site where it is installed on a permanent foundation, and which appear indistinguishable in design and finish from a site-built house.
Moved-in building	means a previously used building which is moved to a new site.
Municipal Development Plan	means the plan adopted by By-Law 6-08-MDP.
Municipality	means Ponoka County.
Park model	means a small, prefabricated building designed to be used as a recreational cabin.
Permitted use	means the use of land or a building provided for in a Land Use By-Law for which a development permit *shall* be issued (with or without conditions) upon an application having been made, provided the proposed development conforms in every way with this By-Law.
Public and quasi-public uses	includes (but is not limited to) roads, schools, community halls, rural stores and post offices, oil and gas installations, and gravel pits.
Quarter section	includes: (a) a fractional quarter section adjacent to the Fifth Meridian, and (b) a quarter section adjacent to an existing or surrendered Indian Reserve, where the original grant of title was less than 160 acres, and (c) a quarter section which is reduced in area only because of the exclusion of a water body from the titled area.
Rear yard	means that portion of the site extending across the full width of the site from the rear property boundary of the site to the nearest portion of the exterior wall of the building and shall be measured at right angles to the rear property line.
Recreational Vehicle	means a mobile unit that is designed to be used as temporary living or sleeping accommodation, and includes but is not limited to holiday trailers, tent trailers, truck campers, camper vans, and motor homes, but does not include mobile homes.
Registered owner	means, in addition to the meanings set out in the Act, a purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a

	caveat registered against the Certificate of Title of the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the Certificate of Title.
Residence	means any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level and includes multiple dwellings, apartments, lodging and boarding houses, and (unless more closely defined for the purposes of one section of the By-Law) includes mobile and manufactured homes.
Secondary suite	means a second, self-contained dwelling unit located within a private detached residence, having its own cooking, sleeping, and bathing facilities and private entrance. It is intended to accommodate a family member, servant, or paying guest on a long-term basis.
Setback	means the distance between the closest part of a building and the front, side or rear property line of the building site, measured at right angles to that property line.
Side Yard	means that portion of the site extending from the front yard to the rear yard and lying between the side property boundary of the site and the nearest portion of the exterior wall of the building or exterior chimney wall where one exists and shall be measured at right angles to the side property boundary.
Sign	means an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event.
Special Events	means a public or private event, held indoors or outdoors that is not part of the existing use of the site, the duration of which is temporary. Typical events include, but are not limited to, festivals, trade shows, exhibitions, parades or recreational competitions. The County may, at its discretion, permit certain small scale non-commercial or community events to take place without the requirement to obtain a development permit.
Subdivision Regulations	means the Subdivision and Development Regulations established pursuant to the Act.
Temporary building	means a building which will be removed within a year of its being erected. Note that this is not the same definition as in the Alberta Building Code.
Use	means a use of land or a building as determined by the Development Authority and/or Council.
Utility	means the components of a sewage, storm water or solid waste disposal system or an electrical power, water, gas or oil distribution system.
Utility building	means a building in which the proprietor of a utility company maintains his office of offices and/or maintains or houses any equipment used in connection with the utility.

Yard means a required open space, unoccupied and unobstructed by any structure or portion of a structure above the general ground level of the graded lot, unless otherwise permitted in this By-Law.

All other words have the meanings assigned to them by sections 1 and 616 of the Act.

103 Interpretation

103.1 Any doubt as to the meaning of a word, or the boundaries of a land use district, shall be settled by decision of Council, and the decision shall be recorded in the Council minutes as a resolution.

103.2 In accordance with Alberta Land Titles practice, all areas and distances in this By-Law are given in metric measure. Imperial equivalents are given as a convenience but may not be exact. In case of conflict, the metric measure shall govern.

103.3 Where the boundary between two lots is also the boundary of a land use district, and the lot boundary is changed by subdivision, the land use classification then follows the new lot boundary.

103.4 When a road is closed and added to an adjacent parcel, the added area takes the land use classification of the parcel to which it is added.

103.5 Building Setbacks: are measured from the footings of the building, not the overhangs.

103.6 Where this By-Law allows an exercise of discretion, the discretion is that of the Development Authority, or, on appeal, of the Subdivision and Development Appeal Board.

104 Amendment

104.1 A person may apply to have this By-Law amended, by applying in writing, furnishing reasons in support of the application, and paying the required fee.

104.2 Council may at any time initiate an amendment to this By-Law.

104.3 An application to amend the classification of any land may be initiated only by the owner of that land, or by Council.

104.4 The Development Authority may refuse to accept an application to amend the classification of a parcel of land if a similar application relating to that parcel was denied in the past twelve months.
(By-Law 19-08-A)

105 Repeal of Previous By-Laws

By-Law 5-97-LU is repealed.

106 Forms and Fees

106.1 Forms required to administer this By-Law may be created by the Development Officer and do not require adoption by Council.

106.2 Fees referred to in this By-Law shall be established by resolution of Council. If no such resolution is made, the fees in effect under the previous By-Law shall continue.

Part 2: Administration

201 Development Authority

201.1 The office of Development Authority is hereby established and shall be filled by a person or persons appointed by resolution of Council. If no person is appointed, the post shall be filled by the Chief Administrative Officer.

201.2 For the purposes of section 623 of the Act, the Development Authority is an authorized person of the municipality. (By-Law 14-25-A)

201.3 The Development Authority shall:

(a) advise Council and the public on development matters,
(b) keep a copy of this By-Law as amended, and any statutory plans as amended, and make them available to the public at a reasonable price,
(c) receive applications for development permits,
(d) refer applications to other municipalities, agencies, or persons as required by this By-Law,
(e) where an application is for a permitted use in the relevant land use district, and complies in all respects with this By-Law, and the Development Authority is of the opinion that there are no unusual circumstances, issue a development permit with or without conditions,
(f) where an application is for a discretionary use in the relevant land use district, the Development Authority shall refer the application to adjacent landowners and relevant agencies or persons, and may, based on the comments received, issue a development permit with or without conditions, refuse the permit, or refer the application to the Municipal Planning Commission for decision, (By-Law 14-22-A)
(g) refer applications in a Direct Control district to Council for decision,
(h) refer all other applications to the Municipal Planning Commission for decision,
(i) keep a register of all applications for development permits, and the decisions made on those applications, and report monthly to Council, and make this information available to the public,
(j) issue letters of compliance,
(k) carry out the duties as prescribed in the Act with regard to appeals or designate a person to do the same, and
(l) enforce this By-Law in conformance with the Act.

202 Municipal Planning Commission

202.1 Council may, by enacting a By-Law under section 625 of the Act, establish a Municipal Planning Commission (MPC). (By-Law 14-25-A)

202.2 Where an MPC has been established, it shall perform the duties of Development Authority in the following circumstances:

(a) where an application is for a use listed as discretionary in Part 7 of the By-Law, or

(b) where interpretation or relaxation of the By-Law is required, or
(c) where the Development Officer chooses to refer an application to the MPC for decision,

and in those cases the MPC is the Development Authority.

202.2 The MPC may make recommendations to Council regarding amendments to the By-Law.

203 Subdivision and Development Appeal Board

The Subdivision and Development Appeal Board established by By-Law 8-08-PA, and amendments thereto, shall hear and decide upon appeals against the decision (or lack of decision) of the Development Authority. (By-Law 14-25-A)

Part 3: Development Permits

301 Control of Development

No development other than that listed in section 303 of this By-Law shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

302 Non-Conforming Buildings and Uses

If a building or land use is not allowed in this By-Law but was legally in existence at the date of passage of this By-Law, it may continue legally as a non-conforming use and be maintained, pursuant to section 643 of the Act.

303 Development Not Requiring a Development Permit

The following development shall not require a development permit:

Completion	The completion and use of a building which was lawfully under construction at the date of adoption of this By-Law.
Maintenance	The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation.
Fences	The construction of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than one metre in height in front yards and less than 1.5 metres in side and rear yards.
Foster care	The provision of foster care in a private home.
Streets	The construction or maintenance of any utility, work, or improvement in a street or utility lot.
Temporary Buildings	A temporary building or travel trailer, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this By-Law.
Agricultural Buildings	Agricultural buildings, except for: (a) farm dwellings,

(b) farm buildings located within two miles of the Town of Ponoka and Rimbey, or one mile of the boundary of any other urban municipality, or one mile of an airport, and
(c) buildings and improvements forming part of an intensive livestock operation.

Agricultural buildings exempt from requiring a development permit must observe the Setbacks from Property Lines set out in Part 7 of the By-Law.

Accessory Buildings	Accessory buildings smaller than 10 square metres, provided that they are set back from property lines by the distances set out in Part 7 of the By-Law.
Dugouts	Dugouts in the Agricultural and Restricted Agricultural districts, but they must be set back from roads and property lines as if they were buildings.
Statutory: exemptions	Buildings and uses exempted by sections 618 or 619 of the Act.
Note	A building which is exempt from requiring a development permit may still require a building permit under the Safety Codes Act.

304 Application for a Development permit

304.1 An application for a development permit shall be made to the Development Authority in writing on the appropriate form, and at the request of the Development Authority shall be accompanied by:

(a) the legal description of the property,
(b) a statement of ownership of land and interest of the applicant therein,
(c) a statement of present and proposed uses,
(d) a site plan, drawn to scale, showing
- the boundaries of the lot,
- the locations of existing and proposed buildings,
- present and proposed buried and above-ground utilities,
- the front, rear and side yards,
- the drainage of the property,
- provision for off-street loading
- vehicle access and parking
- proposed landscaping, and
- any historic flood elevations

(e) building floor plans and elevations and sections,
(f) the estimated commencement and completion dates,
(g) the estimated cost of the project or contract price, and
(h) the required fee.

304.2 If the Development Authority has any doubt as to the boundaries of the lot, he may require that the site plan be drawn by an Alberta Land Surveyor.

304.3 If the Development Authority has any doubt as to the safety or suitability of the site for the proposed purpose, he may require the applicant to provide engineering and other reports as part of the application.

304.4 In the case where an application for a development permit has been refused initially or on appeal, the Development Authority may refuse to accept another application for a permit on the same property

and for the same or similar use of the land by the same or any other applicant for twelve months after the date of previous refusal, unless the circumstances have changed sufficiently to warrant otherwise.

305 Public Consultation

Before deciding on an application for a development permit for a discretionary use, or before relaxing or waiving or interpreting any part of the By-Law, the Development Authority may, at his discretion, consult the owners of adjacent land by mail or by advertising in the local newspaper, and if the neighbouring landowners reply within 21 days, the Development Authority shall consider their comments and recommendations before issuing a development permit. (Note: the Development Authority *may* consult the neighbours, but any discretionary approval *must* be sent to them under section 311, and they have the right to appeal.) (By-Law 22-18-A)

306 Referral to Other Authorities:

306.1 The Development Authority shall refer an application for development within:

(a) one mile of an urban municipality (or such greater distance as may be agreed between the County and the other municipality), or

(b) half a mile of any rural municipality or Indian Reserve

to that municipality, or to the council of the Indian Band having jurisdiction over that Reserve, and if the municipality or the band replies within 14 days, the Development Authority shall consider their comments and recommendations before issuing a development permit.

306.2 The Development Authority may refer an application to any other government or regulatory agency or any other person or authority for their advice.

306.3 If no response to a referral is received within 14 days, the Development Authority may proceed as if the other municipality or agency had offered no objection.

306.4 If a development is proposed within the area included in the Gull Lake Intermunicipal Development Plan (IDP), and the IDP requires that the proposal be referred to Lacombe County, the Summer Village of Parkland Beach, or the Summer Village of Gull Lake, the development authority shall make the referral and wait for comments as set out in the IDP. (By-Law 33-10-A)

307 Decision by the Development Authority

[Note: as stipulated in section 202 of this By-Law, Development Authority includes MPC]

307.1 The Development Authority shall decide upon an application for a development permit within 40 days of receiving a complete application.

307.2 An application for a development permit may, at the option of the applicant, be deemed to be refused when a decision is not made on it by the Development Authority within 40 days after receipt of the application by the Development Authority, and the applicant may appeal as if the application had been refused.

307.3 An applicant for a development permit may authorize the Development Authority in writing take a longer period of time to make a decision.

307.4 If a proposed specific use of land or a building is not provided for in any district in the By-Law, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district in Part 7.

307.5 Pursuant to section 640(6) of the Act, the Development Authority may approve an application for a development permit notwithstanding that the proposed development does not comply with this By-Law, if, in his opinion, the proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and the proposed development conforms with the use prescribed for the land or building in the By-Law and is consistent with any intermunicipal development plan. (By-Law 33-10-A)

307.6 The power to allow a non-compliant use extends to non-conforming buildings pursuant to section 643(5) (c) of the Act.

307.7 The Development Authority may require changes to the style, design, or quality of a proposed building if in his opinion it is not compatible with other buildings in the area, even if the use is listed as Permitted for that district in Part 7 of the By-Law.

307.8 In making a decision, the Development Authority may approve the application unconditionally, or impose conditions considered appropriate, permanently or for a limited period of time, or refuse the application.

307.9 When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

307.10 A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant and to any person who has expressed an interest in the matter.

308 Conditions Attached to Development Permits

The Development Authority may issue a development permit subject to the condition that the applicant does any of the following:

(a) obtains permits under the Safety Codes Act,
(b) obtains permits under other legislation,
(c) complies with any covenants, caveats, easements, or other encumbrances on title,
(d) provides a real property report certifying that any building meets the setback requirements of this By-Law,
(e) provides an engineer's report confirming that the site is safe for the proposed use,
(f) amends the proposal to conform with this or other By-Laws,
(g) pays an off-site levy imposed by By-Law,
(h) enters into an agreement pursuant to the Act concerning servicing of the site,
(i) registers an easement to protect a utility line,
(j) repairs any municipal improvements that may be damaged as a result of the development,
(k) finishes a building, or landscapes or paves a lot, within a stated period of time,
(l) grades and drains a lot to the satisfaction of the municipality,
(m) constructs sufficient Parking and Loading: spaces,
(n) registers a restrictive covenant concerning architectural controls and landscaping,
(o) does any other thing reasonably necessary to ensure that the development is compatible with neighbouring land uses,

(p) deposits cash, a letter of credit, or a performance bond guaranteeing that any of the above conditions are met.

309 Requirements of Other Authorities:

309.1 A permit issued under this By-Law is subject to provincial and federal law, other By-Law, statutory plans, and inter-municipal agreements.

309.2 A permit issued under this By-Law shall not allow anything which is not allowed under the terms of an easement registered on the title to the land in question.

309.3 When making a decision on a development permit, the Development Authority shall search the title to determine if the land is subject to any third party caveat, restrictive covenant, or other encumbrance which may restrict the use of the land, and if there is such an encumbrance, the Development Authority shall consider, but is not bound by, the encumbrance.

310 Validity of Development Permits

310.1 A development permit does not come into effect until 21 days after the date of issue. (By-Law 31-23-A)

310.2 If a development permit is issued, and is then appealed, the permit is suspended until the matter has been heard and decided by the Subdivision and Development Appeal Board.

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

311 Notice of Decision

311.1 When a development permit has been issued for a use listed as Permitted in that land use district, and no relaxation or waiver has been given, the Development Authority shall immediately post a notice to that effect in the municipal office, and may also post a notice on the property, and/or on the municipal web site.

311.2 When a permit has been granted under section 307.4 to 307.6 of this By-Law, or for a discretionary use, the Development Authority:

(a) shall immediately mail a notice in writing to all registered owners of adjacent land, and of any other land within 100 metres of the subject property, and to any other person who, in the opinion of the Development Authority, may be affected; and
(b) may immediately publish in a newspaper circulating in the municipality a notice stating the location of the property for which the application has been made and the use approved, and
(c) may post the permit on the municipal web site, and
(d) may post a notice of the decision on the property for which the application has been made.

311.3 The notice of an approved development permit shall state whether any third party has the right to appeal, and if so, how that appeal may be made.

312 Continuation of Controls

A condition attached to a development permit issued under a former By-Law continues under this By-Law.

Part 4: Appeals

401 Appeal Procedure

401.1 An appeal against a decision made under this By-Law shall be heard by the Subdivision and Development Appeal Board.

401.2 The Development Authority and the Board shall observe the procedure set out in sections 684 to 687 of the Act when administering and hearing appeals.

401.3 Any letters of appeal, supporting documentation, and other written material received by the County prior to the hearing shall be made available to all parties and to the public at least two days in advance of the hearing by mailing copies to the parties and by posting on the County website.

401.3 The Board may refuse to admit as evidence newspaper clippings, audio and video tapes, and other records where the Board and the parties to the appeal are unable to question the person who originated the proposed submission.

401.4 In making its decision, the Board must comply with the municipal development plan and any inter-municipal development plan or area structure plan, and by the uses of land set out in this By-Law, but may vary other requirements of the land use By-Law to the extend allowed by section 687(3) of the Act.

402 Judicial Review

A decision of the Subdivision and Development Appeal Board is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act.

Part 5: Enforcement

501 Action to be Taken

501.1 If the Development Authority finds that a development or use of land or buildings is not in accordance with:

(a) the Act or the Subdivision Regulations, or
(b) a development permit or subdivision approval, or
(c) this By-Law,

he may proceed in accordance with sections 541-556 and 645-646 of the Act.

502 Fines

Contravention of this By-Law is an offence under section 566 of the Act, and is subject to a fine not more than $500.00 for a single offence or $200 per day for a continuing offence.

Part 6: General Regulations

600 Application of this Part

Regulations in Part 6 apply to all land use districts, unless different regulations applying to particular land use districts are set out in Part 7 of the By-Law.

601 Access to Parcels

601.1 No lot shall be created by subdivision unless it has access to a maintained road, built to the standards of the road authority.

601.2 No permit shall be issued for development unless the lot has access to a maintained road, built to the standards of the road authority.

601.3 Access by easement alone is not sufficient to satisfy sections 2 and 3 except in the case of a highway commercial development, where mutual crossing agreements may be accepted.

602 Accessory Buildings

Except in the Agricultural and Restricted Agricultural districts:

(a) The Development Authority may refuse to issue a development permit for an accessory building if there is no main building on the lot, and

(b) an accessory building shall not be located in a front yard unless this has been authorized by the Municipal Planning Commission, and

(c) an accessory building on a corner lot shall be situated so that the setback from the flanking street to the accessory building is no less than from the flanking street to the main building.

603 Airports and Airstrips

603.1 Where a development is proposed within 1,000 metres of the boundary of an airport or airstrip, or will be higher than the elevations shown on Maps 49 and 50, the Development Authority shall refer the proposal to the airport authority for an opinion.

603.2 If in the opinion of the airport authority the proposed development would conflict with flight operations, the Development Authority may refuse the application, or may require that it be amended to reduce the conflict.

603.3 This section operates even if the proposed use is permitted under another section of this By-Law.

604 Auto Wreckers

604.1 Auto wreckers are allowed within the municipality only as Discretionary Uses: in the Rural Industrial and Rural Commercial districts.

604.2 The part of an auto wrecking site used for storage and dismantling of vehicles shall be fenced to a height of at least 2 metres with opaque material of a colour and material satisfactory to the Development Authority.

604.3 As a condition of issuing a development permit, the Development Authority may set standards of performance and maintenance, and may require that a performance bond or letter of credit be posted to guarantee that the required standards are met.

604.4 If the operator of an auto wrecking yard does not meet the standards set out in the development permit, the municipality may revoke the development permit, proceed under sections 645 and 646 of the Act, and use the performance bond or letter of credit to offset any costs to the municipality.

605 Bed and Breakfast Operations

605.1 Bed and Breakfast operations must be run by the resident owners of the property.

605.2 A Bed and Breakfast operation shall not change the residential character and appearance of the building, and to that end the Development Authority may regulate signage and other matters.

605.3 A Bed and Breakfast operation shall have no more than four guest rooms, and these rooms must be located in the main building.

605.4 In land use districts other than Agricultural, the Development Authority may stipulate a lower number of guest rooms.

605.5 The only meal provided to the registered guests in a Bed and Breakfast operation shall be breakfast, and no food shall be prepared within the guest rooms.

605.6 One on-site parking stall is required for each guest room in addition to parking required by section 616.

606 Condominiums and Multiple Ownership of Land and Buildings

606.1 The signing authorities for the municipality shall not endorse a bare land condominium plan unless it has been approved through the subdivision process.

606.2 Prior to signing a bare land condominium plan, the municipality may require that roads and reserves are created by subdivision.

606.3 The density of development and of population in a condominium or property under multiple ownership shall be no greater than would be allowed for a similar land use which was being developed as a subdivision.

606.4 Bare land condominiums, and property owned in common by a number of people, must be laid out in such a way that, should the land be subdivided at a future date, individual owners can obtain title to lots which meet the requirements of the Act for separate titles.

606.5 Subsections 606.3 and 606.4 do not apply to Hutterite colonies and other co-operative farming enterprises.

607 Development Near Lakes

607.1 The requirements of this section apply on all land within 200 metres of Chain Lakes, and Red Deer Lake. (Gull Lake deleted by By-Law 33-10-A)

607.2 Sewage from a residence or a business may be treated and disposed of on site provided that:
(a) the lot has an area of at least 4,000 square metres and width of at least 40 metres, and the site conditions meet the requirements of the Alberta Private Sewage Systems Standard of Practice 2015 or its successor, and (Updated by By-Law 21-21-A)
(b) the discharge point or the location of the field is at least 90 metres from the high water mark.

607.3 In all other cases, sewage from a residence shall be collected in a holding tank until it is pumped out and hauled away for disposal in a manner acceptable to the Regional Health Authority, Alberta Environment, and the Plumbing Inspection Branch of Alberta Labour.

607.4 No new privy or outhouse shall be constructed unless the waste material is collected in a sealed tank which is pumped out for disposal off-site.

607.5 The Development Authority shall not issue a Letter of Compliance for a property where the waste water disposal system does not conform with this part of the By-Law.

607.6 The disposal of sewage in the Gull Lake watershed is governed by the Gull lake Intermunicipal Development Plan. (By-Law 33-10-A)

608 Encroachments Into Yards

The following may encroach into a required yard or setback:
(a) eaves, canopies, bay windows, chimneys, or cantilevered wall sections, to a maximum of 0.6 metres (two feet), and
(b) decks, porches, and steps to a maximum of 1.5 metres (5 feet), provided that there remains a clear space of 1.2 metres (4 feet) between the encroachment and the property boundary.

609 Excavations

609.1 This section applies to sand, gravel, coal, marl and clay extraction, topsoil stripping, and the construction of artificial bodies of water, including farm dugouts. It does not apply to temporary excavations such as basements or road construction.

609.2 In addition to the standard information required by section 304 of the By-Law, an application for a development permit for surface mining may be accompanied by the following: (By-Law 1-19-A)
(a) a detailed map showing the location of the excavation and any associated works such as stockpiles, worker accommodation, and Parking and Loading: areas,
(b) a site grading and drainage plan, showing present and future contours above and below water level,
(c) an engineer's opinion on the effect of the works on groundwater flows in the area (not required for farm dugouts),

(d) identification of any expected problems with noise or emissions,
(e) proposed hours of operation,
(f) the estimated life of the project, and
(g) plans for the reclamation and subsequent use of the site.

609.3 In addition to the standard conditions of a development permit, a permit for an excavation may include requirements concerning fencing, traffic safety, the stripping and storage of topsoil, and the control of dust or noise.

610 Height of Buildings

No residences or other buildings containing sleeping accommodation shall be constructed with more than two floors above ground level without the specific approval of the Development Authority acting on the advice of the municipal Fire Chief.

611 Intensive Livestock Operations

Note that Intensive Livestock Operations (ILOs) are smaller than Confined Feeding Operations (CFOs). Unlike CFOs, ILOs are under County jurisdiction.

611.1 The Development Authority may require an environmental assessment before issuing a permit for an ILO.

611.2 A new or expanded ILO and its manure storage area shall be separated from a third party's existing residence by the distance set out in the regulations under AOPA, as if it were the smallest size of CFO recognized for that type of operation.

611.3 The Development Authority may refuse to issue a development permit for an ILO if he determines that it may have a negative effect on a watercourse, a lake, or a source of domestic water.

611.4 Manure shall not be left unincorporated for an unreasonable length of time within the distance established by section 611.2 from a residence, school, hospital, or food establishment, unless the owner of the school, hospital, or food establishment consents in writing.

611.5 The Development Authority shall not issue a permit for a residence closer to an intensive livestock operation than the Minimum Distance Separation established in AOPA.

611.6 The Development Authority may require that the Minimum Distance Separation be increased to take account of any planned growth of the livestock operation.

611.7 Despite sections 611.5 and 611.6, the Development Authority may issue a permit for an intensive livestock operation if the proposed residence is intended for the operator of an intensive livestock operation.

611.8 Before issuing a development permit under section 611.7, the Development Authority shall have the applicant sign the Declaration appended to this By-Law.

612 Loading

612.1 Every non-residential building shall have an off-street loading space of sufficient size that vehicles loading or unloading need not park on a street or lane.

612.2 This requirement may be waived by the Development Authority if in his opinion loading from the street or lane will not unreasonably disrupt traffic flow.

613 Locations of Buildings and Approaches

613.1 Where a road is to be widened in future, Building Setbacks: shall be measured from the edge of the future right of way.

613.2 An approach on to a main road shall be located at least 100 metres from any intersection of two roads unless a smaller distance has been authorized by the Director of Public Works.

613.3 No more than two approaches shall be constructed within 800 metres (half a mile) on each side of a main road unless more are approved by the Director of Public Works.

613.4 An approach on to a main road shall be located so there is at least 100 metres of visibility either way along the road unless a smaller distance has been authorized by the Director of Public Works.

613.5 In all districts, a garage shall be located so that there is a full size parking space in front of the vehicle doors, entirely on the property.

613.6 Shelterbelts shall be planted no closer than 30 metres (100 feet) to a main road, and no closer than 3 metres (10 feet) to an internal subdivision road.

613.7 Dugouts shall be created no closer than 40 metres (132 feet) to a main road, and no closer than 20 metres (66 feet) to an internal subdivision road.

613.8 No building shall be established closer than 30 metres to the right-of-way of a railway line unless the Development Officer has first consulted the railway company.

613.9 Section 613 does not apply to land use districts for which other setback distances are required by Part 7 of this By-Law, or where an adopted area structure plan sets other distances.

613.10 Attention is drawn to the Highways Development and Protection Act, under which most developments within 1600 metres of a numbered highway require the approval of Alberta Transportation in addition to a municipal development permit.

614 Moved-in Buildings

614.1 Where a person intends to move a pre-existing building on to a lot, he shall note that fact on his application for a development permit.

614.2 The applicant shall state the present location and use of the building, and provide photographs showing each elevation and the general condition of the building.

614.3 The Development Authority may inspect the building, or call for a report by a qualified person, and shall consider the structural condition of the building and works necessary to improve the building to a safe standard, and to an appearance compatible with neighbouring buildings.

614.4 The applicant shall present a bona fide estimate of the necessary works.

614.5 The cost of any inspection and estimate shall be paid by the applicant.

614.6 An application for a development permit for a moved-in building shall be referred to adjacent landowners and may be appealed in the same manner as an application for a discretionary use.

614.7 As a condition of issuing a development permit, the Development Authority may require that work be done to improve the building, and that the applicant post a performance bond or similar security in the amount of the estimate, and if the necessary work is not completed within six months, the security shall be forfeited and the work done by the municipality.

614.8 The Development Authority may refuse to issue a development permit for a moved-in building if in his opinion the building is not compatible with other nearby development.

614.9 Section 614 does not apply in the A Agricultural or RA Restricted Agricultural districts. or to modular buildings, or to new manufactured homes, or to those buildings which do not require a development permit under section 303 of the By-Law.

615 Number of Residences on a Lot:

615.1 Unless otherwise allowed in Part 7 of this By-Law, and subject to the remainder of this section, only one residence shall be established or maintained on a lot.

615.2 The Development Authority may issue a development permit for a second residence:

(a) on a lot of 32 hectares (80 acres) or more if both residences are for people actively engaged in farming the lot, or

(b) on an agricultural lot of under 32 hectares (80 acres) if both residences are for people actively engaged in farming the lot, or

(c) on any lot if:

(i) the second residence is a mobile home connected, where possible, to the same utilities as the main building; and

(ii) the second residence is either:

- for a person related by blood or marriage to the lot owner, and who requires continual medical attention, or
- occupied by a person aged 65 or over and related by blood or marriage to the occupant of the primary residence on the lot.

(d) on residential lots, with the exception of those listed in Appendix “A” attached to this section. The second residence

- must be hooked to the same utilities where possible as the first residence,
- must not be a permanent structure
- must not be opposed by adjacent landowners (By-Law 24-20-A)

615.3 A development permit issued under section 615.2(c) lapses if the circumstances no longer apply, and the second residence shall then be removed.

615.4 A person seeking a development permit for a residence on a lot shall complete the declaration appended to this By-Law.

616 Parking

616.1 On-site parking spaces shall be provided at the following rates:

Residential	2 per dwelling unit

The following shall have one on-site parking stall for each employee at maximum shift, plus client / customer parking at the following rates:

Retail stores	1 per 100 m2 gross leasable area (GLA)
Offices and financial institutions	1 per 100 m2 GLA
Hotels and motels	1 per room, plus stalls for the entertainment component of the business at the bar rate
Restaurants, bars, and clubs	1 per 10 seats
Churches, halls, and theatres	1 per 10 seats
Other	Sufficient that client parking does not spill over onto nearby roads

616.2 Where a business is likely to attract a high volume of traffic with high turnover, the Development Authority may require more parking.

616.3 On-site parking requirements for non-residential uses may be relaxed where in the opinion of the Development Authority:
(a) sufficient on-street parking is available without causing congestion, or
(b) sufficient parking is available in public parking lots, or
(c) private parking can be shared because peak use times are different.

616.4 Where an existing building is enlarged, or the use of land or building increases in intensity, the additional parking spaces to be provided are limited to those required for the increased size or use.

617 Prohibition of Storage

617.1 No hazardous material shall be stored on any lot except for agricultural inputs in the Agricultural and Restricted Agricultural districts.

617.2 The following items shall not be stored outdoors on any lot except in the Agricultural and Restricted Agricultural districts:
(a) any partly dismantled motor vehicle,
(b) more than one unlicensed motor vehicle,
(c) more than one recreational vehicle,
(d) any object or thing which in the opinion of the Development Authority is unsightly or tends to devalue neighbouring properties, or
(e) any construction materials or debris except where this is necessary for the construction of a building for which a development permit has been issued

618 Safety and Suitability of Building Sites

618.1 Notwithstanding that a use of land may be permitted or discretionary in a land use district, the Subdivision Authority may refuse to approve the subdivision of a lot, and the Development Authority may refuse to issue a development permit, if in his opinion the proposed building site does not have a safe and suitable building site.

618.2 A building site is deemed unsafe or unsuitable if it:

(a) does not have safe legal and physical access to a maintained road, or
(b) is subject more than a 1% annual risk of flooding, calculated using methods acceptable to Alberta Environmental Protection, or
(c) has a high water table which makes the site unsuitable for foundations and sewage disposal systems, or
(d) consists of muskeg or unconsolidated material unsuitable for building, or
(e) is situated on an unstable slope, or
(f) is closer than 100 metres to an oil or gas well, unless the ERCB has reduced the required setback, or
(g) is within the setback distance required by the ERCB from a sour oil or gas facility, or
(h) is situated over an abandoned coal mine or oil or gas well or pipeline, or
(i) may be endangered by aircraft operations, or
(j) is unsafe due to contamination by previous land uses, or
(k) has an inadequate or unsafe water supply, or
(l) is situated closer to a confined feeding operation, intensive livestock operation, or manure storage facility than the minimum distance separation established in AOPA, or
(m) would materially interfere in an existing agricultural operation or its proposed expansion, or
(n) it is not large enough to accommodate buildings with the yard and setback requirements of this By-Law, or
(o) would prevent or interfere with the natural and economic extension of a nearby developed area, a coal mine, an oil or gas field, a sewage treatment plant, a waste disposal or transfer site, a gravel pit, a pipeline, or a road system, or
(p) is subject to any easement, caveat, restrictive covenant, or other registered encumbrance which makes it impossible to build on the site.

618.3 Nothing in this section shall prevent the Subdivision Authority approving a lot, or prevent the Development Authority from issuing a development permit, if he is satisfied that there is no risk to persons or property, or that these concerns will be met by appropriate engineering measures.

619 Secondary Suites

619.1 One secondary suite may be constructed inside any single detached dwelling in the following districts:

Agricultural
Restricted Agricultural
Agricultural Smallholding
Country Residential
Country Residential Hobby Farm
Watershed Protection
Urban Residential

619.2 A secondary suite must comply with the Alberta Building Code.

619.3 A secondary suite must be provided with one off-street parking stall in addition to the parking required by section 616.

620 Service Stations and Gasoline Sales

620.1 Notwithstanding that a use of land may be permitted or discretionary in a land use district, no service station, bulk fuel dealership, or other business dealing in liquid or gaseous fuels shall be permitted without the approval of the Fire Chief.

620.2 In any service station or bulk fuel dealership:
(a) all entrances and exits shall be at least 60 metres (200 feet) from an entrance to or exit from a school, playground, church, or similar institutions,
(b) no part of a service station building, tank or pump shall be within 15 metres (50 feet) of a side or rear property line, and
(c) there shall be a front yard of not less than 60 metres (200 feet) and no pump shall be closer than 30 metres (100 feet) to the front property line.

621 Signs

621.1 Signs are deemed to be developments, and a development permit is required for any sign other than the following:
(a) Signs advertising the name, address, and business of the occupant
(b) Signs offering for sale or rent the parcel on which they stand
(c) Election signs
(d) Signs advertising community events
(e) Signs erected by the municipality or road authority

621.2 Signs other than those listed above are Discretionary Uses: in all land use districts.

621.3 An inoperative vehicle or trailer which bears advertising material and which is parked within 300 metres of a road for more than 7 days is deemed to be a sign.

621.4 A development permit for a sign may be issued subject to conditions as to its location and the time it is to remain.

621.5 All signs, whether or not they require a development permit, shall be located and constructed so as not to be a hazard to people, property, and traffic.

621.6 Despite any other part of this By-Law, the Development Authority may immediately remove any sign which in his opinion is a danger to people or to the safe movement of vehicles.

622 Water Supply

622.1 No subdivision shall be approved which depends on water to be hauled to the site by truck.

622.2 No subdivision or development which is intended to use groundwater shall be approved unless the Subdivision Authority and/or the Development Authority is satisfied that there is sufficient water to serve its needs without infringing on the rights of existing users.

623 Windmills Energy Conservation Systems (WECS) and Solar Power Arrays

623.1 A WECS attached to the roof of a building is deemed to be part of the building but is not restricted by the height limits set out in section 610 or in Part 7.

623.2 A free-standing WECS is an accessory building.

623.3 A free-standing WECS shall be set back from the property boundary by the overall height of the structure, including blades which extend above the top of the tower.

623.4 No development permit shall be issued for the construction or enlargement of any structure which would significantly reduce the amount of sunlight falling on any solar radiation collector system which is complete or under construction at the time of application for that development permit.

623.5 Commercial development of a WECS

(1) The applicant shall forward to the County copies of all regulatory and utility permits, approvals, and conditions prior to commencement of construction.

(2) A WECS – Commercial development permit shall have a maximum five (5) year development timeline as outlined below:

(a) Commencement of construction shall occur within two (2) years of the issuance of the development permit. A time extension as described in (c) or a timeline suspension as described in (d) must be applied for prior to the expiration of the two (2) year commencement of construction period;

(b) Construction shall be completed within two (2) years of commencement of construction. The one (1) year time extension described in (c) may be granted by the MPC provided it was not previously granted under subsection (a). A time extension as described in (c) or a timeline suspension as described in (d) must be applied for prior to the expiration of the two (2) year construction period;

(c) A time extension considered by the MPC in (a) and (b) may be approved for a single one (1) year term and the applicant must provide reasons why the extension is necessary;

(d) The MPC may consider suspending the five (5) year timeline described above where a development hardship is proven to the satisfaction of the MPC. The MPC shall specify the duration of any timeline suspension as part of the approval;

(e) the development permit shall expire if the suspension period in (d) is not granted and any period described in (a), (b), (c), or (d) lapses.

(3) The MPC shall require the developer to minimize impacts and nuisance or safety effects:

(a) within 1.6 km (1 mile) of a Provincially controlled highway;

(b) within 1.6 km (1 mile) of a developed residence (farmstead);

(c) within 2 km (1.2 miles) of a developed Country Residential area, Country Residential Hobby Farm area, Hamlet, Town or Village boundary.

(4) A WECS – Commercial development application shall be considered in accordance with the following requirements:

(a) Maximum Tower Height shall be considered in accordance with the manufacturer and technical requirements for maximum efficiency and shall conform to the setback requirements below.

(b) Minimum Setback Requirements from property lines:
(i) From any Provincial Highway – as per Alberta Transportation
(ii) From any municipal road allowance or property line – Total height plus ten (10) percent.

(5) Consultation Requirements

Applicants for a commercial WECS development shall be responsible for appropriate public consultation prior to an application submission and shall include:

(i) Public meeting hosted and advertised by either general mail out or newspaper advertising at least two weeks in advance, with the applicant's contact information provided.

(ii) Adjacent landowners to proposed WECS sites must be notified in writing, with copies of the notice and a landowners list provided with application information.

(iii) Information provided at meeting must address all points required in the development permit application requirements.

(iv) Summary of consultation and feedback to be included with application as requested.

(By-Law 8-16-A)

624 Marijuana Production

Marijuana may be produced, processed, packaged and sold only on land classified as Direct Control, and where the operator has the required permit from the Government of Canada

(By-Law 9-14-A & 11-18-A).

625 Special Events

625.1 All special events must apply for a Special Events Permit.

625.2 Information required to process the application includes, but is not limited to:

- an Emergency Response Plan to the satisfaction of the Development Authority
- adequate ingress and egress to parking areas and the event site
- plan showing existing roads, driveways and entrance ways to ensure the orderly flow of traffic into the property and onto a highway or County road
- Plan showing access for emergency vehicles
- Adequate insurance coverage

625.3 Duration of the event is limited to no more than ten (10) consecutive calendar days, excluding the time required to prepare, erect, clean up and dismantle the event.

625.4 Hours of operation are to be limited to 8:00 a.m. to 12:00 a.m. unless otherwise approved by the County.

625.5 Sound levels from the event shall be no more than 60 dBA measured at the 0.8 km (1/2 mile) radius.

625.6 All necessary approvals will be required from applicable municipal, provincial and federal bodies including, but not limited to Alberta Health Services, the Royal Canadian Mounted Police and the Regional Fire Services prior to a permit being issued. (By-Law 15-24-A)

Section 615.2(d) – Appendix "A"

Subdivision Location	**Common/Developer's Name**	**Listed Name**
NE 23-43-22-W4	Red Deer Lake Subd & Campground	Red Deer Lake
NW 6-42-24-W4	Edwards (Chain Lakes)	
W ½ 7-42-24-W4	Ostergaard	
SW 7-42-25-W4	Garry Anderson	Anderson Meadows
Sec. 29 & S ½ 32-42-25-W4	Alberta Hospital	Centennial Centre
SW 28-42-25-W4	Nesbo (Carl Jacobsen)	Sandhills Estates
NE 36-42-25-W4	Stretch	
SW 30-42-25-W4	Fessler/Moose	
NW 33-42-25-W4	Terry Jones	
NW 2-43-25-W4 (N ½)	Jones	Block Hollow
NW 2-43-25-W4 (S ½)	Aron Walters	Rancher's View
NE 3-43-25-W4	Collins	Deer Run
NW 6-43-25-W4	Kohlman	
SW 7-43-25-W4	Breitkreuz	Country Ridge
NE 9-43-25-W4	Sperber	
NW 9-43-25-W4	Dedio	
NW 10-43-25-W4	Krossa	
SW 10-43-25-W4	Ponoka northeast (along North road)	
NW 11-43-25-W4	Holt	Holt Country Estates
SW 1-42-26-W4	Breitkreuz	Spruce Meadows
W ½ SE 1-42-26-W4	Armstrong	Spruce Ridge
NE 2-42-26-W4	Roos	
NE 2-42-26-W4	Cappis	
SE/SW 2-42-26-W4	Vold	Village at Wolf Creek
NE 3-42-26-W4	Vold, Auclair, Dodds	Wolf Creek/Wolf Ridge Estates
NE 10-42-26-W4	Anderson, Sinnott	
NW 10-42-26-W4		Pleasant Hills
NW 11-42-26-W4		Woodlands Park
NW 2 & SW 11-42-26-W4		Morning Meadows
NE 11-42-26-W4		Frank
SE 11-42-26-W4		Lippert
SE 12-42-26-W4	Jerry Kawamura	Jada Developments
SW 12-42-26-4	Hendrik & Tamara Bos	Hope Hills
SE 15-42-26-W4	Mueller	County Acres
NE 1 & SE 12-43-26-W4	Williams	
W ½ 4-43-26-W4	Vleeming	Deer Ridge
NE 33-41-28-W4	Chris Ross	
NW 4-42-28-W4	Sauder	Grandview Estates
NE 4-42-28-W4	Street	Meadowbrook Views
SE 8-42-28-W4	Renaud	Lone Tree Estates
SE/SW 8-42-28-W4	Wedlund	Meridian Country Estates
NE 8-42-28-W4	Harty	Heartland Country Estates
NW 9-42-28-W4	Lucky Hill Dairy	Skyview Pointe Estates

Section 615.2(d) – Appendix "A" (continued)

Subdivision Location	Common/Developer's Name	Listed Name
SW 9-42-28-W4	Chalmers	
NW 17-42-28-W4	Ron Chalmers	
SW 20-42-28-W4	Ahlquist	
N ½ 3-42-1-W5		Poulsen's Pasture
NE 4-42-1-W5		Poulsen's Estates
SE 4-42-1-W5	Poulsen	Twin Creek Acres
SW 7-42-1-W5	Darren Weening	Artist View
SE 8-42-1-W5	Flickinger	Fox Fire Glen
E ½ 9-42-1-W5	Wegmann	Westlake Estates
S ½ 10-42-1-W5		Sunnyside Subdivision
SE 12-42-1-W5	Norval Horner	Meridian Beach
SW 13-42-1-W5		Raymond Shores
SE 15-42-1-W5	Wayne Danser	RV Heaven & Marina
NE 19-42-1-W5	Rod Schaff	Buffalo View
NW 20-42-1-W5	Lyle Schmidt	Wooddale Acres
SE 24-42-1-W5	Lennon	Deere Park
S ½ NW 29-42-1-W5	Derek Lylyk	Buffalo Ridge
S ½ NE 29-42-1-W5	Paul Poulsen	
SW 29-42-1-W5	Randy Stuart	
NE 32-42-1-W5	Arnold Hood	Poor Man's Flats
NW 32-42-1-W5		Rim Crest Hills
NW 34-42-1-W5	Randy Brown	
N ½ 9-43-1-W5	Mudry	Rimbey Ridge Estates
NW 8-42-2-W5	Rangen	Janall Estates
NW 9-42-2-W5	Walter Lynn	Lynn Acres
SW 16-42-2-W5		River's Edge
NW 17-42-2-W5	Smith	Kansas Ridge
SW 6-44-2-W5	Next to Bluffton	Donovan
NE 28-42-3-W5	Buwalda	
SE 23-43-3-W5		Viewmar Estates
SW 2-42-4-W5		Hamlet of Leedale
SE 4-45-3-W5		Hamlet of Hoadley
NE 36-43-3-W5		Hamlet of Bluffton
NW 31-43-2-W5		Hamlet of Bluffton
SW 29-44-24-W4	Hamlet of Hobbema	Hamlet of Maskwacis

Part 7: Land Use District Regulations

701 Designation of Districts

701.1 For the purposes of this By-Law, the municipality is divided into the following districts:

Section	District designation	Short form used on map	Page
702	Agricultural	AG	30
703	Restricted Agricultural	RA	33
704	Agricultural Smallholding	AS	34
705	Country Residential	CR	35
706	Country Residential Hobby Farm	CRH	37
707	Watershed Protection	WP	39
708	Lake Resort	LR	41
709	Recreation	REC	44
710	Recreational Resort	RR	45
711	Recreational Vehicle Resort	RVR	47
712	Airport	AIR	48
713	Rural Industrial	RI	49
714	Rural Commercial	RC	51
715	Urban Residential	UR	52
716	Urban Commercial	UC	54
717	Urban Industrial	UI	56
718	Institutional and Public Uses	IPU	58
719	Prime Location Commercial	PLC	59
720	Direct Control	DC	62
720A	Specific Direct Control District	DC	63
721	Chain Lakes Special Area	CLSA	65
722	Residential Mixed Use (By-Law 10-14-A)	RMX	68

701.2 The land designated to each of these districts is illustrated on the maps attached to this By-Law, and within each district, the use of land and buildings is controlled as set out below.

702 Agricultural (AG) District

702.1 Purpose

The purpose of the Agricultural District is to provide land where all forms of agriculture can be carried on without interference by other, incompatible land uses; and the Subdivision Authority, the Development Authority and, on appeal, the Subdivision and Development Appeal Board *must* refuse to approve any subdivision or issue a permit for any land use which may limit or restrict agricultural operations in the vicinity.

702.2 Permitted Uses:

The following uses are permitted:

- extensive agriculture,
- intensive agriculture,
- confined feeding operations holding the required authorization under AOPA,
- intensive livestock operations, provided that they are situated at least 800 metres away from any water body, or any third party residence, or any land not classified Agricultural,
- forestry and tree farming,
- horse riding, training, and boarding stables,
- new residences (site built, modular, or manufactured), *(but see section 618 regarding suitable building sites)*
- unattended utility structures serving the immediate area (By-Law 14-25-A)
- home businesses, and
- buildings and uses accessory to those uses.

702.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority: (By-Law 34.26-A)

- intensive livestock operations other than those listed as Permitted Uses:,
- agricultural industrial uses,
- schools, churches, cemeteries, halls and other small scale public facilities,
- public, quasi-public, and utility facilities such as power and gas lines and installations, gas plants, and compressor stations,
- railways,
- airstrips *(note that licensed airports are classified separately),*
- sale and storage of fertilizer and other agricultural commodities,
- public parks and recreation areas,
- group residences,
- pre-existing buildings moved to the site,
- bed and breakfast operations,
- guest ranches,
- wind energy conservation systems (By-Law 8-16-A)
- kennels, and
- buildings and uses accessory to those uses.

702.4 Subdivision

A complete quarter section may be subdivided into two parts. This may be *either* a division of the land into two approximately equal parts, *or,* subject to section 702.6, and where allowed by the Municipal Development Plan, a residential site and an agricultural remainder.

Additional lots may be subdivided out of a quarter section:

- for public and quasi-public uses, and
- to create a lot which is physically separated from the balance of the quarter section by a barrier to agriculture such as a road diversion, creek, or ravine.

702.5 Size of Lots:

A lot created for residential purposes shall not include any cultivated land.

A lot created for agricultural purposes shall be a size and shape which can reasonably be farmed, and shall be:

- approximately 80 acres in size, varied by existing patterns of cultivation, or
- defined by a physical barrier to cultivation such as a road diversion, creek, or ravine, or
- of a suitable size for a proposed or existing intensive agricultural, intensive livestock, or confined feeding operation.

A lot created for any other purpose shall be of a size and shape acceptable to the Development Authority bearing in mind the need to avoid interference with nearby agricultural operations.

702.6 Residential subdivisions

A lot subdivided for residential purposes shall:

- be safe and suitable as defined in section 618 of this By-Law,
- not conflict with nearby farm operations, the logical and economical expansion of nearby urban areas, or municipal or provincial plans for road improvements,
- have access to a maintained road, with an approach that meets the standards of the road authority, and
- contain at least two of the following improvements:
- a habitable dwelling
- a water well
- electrical service
- a natural or planted shelterbelt.

A lot which does not have at least two of those improvements may nevertheless be approved for subdivision provided that:

- the improvements are installed before the lot is registered at Land Titles Office, and
- the person making the application has owned the land for at least five years.

702.7 Setbacks from property boundaries

All buildings and excavations must be set back the following distances from property boundaries:

- 40 metres from any road, or, where a road is to be widened or diverted, from the future boundary, and
- 10 metres from any other property line.

702.8 Residences close to livestock operations

If the Development Authority is asked to issue a development permit for a residence, and the residence is closer to an intensive livestock operation or confined feeding operation than the minimum distance separation set out in section 611, he may:

- refuse to issue a permit, or
- issue a development permit subject to the applicant signing the declaration attached hereto.

702.9 Number of residences

No more than one residence shall be established on a lot unless a development permit has been issued under section 615 of the By-Law.

702.10 Impact on Other Municipalities

The following procedures apply within two miles of the boundary of the Towns of Ponoka or Rimbey, half a mile of the boundaries of other municipalities and Indian Reserves, and close to certain lakes as defined in the Municipal Development Plan ("the referral area"). They are designed to meet the County's commitment to work with its neighbours.

- Despite section 303 of this By-Law, all agricultural buildings within the referral area of an urban municipality require development permits.

- Proposals for subdivision or development within the referral area will be referred to the other municipality for comments and recommendations.

- If no reply is received within 21 days, the other municipality is deemed to have no objection, and the application will be processed in the normal way.

703 Restricted Agricultural (RA) District

703.1 Purpose

The purpose of the Restricted Agricultural District is to provide land for types of agriculture which are compatible with nearby water bodies. Because of the risk of pollution, **no intensive livestock facilities are allowed**. Nevertheless, the Restricted Agricultural District is still primarily an agricultural district, and the Development Authority may, at his discretion, refuse to issue a permit for any land use which may limit or restrict existing or proposed agricultural operations. (By-Law 33-10-A)

703.2 Permitted Uses:

The following uses are permitted:

- extensive agriculture,
- intensive agriculture,
- forestry and tree farming,
- horse riding, training, and boarding stables,
- guest ranches,
- new residences (site built, modular, or manufactured), *(but see section 618 regarding suitable building sites)*
- unattended utility structures serving the immediate area, (By-Law 14-25-A)
- home businesses, and
- buildings and uses accessory to those uses.

703.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority: (By-Law 34-26-A)

- agricultural industrial uses,
- schools, churches, cemeteries, halls and other small scale public facilities,
- public, quasi-public, and utility facilities such as power and gas lines and installations, gas plants, and compressor stations,
- railways,
- airstrips *(note that licensed airports are classified separately),*
- storage of fertilizer and other agricultural commodities,
- public parks and recreation areas,
- group residences,
- pre-existing buildings moved to the site,
- bed and breakfast operations,
- kennels, and
- buildings and uses accessory to those uses.

703.4 Other regulations

The other regulations for the Restricted Agricultural district are identical to those in the Agricultural District, except that no intensive livestock facilities may be established. Existing operations may continue as legally non-conforming uses under section 643 of the Act, but shall not be expanded.

704 Agricultural Smallholding (AS) District

704.1 Purpose

The purpose of the Agricultural Smallholding District is to provide land for commercial agriculture on parcels smaller than would otherwise be allowed. At the request of the owner, Council may classify land to this district if it is convinced that the proposed parcel will support a viable agricultural operation.

704.2 Permitted Uses:

Permitted Uses: are the same as those in the Agricultural District.

704.3 Discretionary Uses:

Discretionary Uses: are the same as those in the Agricultural District.

704.4 Lot Size

The minimum lot size shall be at the discretion of the Municipal Planning Commission, and shall be based on the land requirements of the agricultural operation proposed for the site.

703.4 Other regulations

The other regulations for the Agricultural Smallholdings district are identical to those in the Agricultural District.

705 Country Residential (CR) District

705.1 Purpose

The purpose of the Country Residential District is to provide land of low agricultural value where clusters of rural non-farm residences may be established away from incompatible land uses, and the Development Authority may, at his discretion, refuse to issue a permit for any land use which may interfere with the quiet enjoyment of residential property in the district.

705.2 Permitted Uses:

The following uses are permitted:

- new single detached residences of conventional or modular construction and of a standard and design which are compatible with the surrounding residences,
- home offices,
- public parks and recreation areas,
- unattended utility structures serving the immediate area, and
- buildings and uses accessory to these uses

705.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- extensive agriculture,
- intensive agriculture [crops, not livestock],
- bed and breakfast operations with a maximum of four guest rooms,
- home businesses compatible with the purpose of the district,
- manufactured houses and pre-existing buildings of a standard and design which are compatible with the surrounding residences,
- group homes, and
- buildings and uses accessory to the above.

705.5 Size of Lots:

Residential lots shall have an area of at least 10,000 square metres (one hectare). (By-Law 14-25-A)

Lots for other uses shall have an area to the satisfaction of the Municipal Planning Commission.

705.6 Number of lots per quarter section

(a) Where a subdivision is to be served by ***individual water wells***, the maximum number of residential lots on a quarter section shall be the lesser of

(i) the number of families whose water needs can be met on a sustainable basis from the underlying aquifer, as proved by tests under section 23 of the Water Act, or
(ii) 48 multiplied by A/160, where A is the number of acres in the present title.

(b) Where a subdivision is to be served by a ***piped water system***, the number of residential lots on a quarter section shall be no more than 100 multiplied by A/160, where A is the number of acres in the present title.

(c) Where the area in the title has been reduced by a road plan or any other land taken for public purposes, those areas shall be added to the area of the title for the purposes of calculating allowable density.

(d) Where the area of a water body is excepted from the title, the subdivision authority may include the area of that water body in the area of the title for the purpose of calculating allowable density.

(e) Where part of the quarter contains a mixture of good soil and poor soil, the entire number of allowable lots may be concentrated on the poor soil.

(f) Where a quarter contains two or more privately owned titles, the number of lots that may be subdivided out of each title shall be set in an outline plan agreed by the several owners and by council. If the several owners are not able to agree, the decision shall be made by council alone.

(g) In a situation not covered by clauses (a) to (g) above, or where there appears to be a conflict between those clauses, the subdivision authority shall interpret the clauses and decide.

(By-Law 3-12-A)

705.7 Number of Residences on a Lot:

No more than one residence shall be established on a lot, but this shall not prevent the establishment of

- a secondary suite in a detached residence, or
- a second residence under section 615 of the By-Law.

705.8 Setbacks from Property Lines:

All buildings and excavations must be set back the following distances from property boundaries:

- 40 metres from any highway, railway, or county main road or, where a highway or road is to be widened or diverted, from its future boundary, and
- 10 metres from any other property boundary or an internal subdivision road.

No accessory building shall be built in a front yard.

705.9 Livestock

No livestock shall be kept on a lot with an area of 1 hectare (2.5 acres) or less.

On lots with an area greater than 1 hectare (2.5 acres), livestock may be kept in the ratio of one animal per hectare.

Notwithstanding the previous two sentences, two cats, and two dogs, and reasonable numbers of smaller common domestic pets, may be kept on any lot.

705.10 Sequence of Development

The Development Authority may refuse to issue a development permit for an accessory building if no main building exists on the lot.

705.11 Resubdivision

Land in a multi-lot subdivision may be resubdivided only after an outline plan or area structure plan for the quarter section has been adopted by Council.

706 Country Residential Hobby Farm (CRH) District

706.1 Purpose

The purpose of the Country Residential Hobby Farm District is to provide land of low agricultural value for low density rural residential development and hobby farming.

706.2 Permitted Uses:

The following uses are permitted:

- new single detached residences, including manufactured homes of a standard and design which are compatible with the surrounding residences,
- home offices,
- agriculture,
- forestry and tree farming,
- public parks and recreation areas,
- unattended utility structures serving the immediate area, and
- buildings and uses accessory to these uses

706.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- intensive agriculture [crops, not livestock],
- bed and breakfast operations with a maximum of four guest rooms,
- home businesses compatible with the purpose of the district,
- manufactured houses and pre-existing buildings of a standard and design which are compatible with the surrounding residences,
- group homes, and
- buildings and uses accessory to the above.

706.5 Size of Lots:

Residential lots shall have an area of at least 4 hectares (ten acres).

Lots for other uses shall have an area to the satisfaction of the Municipal Planning Commission.

706.6 Number of lots per quarter section

The number of residential lots allowed on a quarter section is no more than the number of families whose water needs can be met on a sustainable basis from the underlying aquifer, as proved by tests under section 23 of the Water Act.

706.7 Number of Residences on a Lot:

No more than one residence shall be established on a lot, but this shall not prevent the establishment of:

- a secondary suite in a detached residence, or
- a second residence under section 615 of the By-Law.

706.8 Setbacks from Property Lines:

All buildings and excavations must be set back the following distances from property boundaries:

- 40 metres from any highway, railway, or county main road or, where a highway or road is to be widened or diverted, from its future boundary, and
- 10 metres from any other property boundary or an internal subdivision road (By-Law 11-22-A)

No accessory building shall be built in a front yard.

706.9 Livestock

Livestock may be kept in the ratio of one animal per hectare.

Notwithstanding the previous sentence, two cats, and two dogs, and reasonable numbers of smaller common domestic pets, may be kept on any lot.

706.10 Sequence of Development

The Development Authority may refuse to issue a development permit for an accessory building if no main building exists on the lot.

706.11 Resubdivision

Land in a multi-lot subdivision may be resubdivided only after an outline plan or area structure plan for the quarter section has been adopted by Council.

707 Watershed Protection (WP) District

707.1 Purpose

The purpose of the Watershed Protection district is to encourage the maintenance of natural vegetation, especially near lake and rivers, by allowing tree-covered land to be subdivided into residential parcels large enough that most of the trees will be retained.

707.2 Permitted Uses:

The following uses are permitted:

- detached residences,
- home offices,
- public parks and recreation areas,
- forestry,
- unattended utility structures serving the immediate area, and
- buildings and uses accessory to these uses

707.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- bed and breakfast operations,
- guest ranches,
- home businesses compatible with the purpose of the district,
- minor agriculture compatible with the purpose of the district,
- institutional and public uses,
- kennels, and
- buildings and uses accessory to the above.

707.4 Maintenance of natural vegetation

No more than 25% of the area of a parcel shall be cleared of trees. Within the remaining 75% of the parcel, trees may be selectively cut, consistent with good woodlot management practice. A restrictive covenant or other encumbrance may be registered on the title of a lot at the time of subdivision to bring this restriction to the notice of future buyers.

707.5 Size of Lots:

Residential lots shall have an area of at least 10 hectares (25 acres), but on land which is traversed by ravines, creeks, or other obstacles, the minimum lot size may be reduced so that the obstacles become the parcel boundaries.

Lots for non-residential uses shall have an area to the satisfaction of the Municipal Planning Commission.

707.6 Number of lots per quarter section

No more than 8 residential lots shall be created on one quarter section.

707.7 Number of Residences on a Lot:

No more than one residence shall be established on a lot, but this shall not prevent the establishment of:

- a secondary suite in a detached residence, or
- a second residence under section 615 of the By-Law.

707.8 Setbacks from Property Lines::

All buildings and excavations must be set back at least 10 metres from any property boundary or internal subdivision road. (By-Law 14-25-A)

No accessory building shall be built in a front yard.

707.9 Livestock

Livestock may be kept in the ratio of one animal for each two hectares of cleared land, plus domestic pets in reasonable numbers, plus animals in a kennel for which a development permit has been issued.

707.10 Drainage

Naturally occurring drainage patterns shall not be changed without the approval of the Development Authority, who shall bear in mind the likely effect on local surface flows and groundwater recharge.

707.11 Sequence of Development

The Development Authority may refuse to issue a development permit for an accessory building if no main building exists on the lot.

708. Lake Resort (LR) District

708.1 Purpose

The purpose of the Lake Resort District is to provide land for cottage development adjacent to lakes. Maintaining the quality of the lake water is a very high priority, and the Development Authority may over-ride other provisions of this section, or add conditions to a development permit, if in his opinion it is necessary to do so to protect water quality.

708.2 Permitted Uses:

The following uses are permitted:

- new single detached dwellings of conventional appearance and construction, either site-built or modular, but excluding travel trailers used as the main building on the lot,
- home offices,
- public parks and recreation areas,
- unattended utility installations serving the immediate area, and
- buildings and uses accessory to the above (but see 708.12, sequence of development)

708.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- manufactured homes on permanent foundations,
- pre-existing buildings moved to the site,
- recreational vehicles (subject to 708.10 below),
- home businesses,
- bed and breakfast operations,
- public utility installations,
- convenience stores,
- cafes and restaurants,
- recreation-oriented retail sales,
- storage compounds,
- agriculture, and
- buildings and uses accessory to the above.

708.4 Density of Development

Where domestic water is to be provided from wells on site, the number of lots allowed in a lake resort subdivision shall be no greater than the number of families whose water needs can be met on a sustainable basis from the underlying aquifer.

787.5 Number of Residences on a Lot:

No more than one residence shall be constructed on a lot. Secondary suites and residences under section 619 are not allowed.

708.6 Size of Lots:

Lots which are served by municipal *water and sewer* systems shall have a minimum area of 500 square metres and a mean width of at least 15 metres.

Lots which are served by a municipal *sewer* system but not a municipal water system shall have a minimum area of at least 1,000 square metres and a mean width of at least 30 metres.

Lots which are served by a municipal *water* system but not a municipal sewer system shall have a minimum area of at least 1,500 square metres and a mean width of at least 30 metres.

Lots which are served by *neither* a municipal water system nor a municipal sewer system shall have a minimum area of at least 2,000 square metres and a mean width of at least 30 metres.

Note that, pursuant to the Gull Lake Intermunicipal Development Plan, piped sewer systems are mandatory in new developments within half a mile of the shore line of Gull Lake. (By-Law 33-10-A)

708.7 Site Coverage

The ground floor area (footprint) of all buildings on a lot shall be no more than 500 square metres (5,380 sq ft), or 40% of the area of the lot, whichever is less.

708.8 Height of Buildings

Main buildings shall be no higher than 10 metres (30 feet) above grade.

Accessory buildings shall have only a single storey, and shall be no higher than 6 metres (20 feet) above grade.

708.9 Setbacks from Property Lines:

Single storey buildings shall be set back the following distances from property lines:

Front property line:	6.0 metres (20 feet)
Side property line not adjacent to a road:	1.5 metres (5 feet)
Side property line adjacent to a road:	3.0 metres (10 feet)
Rear property line:	6.0 metres (20 feet)

Buildings higher than one storey shall be set back the following distances from property lines:

Front property line:	10 metres (30 feet)
Side property line	3.0 metres (10 feet)
Rear property line:	10.0 metres (33 feet)

Notwithstanding the above:

- no accessory building shall be built in a front yard,
- a garage with vehicle doors facing a lane or road shall be set back at least 6 metres (20 feet) from the lane or road, and
- where allowed by the Regional Health Authority, privies (earth closets) shall be located as required by the Alberta Private Sewage Disposal Systems Standard of Practice 2015 or its successor. (Updated by By-Law 21-21-A)

708.10 Recreational Vehicles

This section applies to the use of recreational vehicles by friends and family of the owner of the lot. Rental to third parties requires rezoning to a commercial use.

One recreational vehicle may be parked on a lot at any time, and no development permit is required.

Additional recreational vehicles may be located on a lot for up to seven days, and no development permit is required.

Additional recreational vehicles may be located on a lot for more than seven days provided that a development permit has been obtained.

No fee shall be charged for a development permit for a recreational vehicle.

If the waste water from a recreational vehicle is not disposed of in a manner satisfactory to the Development Authority, he may issue a Stop Order requiring the waste water disposal system to be improved, or requiring the recreational vehicle to be removed.

708.11 Livestock

No livestock shall be kept, except for common domestic pets in reasonable numbers.

708.12 Sequence of Development

The Development Authority may refuse to issue a development permit for an accessory building if no main building exists on the lot.

708.13 Special Rules for Lakeshore Areas

Section 607 of the By-Law imposes additional requirements on development within 100 metres of the shoreline of certain lakes.

709 Recreation (REC) District

709.1 Purpose:

The General Recreation District provides land for campgrounds, golf courses, and other public and private sector recreation developments.

709.2 Permitted Uses:

The following uses are permitted:

- golf courses,
- horse riding, boarding, and training stables,
- rodeo grounds,
- conference facilities,
- country clubs,
- campgrounds, (By-Law 14-25-A)
- residences for staff,
- unattended utility structures, and
- buildings and uses accessory to the above.

709.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- hotels, inns, and lodges,
- restaurants and lounges,
- agriculture,
- utility buildings, and
- buildings and uses accessory to the above.

709.4 Lot Sizes

The minimum lot size shall be determined by the Development Authority.

709.5 Building Setbacks:

All buildings and excavations must be set back the following distances from property boundaries:

- 40 metres from any road or railway, and, where a road is to be widened or diverted, from the future boundary, and
- 10 metres from any other property line.

710 Recreational Resort District

710.1 Purpose:

The purpose of the Recreational Resort District is to provide land of low agricultural value for seasonal rural residences on titled lots. Because of the seasonal occupancy, with its lower demands on groundwater, higher densities may be permitted than in the County Residential District. Recreational resorts will normally be established adjacent to golf courses and other recreational facilities.

710.2 Permitted Uses:

The following uses are permitted in the Recreational Resort District:

- single detached residences, but excluding single wide mobile homes, and excluding recreational vehicles used as a main building,
- home offices,
- public park and recreations areas,
- unattended utility structures, and
- buildings accessory to these uses (but see 710.10 below).

710.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- double wide mobile homes on foundations,
- home businesses,
- utility buildings, and
- agriculture.

710.4 Number of lots per quarter section:

The number of lots allowed in a lake resort subdivision shall be no greater than the number of families whose water needs can be met on a sustainable basis from the underlying aquifer, provided that this aquifer has been tested by a professional engineer using methods acceptable to Alberta Environment.

710.5 Number of Residences on a Lot::

No more than one permanent residence shall be constructed on a lot.

A single recreational vehicle may be stored in the rear yard of a lot but shall not be occupied on the lot for more than two weeks in any calendar year.

710.6 Size of Lots:

Residential lots shall have an area of at least 5,000 square metres (1.2 acres) and a mean width of at least 50 metres.

710.7 Site Coverage:

No more than 20% of the area of a residential lot shall be covered by buildings.

710.8 Building Setbacks:

All buildings shall be set back from property lines by at least the following distances:

- 6 metres from the front and rear property lines
- 3 metres from side property lines
- 40 metres from a highway, government road allowance, or other main road.

No accessory building shall be constructed in a front yard.

710.9 Livestock:

Livestock (other than common domestic pets in reasonable numbers) are not permitted on parcels of less than 10 hectares.

710.10 Sequence of Development:

The Development Authority may refuse to issue a development permit for an accessory building if no main building exists on the lot.

711 Recreational Vehicle Resort

711.1 Purpose:

The purpose of the Recreational Vehicle Resort district is to provide land where recreational vehicles (RVs) may be parked permanently. The place where the RV is parked may be a bare land condominium unit, or an unsubdivided space or stall.

711.2 Permitted Uses:

The following uses are permitted in the Recreational Vehicle Resort district:

- Recreational vehicles
- Commercial businesses serving the occupants of the RVR district
- Public utility installations serving the immediate area
- Buildings and uses accessory to the above.

711.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- Commercial businesses serving people outside the RVR district
- Park model manufactured homes
- Modular structures to a maximum size of 1,056 sq. ft. (By-Law 24-10-A, Res #202/16)

711.4 Uses not allowed:

- Site-built residences are neither a permitted nor a discretionary use in the RVR district.
- Basements are neither a permitted nor a discretionary use in the RVR district.

(By-Law 24-10-A)

711.5 Density of Development:

No more than one RV, park model, or modular structure shall be placed on one condominium unit or stall.
(By-Law 24-10-A)

711.6 Water supply:

Before using a development permit for a recreational vehicle resort, the Development Authority shall satisfy himself that there is sufficient water to serve the development, using the standards set out in section 23 of the Water Act.

711.7 Yards and Setbacks::

All buildings, whether permanently attached to the ground or not, shall be set back at least

- 3 metres from the front and back of the unit or stall,
- 1.5 metres from the side of the unit or stall, and
- 3 metres from the outer boundary of the outer property line of the condominium or unsubdivided parcel on which the development is placed.

711.8 Livestock:

No livestock shall be kept except for common domestic pets in reasonable numbers.

712 Airport (AIR) District

712.1 Purpose:

The purpose of the Airport District is to provide land for the operation of licensed airports and associated buildings and land uses. Unlicensed airstrips are allowed as a discretionary use in the Agricultural district.

712.2 Permitted Uses:

The following uses are permitted:

- runways and taxiways,
- hangars, control towers, terminal buildings, and maintenance shops, and
- buildings and uses accessory to the above.

712.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- residences for airport staff,
- utility structures and buildings,
- industrial, commercial, and storage uses which benefit from
- or contribute to airport operations,
- agriculture, and
- buildings and uses accessory to the above.

712.4 Lot Sizes and Density of Development:

Lot sizes and the density of development shall be at the discretion of the Development Authority.

712.5 Setbacks from Property Lines:

Buildings shall be set back at least 40 metres (131 feet) from any road and from any property line which marks the edge of the Airport District.

Setbacks from the boundaries of lots within the District shall be at the discretion of the Development Authority.

713 Rural Industrial District

713.1 Purpose:

The purpose of the Industrial District is to provide land for industry and for resource extraction operations in locations which will not conflict with nearby agriculture or residential land uses.

713.2 Permitted Uses:

The following uses are permitted:

- industrial, manufacturing, storage, processing, and warehousing uses
- public utility buildings
- agriculture
- agribusiness
- agricultural processing
- agricultural value-add
- agricultural, tourism
- agricultural, industrial
- utility buildings
- buildings and uses accessory to the above.

713.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- residences, limited to one per lot, to be occupied by the resident owner, on-site manager, or caretaker
- resource extraction
- buildings and uses accessory to the above.

713.4 Information to Accompany a Development Permit Application:

The applicant shall provide the following information to the Development Authority in addition to the general requirements of the development application:

- type of industry or extraction,
- size of buildings,
- number of employees,
- estimated water demand and proposed source,
- type of effluent and method of treatment,
- transportation routes to be used,
- reason for specific location,
- any ancillary works required (pipeline, railway spurs, etc.),
- probable places of residence of employees; and/or
- any such other information as may be reasonably required by the Development Authority

713.5 Referrals to Other Authorities:

Upon receipt of the application, the Development Authority shall consult

- nearby municipalities,
- Alberta Environmental Protection,
- Alberta Transportation, and
- the Regional Health Authority.

and shall consider their comments before making a decision.

713.6 Size of Lots:

Lot sizes shall be as required by the Development Authority bearing in mind the need for on-site Parking and Loading:.

713.7 Yards and Setbacks::

All buildings and excavations must be set back the following distances from property boundaries:

- 40 metres from any road, or, where a road is to be widened or diverted, from the future boundary, and
- 10 metres from any other property line.

713.8 Parking and Loading::

Sufficient space must be provided on site so that public roads are not used for Parking and Loading:.

713.9 Roads and Access::

The Development Authority may require than internal or service roads be provided in order to reduce traffic on an adjacent public road.

713.10 Protection of Neighbouring Property:

As a condition of granting a development permit, the Development Authority may impose such conditions as he thinks necessary to protect the value and quiet enjoyment of nearby property against fire, noise, dust, fumes, glare, excessive traffic, unusual working hours, or electromagnetic interference.

714 Rural Commercial (RC) District

714.1 Purpose:

The purpose of the Rural Commercial District is to provide land for isolated rural stores and similar small-scale commercial activity serving the local area.

714.2 Permitted Uses:

The following uses are permitted:

- rural stores and similar small scale commercial activities
- public utility buildings
- agriculture
- utility buildings
- buildings and uses accessory to the above.

714.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- residences, limited to one per lot, to be occupied by the resident owner, on-site manager, or caretaker
- buildings and uses accessory to the above.

714.4 Size of Lots:

Lot sizes shall be as required by the Development Authority bearing in mind the need for on-site Parking and Loading:.

714.5 Yards and Setbacks:

All buildings and excavations must be set back the following distances from property boundaries:

- 40 metres from any road, or, where a road is to be widened or diverted, from the future boundary, and
- 10 metres from any other property line.

714.6 Parking and Loading:

Sufficient space must be provided on site so that public roads are not used for Parking and Loading:.

714.7 Roads and Access:

The Development Authority may require than internal or service roads be provided in order to reduce traffic on an adjacent public road.

715 Urban Residential (UR) District

715.1 Purpose:

The purpose of the Urban Residential District is to provide land for houses in established hamlets, and to encourage the sort of development which is, or in the future may be, provided with full municipal services.

715.2 Permitted Uses:

The following uses are permitted:

- new single detached residences of conventional appearance and construction, including site-built, ready-to-move, and modular buildings,
- home offices,
- public parks, playgrounds, and recreational facilities
- unattended utility installations serving the immediate area, and
- buildings and uses accessory to the above.

715.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- duplexes and other forms of multiple housing served by municipal water and sewer,
- group homes,
- manufactured homes on subdivided lots
- manufactured homes in a rental park
- moved-in buildings
- municipal and government buildings and uses,
- home businesses, and
- buildings and uses accessory to the above.

715.4 Size of Lots:

Lots which are served by municipal *water and sewer* systems shall have a minimum area of 465 m2 (5,000 sq ft) and a mean width of at least 15 metres.

Lots which are served by a municipal *sewer* system but not a municipal water system shall have a minimum area of at least 929 m2 (10,000 sq ft) and a mean width of at least 30 metres.

Lots which are served by a municipal *water* system but not a municipal sewer system shall have a minimum area of at least 1,394 m2 and a mean width of at least 30 metres.

Lots which are served by *neither* a municipal water system nor a municipal sewer system shall have a minimum area of at least 1,858 m2 (20,000 sq ft) and a mean width of at least 30 metres.

715.5 Setbacks from Buildings and Property Lines:

All buildings shall be set back the following distances from property lines:

(a) Front and rear property lines: 6 metres (20 feet)

(b) Side property line: 1.5 metres (5 feet), except:

- Adjacent to a flanking street: 3 metres (10 feet)

- Where there is no road or lane access to the rear yard: 3 metres on one side of the building

A garage with vehicle doors facing a lane or road shall be set back at least 6 metres (20 feet) from the lane or road

All buildings shall be located at least 3 metres (10 feet) from other buildings unless a waiver has been obtained from the Fire Chief.

No accessory building shall be constructed in a front yard, or in a side yard adjacent to a flanking street.

715.6 Number of Residences on a Lot:

No more than one residence shall be constructed on a lot but this shall not prevent the construction of a secondary suite in a detached dwelling.

715.7 Livestock:

No livestock shall be kept, except for common domestic pets in reasonable numbers.

715.8 Fences:

No fence shall exceed 1 metre (3 feet) in a front yard or 1.8 metres (6 feet) in a side or rear yard.

715.9 Sequence of Development:

The Development Authority may refuse to issue a development permit for an accessory building if no main building exists on the lot.

716 Urban Commercial (UC) District

716.1 Purpose:

The purpose of the Urban Commercial District is to provide land where retail, service, and other commercial activities may be carried on in hamlets.

716.2 Permitted Uses:

The following uses are permitted:

- Retail stores except those listed below as discretionary
- Professional, financial, and service businesses except those listed as discretionary
- Trade shops
- Parks and recreation areas
- Clubs, associations, churches, and lodges, except those listed below as discretionary,
- Government buildings
- Unattended utility installations serving the immediate area
- Buildings and uses accessory to the above.

716.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- Wholesaling
- Warehousing and storage
- Slaughterhouses
- Manufacturing and processing
- Establishments selling or dispensing alcohol for consumption on or off the premises,
- Establishments providing 'adult' entertainment or selling 'adult' products,
- Gambling establishments,
- Amusement arcades,
- Pawnbrokers,
- Businesses which sell gasoline or auto parts, or sell or repair motor vehicles,
- Businesses selling lumber or other flammable products,
- Drive-in businesses,
- Day care and group care facilities,
- Residences, limited to one per lot
- Hotels and motels,
- Public utility buildings,
- Moved-in buildings, and
- Buildings and uses accessory to the above.

Note: auto wreckers are neither a permitted nor a discretionary use in the UC district; they require Industrial zoning.

716.4 Lot Sizes:

Lots which are served by municipal *water and sewer* systems shall have a minimum area of 465m2 (5,000 sq ft) and a mean width of at least 15 metres.

Lots which are served by a municipal *sewer* system but not a municipal water system shall have a minimum area of at least 929 m2 (10,000 sq ft) and a mean width of at least 30 metres.

Lots which are served by a municipal *water* system but not a municipal sewer system shall have a minimum area of at least 1,394 m2 and a mean width of at least 30 metres.

Lots which are served by *neither* a municipal water system nor a municipal sewer system shall have a minimum area of at least 1,858 m2 (20,000 sq ft) and a mean width of at least 30 metres.

716.5 Setbacks from Property Lines:

Building Setbacks: for residential uses are as for the UR district.

Commercial and other non-residential buildings do not require to be set back from property lines, except that a garage or storage building with vehicle doors facing a lane or road shall be set back at least 6 metres (20 feet) from the lane or road.

Note that the Alberta Building Code and fire regulations may impose additional separation requirements between buildings.

716.6 Loading:

Where a business or facility is likely to receive large quantities of goods, or frequent deliveries, the Development Authority may require that one or more off-street loading docks be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

716.7 Livestock:

No livestock shall be kept.

717 Urban Industrial (UI) District

717.1 Purpose:

The purpose of the Urban Industrial District is to provide land for industry in hamlets.

717.2 Permitted Uses:

The following uses are permitted:

- industrial, manufacturing, storage, processing, shipping, and warehousing uses,
- auto repair,
- public utility buildings,
- utility structures, and
- buildings and uses accessory to the above.

717.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- bulk oil and gas depots,
- slaughterhouses,
- auto wreckers,
- fertilizer storage, blending, and sales,
- auction markets,
- veterinary clinics,
- residences, limited to one per lot, to be occupied only by the business owner, on-site manager, or caretaker,
- resource extraction, and
- buildings and uses accessory to the above.

717.4 Information to Accompany a Development Permit Application:

The applicant shall provide the following information to the Development Authority in addition to the general requirements of the development application:

- type of industry or extraction,
- size of buildings,
- number of employees,
- estimated water demand and proposed source,
- type of effluent and method of treatment,
- transportation routes to be used,
- reason for specific location,
- any ancillary works required (pipeline, railway spurs, etc.),
- probable places of residence of employees; and/or
- any such other information as may be reasonably required by the Development Authority

717.5 Size of Lots:

Lots which are served by municipal *water and sewer* systems shall have a minimum area of 465 m2 (5,000 sq ft) and a mean width of at least 15 metres.

Lots which are served by a municipal *sewer* system but not a municipal water system shall have a minimum area of at least 929 m2 (10,000 sq ft) and a mean width of at least 30 metres.

Lots which are served by a municipal *water* system but not a municipal sewer system shall have a minimum area of at least 1,394 m2 and a mean width of at least 30 metres.

Lots which are served by *neither* a municipal water system nor a municipal sewer system shall have a minimum area of at least 1,858 m2 (20,000 sq ft) and a mean width of at least 30 metres.

The Development Authority may require larger lots than those noted above to accommodate on-site parking and loading.

717.7 Yards and Setbacks:

All buildings shall be set back from property lines by the following distances:

Front and rear property lines: 6 metres (20 feet)

Side property line: 1.5 metres, except:

- Adjacent to a flanking street: 3 metres (10 feet), or
- Where there is no road or lane access to the rear yard: 3 metres on one side of the building.

A garage or loading bay with vehicle doors facing a lane or road shall be set back a sufficient distance that a parked vehicles is contained entirely within the lot.

All buildings shall be located at least 3 metres (10 feet) from other buildings unless a waiver has been obtained from the [fire chief / building code]

717.8 Loading:

Where a business or facility is likely to receive large quantities of goods, or frequent deliveries, the Development Authority may require that one or more off-street loading docks be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

717.9 Roads and Access:

The Development Authority may require than internal or service roads be provided in order to reduce traffic on an adjacent public road.

717.10 Livestock:

No livestock shall be kept.

717.11 Protection of Neighbouring Property:

As a condition of granting a development permit, the Development Authority may impose such conditions as he thinks necessary to protect the value and quiet enjoyment of nearby property against fire, noise, dust, fumes, glare, excessive traffic, unusual working hours, or electromagnetic interference.

718 Institutional and Public Uses (IPU) District

718.1 Purpose:

The purpose of the Institutional and Public Uses District is to provide land for educational, governmental, and community activities. Although some such uses are Discretionary Uses: in other districts, Institutional and Public Uses districting will be used for large scale developments.

718.2 Permitted Uses:

The following uses are permitted:

- government buildings,
- religious institutions,
- educational facilities,
- hospitals,
- public parks and playgrounds,
- water storage and treatment sites,
- public utilities, and
- buildings and uses accessory to the above.

718.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- residences for staff of the institution,
- landfill sites,
- transfer stations,
- sewage treatment lagoons, and
- buildings and uses accessory to the above.

718.4 Setbacks from Property Lines:

In rural areas, buildings and excavations shall be set back at least

- 40 metres (131 feet) from any road and from any property line which marks the edge of the District, and
- 10 metres (30 feet) from any other property line.

In hamlets and other areas of generally small lots, setbacks from the boundaries of lots within the District shall be at the discretion of the Development Authority bearing in mind the setbacks required on adjacent lots.

718.5 Other requirements:

The density of development, and measures to protect the interests of neighbouring property owners, shall be as required by the Development Authority.

719 Prime Location Commercial (PLC) District *(By-Law 10-14-A)*

719.1 Purpose:

The purpose of the Prime Location Commercial District is to provide space for businesses which serve the travelling public or which need direct exposure to major highways, in locations which are compatible with traffic safety and with neighbouring land uses. Where industrial uses are included, those areas will require Rural Industrial zoning.

Land will only be classified for this use:

- with the consent of Alberta Transportation, and
- where, in Council's opinion, the loss of farmland and the possible interference with farming operations fall within acceptable limits, and
- after an Area Structure Plan has been prepared, advertised, and adopted by By-Law, setting out the long-term development of the entire quarter section and its relationship to surrounding land and highways and the means whereby it will be served with utilities.

719.2 Permitted Uses:

The following uses are permitted:

- Warehousing, storage, and distribution
- Recreational vehicles sales, service, and rentals
- Manufactured and modular home sales
- Auction marts
- New and used farm and industrial equipment sales
- Oilfield service businesses
- Trade shops such as plumbers, electricians, and water well drillers
- Hotels and motels
- Gasoline sales
- Truck stops and truck ports
- Convenience stores operated as part of gas stations
- Restaurants (but see below regarding liquor sales)
- Veterinary clinics
- Utility operations
- Public parks and recreation areas
- Agribusiness
- Agricultural processing
- Agricultural value-add
- Agricultural, tourism
- Agricultural, industrial
- Buildings and uses accessory to the above

719.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- Agriculture, excluding intensive animal operations
- Campgrounds
- Retail sales

- Sale of new or used automobile and recreational vehicles
- Used parts businesses
- Motor vehicle repair shops
- Auto wreckers
- Recycling depots
- Animal boarding kennels
- Any activity or business listed as approved in section 719.2 which involves the sale of liquor for consumption on or off the premises
- Caretakers' suites and other private residences used as part of a commercial operation
- buildings accessory to these uses

Note that industrial activities will require Industrial zoning.

719.4 Service Roads:

On the advice of Alberta Transportation and Utilities, the Development Authority may require that road widening or a service road be dedicated adjacent to a numbered highway or a road giving access to a numbered highway.

719.5 Size of Lots:

Lot sizes for agricultural uses shall be as in the General Agricultural District.

Commercial/industrial lots which are served by municipal water and sewer systems shall have a minimum area of 500 square metres and a mean width of at least 15 metres.

Commercial/industrial lots which are served by a municipal sewer system but not a municipal water system shall have a minimum area of at least 1,000 square metres and a mean width of at least 30 metres.

Commercial/industrial lots which are served by a municipal water system but not a municipal sewer system shall have a minimum area of at least 1,500 square metres and a mean width of at least 30 metres.

Commercial/industrial lots which are served by neither a municipal water system nor a municipal sewer system shall have a minimum area of at least 2,000 square metres and a mean width of at least 30 metres.

719.6 Building location:

All buildings and excavations must be set back the following distances from property boundaries:

- At least 40 metres from any existing or proposed road, or such greater distance as may be required by the Roadside Development Permit issued by Alberta Transportation.
- At least 10 metres from any other property line.

719.7 Parking and Loading:

Sufficient space must be provided on site so that public roads are not used for Parking and Loading:.

719.8 Roads and Access:

The Development Authority may require that internal or service roads be built in order to reduce traffic on an adjacent public road.

719.9 Aesthetic Standards:

Before a new area is designated Prime Location Commercial, the developer shall prepare a scheme, acceptable to the County and the Alberta Transportation, setting out the required building locations, architectural treatment, landscaping, and other aesthetic matters, and any decision made by the Development Authority must be consistent with that scheme.

719.10 Fire Protection:

The Development Authority may require a developer to amend his application to minimize the risk of fire, and in this regard he may require construction of a fire pond and stipulate the type of ground cover and building cladding and separation and other measures designed to minimize the risk of fire starting or spreading.

720 Direct Control (DC) District

720.1 In accordance with section 641 of the Act, the control of the use of land and buildings within a Direct Control District is reserved to Council.

720.2 Prior to issuing or refusing a development permit, Council may request whatever information it deems necessary from the applicant, neighbours, or agencies.

720.3 In issuing a development permit, Council may:

- list which uses which are allowed, and which are not,
- set building and lot sizes,
- stipulate the distances that buildings are to be set back from property lines,
- require the number, location, and treatment of parking stalls and loading areas,
- regulate outside storage,
- require landscaping and screening,
- set standards of performance,
- require that the developer enter into an agreement under section 655 of the Act, and
- do anything within its power under the Act to ensure that the proposed development is carried out in a proper manner.

720.4 Despite section 720.1, and pursuant to section 642(3) of the Act, Council may pass a resolution identifying a proposed development and delegating to the Municipal Planning Commission the authority to issue or refuse a development permit for the proposed development.

720-A Specific Direct Control (DC) District *(By-Law 25-19-ZA)*

720-A.1 Location

Pt. SW-10-42-26 W4 (South of C&E Trail)

720-A.2 Purpose

To accommodate and allow for the development of a metal recycling facility which would include collecting, sorting and processing of metals for the purposes of recycling and resale.

720-A.3 Permitted Uses

a) Building for an office, vehicle/equipment repairs, the storage of vehicle equipment, and maintenance of equipment/vehicles.
b) Outdoor storage of equipment, vehicles and materials that are not visible from passing vehicular traffic and existing residential developments.
c) No more than 2 residences shall be established on the lot, provided each residence is occupied by individuals related to the operation.

720-A.4 Discretionary Uses

As determined by Council or its delegate as being appropriate for the subject site and surrounding land uses.

720-A.5 Information to Accompany a Development Permit Application:

a) Size of buildings,
b) number of employees,
c) estimated water demand and proposed source,
d) type of effluent and method of treatment,
e) transportation routes to be used,
f) reason for specific location,
g) any ancillary works required (pipeline, railway spurs, etc.),
h) probable places of residence of employees; and/or
i) Any such other information as may be reasonably required by Council or its delegate.

720-A.6 Development Standards

a. Landscaping:
    i. Creation of a treed buffer along Township Road 421A to the satisfaction of Council or its delegate.
    ii. Creation of a berm buffer along Township Road 421A to the satisfaction of Council or its delegate.
    iii. Additional landscaping requirements as determined by Council or its delegate.
b. Height
    i. Industrial buildings shall be no higher than 7.3 metres (24 feet).
    ii. Outdoor storage of materials shall be no higher than 9 metres (30 feet).
    iii. No residences shall be constructed with more than two floors above ground.
c. Parking and Loading

i. Sufficient space must be provided on site so that public roads are not used for Parking and Loading.

d. Roads and Access

i. A maximum of 20 visitor vehicles per operational day, plus employee and residential vehicles.

ii. Access shall be provided via the C&E Trail road.

e. Signage

i. As determined by Council or its delegate as being appropriate for the subject site and surrounding land uses.

f. Business Hours

i. Hours of operation for processing shall be 8:00 am to 5:30 pm on Monday through Friday.

ii. Hours of operation for loading and sorting or materials shall be 8:00 am to 8:00 pm on Monday through Saturday.

g. Additional development standards as determined by Council or its delegate.

720-A.7 Minimum Parcel Size

10 acre lot.
Facility shall be contained within 10 acres of the total lot.

720-A.8 Maximum Number of Lots

One (1).

720-A.9 Minimum Setback Requirements

a) 40 metres from any road, or, where a road is to be widened or diverted, from the future boundary, and
b) 10 metres from any other property line.

721 Chain Lakes Special Area (CLSA) *(By-Law 20-12-A)*

721.1 Purpose:

The purpose of the Chain Lakes Special Area is to protect Chain Lakes by encouraging the retention or regeneration of tree cover close to the lakes, and by discouraging those land uses which may result in the runoff of nutrient-rich water.

721.2 Permitted Uses:

The following uses are permitted:

- extensive agriculture,
- intensive agriculture,
- forestry and tree farming,
- horse riding, training, and boarding stables,
- residences (but see section 618 regarding suitable building sites),
- home offices,
- home businesses compatible with the purpose of the district,
- small-scale, unattended utility structures serving the immediate area, and
- buildings and uses accessory to these uses

721.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority: (By-Law 34-26-A)

- bed and breakfast operations,
- guest ranches,
- kennels,
- group residences,
- airstrips (note that licensed airports are classified separately),
- public parks and recreation areas, (By-Law 14-25-A)
- pre-existing buildings moved to the site,
- institutional and public uses, including schools, churches, cemeteries, halls and other small scale public facilities,
- larger scale utility facilities such as power and gas lines and installations, gas processing plants, compressor stations and radio towers, and
- buildings and uses accessory to the above.

721.4 Yard Site Subdivisions:

An existing yard site may be subdivided from a quarter section under the same conditions as those set out in section 702.6 of the By-Law [Agricultural district].

721.5 Other Subdivisions:

Lots other than yard sites may be eligible to be created with an area of at least 4 hectares (10 acres), but on land which is traversed by ravines, creeks, or other obstacles, the minimum lot size may be reduced or increased so that the obstacles become the parcel boundaries.

Residential lots shall conform with section 618 of the By-Law regarding safety and suitability of building sites.

The subdivision authority may allow smaller lots for a utility or for a public purpose.

721.6 Setbacks from Property Boundaries:

All buildings and excavations must be set back:

- 40 metres from any road, or, where a road is to be widened or diverted, from the future road boundary, and
- 10 metres from any other property line.

No accessory building shall be located in a front yard.

721.7 Residences Close to Livestock Operations:

If the Development Authority is asked to issue a development permit for a residence, and the residence is closer to an intensive livestock operation or confined feeding operation than the minimum distance separation set out in section 611, he may:

- refuse to issue a permit, or
- issue a development permit subject to the applicant signing the declaration attached hereto.

721.8 Maintenance of Natural Vegetation:

On a parcel of less than 32 hectares (80 acres) which was created by subdivision after June 2012:

- no more than 25% of the area of shall be cleared of trees, and
- no land within 30 metres of a watercourse shall be cleared of trees except to create a trail or fence line.

In wooded areas, trees may be selectively cut, consistent with good woodlot management practice, or to create fire breaks.

721.9 Number of Residences on a Lot:

No more than one residence shall be established on a lot, but this shall not prevent the establishment of:

- a secondary suite in a detached residence, or
- a second residence under section 615 of the By-Law.

721.10 Sequence of Development:

The Development Authority may refuse to issue a development permit for an accessory building if no main building exists on the lot.

721.11 Livestock:

Livestock may be kept in the ratio of one animal for each hectare of cleared land, plus domestic pets in reasonable numbers, plus animals in a boarding or breeding kennel for which a development permit has been issued.

721.12 Drainage:

Naturally occurring drainage patterns shall not be changed without the approval of the Development Authority, who shall bear in mind the likely effect on local surface flows and groundwater recharge.

721.13 Sewer Systems:

Sewer systems shall be located in accordance with the Alberta Private Sewage Systems Standard of Practice 2015 or its successor. *(Updated by By-Law 21-21-A)*

722 Residential Mixed Use (RMX) *(By-Law 10-14-A)*

722.1 Purpose:

The purpose of the Residential Mixed Use district is to allow large lot single family housing and, as a secondary or associated use, small workshops and the storage of goods, vehicles, machinery, and equipment used in the business of the occupant of the lot.

722.2 Permitted Uses:

The following uses are permitted:

- new single detached residences of conventional or modular construction and of a standard and design which are compatible with the surrounding residences
- home offices
- public parks and recreation areas
- unattended utility structures serving the immediate area
- buildings and uses accessory to the above.

722.3 Discretionary Uses:

The following uses may be allowed at the discretion of the Development Authority:

- manufactured houses of a standard and design which are compatible with the surrounding residences
- pre-existing buildings moved to the site
- light industrial uses such as small workshops and the storage of goods, vehicles, machinery, and equipment used in the business of the occupant of the lot, where these uses are secondary to the main residential use of the lot, and hereinafter referred to as "secondary industrial uses"
- extensive agriculture
- buildings and uses accessory to the above.

722.4 Size of Lots:

Residential lots shall have an area of at least one hectare.

Lots for other uses shall have an area to the satisfaction of the Municipal Planning Commission.

722.5 Building Setbacks:

All buildings shall be set back the following distances from property boundaries:
- 40 metres from any highway or county main road, or, where the highway or road is to be widened or diverted, from the future boundary; and
- 10 metres from any other boundary.

No accessory building shall be built in a front yard.

722.6 Building Height:

No dwelling shall exceed 10 metres (33 feet) in height.

The maximum height of other buildings shall be as determined by the Municipal Planning Commission.

722.7 Site Coverage:

The area of land covered by buildings shall not exceed 10% of the area of the lot.

722.8 Special Provisions for Secondary Industrial Uses:

A permit for a secondary industrial use shall be issued only to the owner of a parcel who is also resident on a parcel.

A secondary industrial use shall not involve the outdoor display of goods on the property.

A secondary industrial use shall not generate traffic in excess of what is acceptable in a residential neighbourhood.

No hazardous materials shall be stored on the parcel, and no offensive or intrusive noise, vibration, smoke, dust, odour, heat, glare, or electrical or radio disturbance shall be produced by any secondary industrial use.

At all times the privacy and enjoyment of nearby dwellings shall be preserved and, subject to the purpose of the district, a secondary industrial use shall not unreasonably affect the residential amenities of the neighbourhood.

Exterior storage of goods and supplies may be permitted provided that the storage area is screened to the satisfaction of the Development Authority.

Secondary industrial uses are restricted to the rear yard.

All industrial and storage buildings shall be sited at least 10 metres (33 feet) from dwellings.

No more than two unlicensed or inoperative vehicles shall be stored out of doors on a parcel at any time.

The maximum number of non-resident employees on a parcel shall be set by the Development Authority and noted in the development permit, but in no case shall exceed two.

722.9 Development Density:

Only one dwelling shall be constructed on each lot.

SCHEDULE A

Animal Units

This By-Law defines intensive animal operations in part by the number of animal units on site. The following table shows the number of animals of various types and sizes which are equivalent to one animal unit.

Type of livestock	Animal units per head
Beef cows/finishers	1.1
Beef feeders <900 lb	2
Milking dairy cows	0.5
Swine, farrow to finish	0.56
Swine, farrow to wean	1.5
Swine, feeders	5
Swine, weaners	18.2
Poultry: layers	125
Poultry: pullets/broilers	500
Turkeys (toms)	50
Geese	50
Horses: PMU	1
Horses: feeders	1
Sheep	5
Goats	6
Bison	1
Elk	1.7
Deer	5
Wild Boar	7

These figures are taken from Schedule 1 of Alberta Regulation 257/2001 made pursuant to AOPA, and are subject to change.

SCHEDULE B

Confined Feeding Operations

A confined feeding operation falls under the authority of AOPA if the number of animals on site exceeds the following:

Type of livestock	Threshold number
Beef cows/finishers	150
Beef feeders <900 lb	200
Feeder calves	360
Milking dairy cows	50
Swine, farrow to finish	30
Swine, farrow to wean	50
Swine, feeders	500
Swine, weaners	500
Poultry: layers	5000
Poultry: pullets/broilers	2000
Turkeys (toms)	1000
Ducks	1000
Geese	1000
Horses: PMU	100
Horses: feeders	100
Sheep	200
Goats	200
Bison	150
Elk	150
Deer	200
Wild Boar	100

These figures are taken from Schedule 2 of Alberta Regulation 267/2001 made pursuant to AOPA, and are subject to change.

SECTION 615 - DECLARATION

TO BE SIGNED BY LANDOWNER APPLYING FOR A PERMIT TO PLACE A SECOND RESIDENCE ON A LOT PURSUANT TO SECTION 615 OF THE LAND USE BY-LAW

I wish to establish a second residence on my land legally described as

_____
Land description

I certify that the second residence will be used by

_____
Name of proposed occupant

(either) who is over the age of 65 and related to me,

(or) who requires continual medical attention.

I undertake to remove the second residence once it is no longer required by the person named above.

I understand that the second residence will stand on the same legal parcel of land as my own residence and cannot be sold separately unless the land is subdivided. I further understand that subdivision approval is not automatic and will be refused if it is contrary to the Land Use By-Law in effect at the time of application.

_____
Registered Owner

SECTION 611.8 - DECLARATION

TO BE SIGNED BY A PERSON WISHING TO BUILD A RESIDENCE CLOSE TO AN INTENSIVE LIVESTOCK OR CONFINED FEEDING OPERATION

I wish to build a residence on land legally described as

_____
Land description

The proposed site is only _____ feet from an intensive livestock operation. This is closer than the Minimum Distance Separation recommended by Alberta Agriculture.

I am the operator of the intensive livestock operation and I am prepared to live with the nuisances it may cause.

I also understand that land cannot be subdivided if it is too close to a livestock operation.

_____
Registered owner