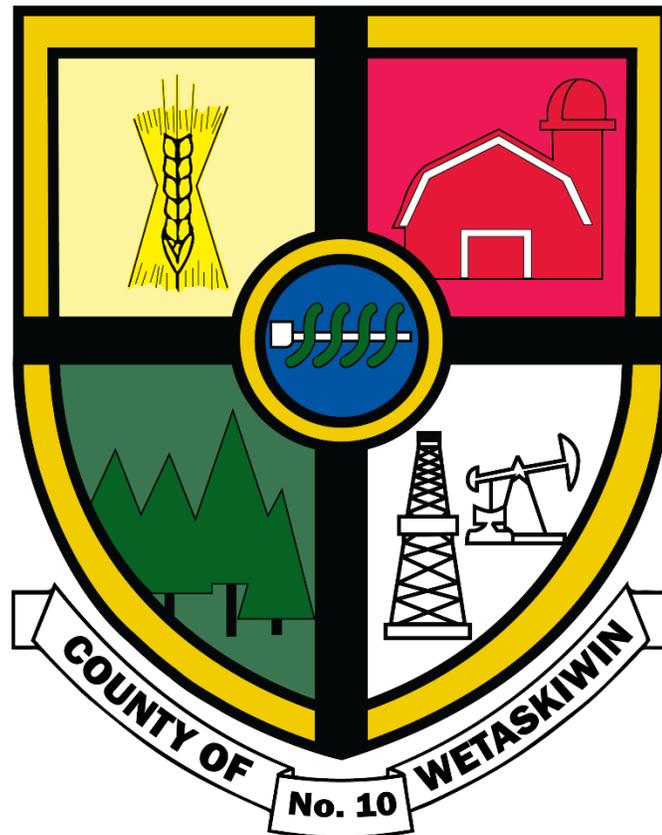


# County of Wetaskiwin No. 10

## Land Use Bylaw 2017/48



Updated to July 18, 2023 Council approvals

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# Section 1 General

## 1.1 Purpose

**1.1.1** The Land Use Bylaw is a non-statutory Bylaw approved by Council. Its' purpose is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly, economic and beneficial development of land. To achieve this goal, this Bylaw, among other things:

- a) divides the municipality into districts;
- b) prescribes and regulates for each district, other than Direct Control districts, purposes for which land and buildings may be used;
- c) prescribes and regulates for each district, other than Direct Control districts, subdivision and development standards;
- d) establishes a process for making decisions on development permit applications and the issuance of development permits; and
- e) establishes a process for notification of landowners affected by development permits issued; and
- f) provides appropriate guidance for the development of land as per Division 5 of the *Municipal Government Act* at the expected level in the hierarchy of municipal statutory documents. The Municipal Development Plan is the general overarching document; the Land Use Bylaw provides more detailed regulations on a district basis; site specific detail is provided in an Area Structure Plan/Outline Plan; Rezoning, subdivision and development permits allow for the specific development for the parcel which is the end product.

## 1.2 Definitions

All illustrations are for clarification and convenience only and do not form part of this Bylaw.

Terms and words in this Bylaw defined in the Act have the same meaning expressed in the *Municipal Government Act* 2000 Chapter M-26 (MGA) and include any amendment thereto. Any provincial ministry, agency, regulation or act is referenced to the designation at the time of adoption of the Bylaw and shall be applicable to any name change, successor or amendment thereto. Other terms and words, unless the context otherwise requires, are defined as follows:

**Abandoned farmsite** means land on which a farmsite is no longer in active use and is lacking some or all of the following improvements: a habitable dwelling, an approach and driveway, outbuildings, a power pole and transformer, a working well or a working private sewer system.

**Abandoned yardsite** means land on which an agricultural, residential, commercial or industrial site is no longer in active use and is lacking in some or all of the following improvements: a habitable dwelling, an operational building, an approach and

driveway, outbuildings, a power pole and transformer, a working well, or a working private sewer system.

**Abattoir** means a lot or a building where livestock are slaughtered and butchered and may include the packing, treating, storing and sale of the products.

**Abut or abutting** means immediately contiguous to or physically touching, and when used with respect to a site, means that the site physically touches upon another site and shares a property line with it.

**Access** means an access and/or egress for vehicles to a site which conforms to the Municipality's Policy on rural approaches, as amended from time to time.

**Act** means the *Municipal Government Act*, 2000, Chapter M-26, as amended from time to time.

**Accessory Building or Structure** means, for the purpose of administering the provisions of Part Nine of the Building Code, a building or structure which is subordinate, exclusively devoted, and incidental to the principal building or use located on the same lot but in no instance shall be used as a dwelling, except for a secondary suite. Parking may be an accessory use when it serves the main use and does not serve uses on other sites. May include play structures. The building or structure may precede the principal building or use subject to the developer providing proof of a sufficient, safe, and suitable building site for the principal building and use. Typical structures may include garages, sheds, swimming pools, frame and fabric structure and wind turbines and solar panel arrays. When a building is attached to the principal building by a roof, floor or foundation above or below grade, it is considered to be part of the principal building. A washroom and small kitchenette may be allowed in one accessory building. (*amended by Bylaw 2023/33*)

**Accessory Development** means a use or building that is incidental and subordinate to a principal use or principal building located on the same lot.

**Adjacent** means land that is contiguous to a lot of land that is the subject of a development or subdivision application and includes land that would be contiguous if not for a highway, public roadway, public walkway, railway, river, stream, pipeline, power-line, utility lot or reserve lot.

**Adult Entertainment Facility** means the provision of live performances, motion pictures, videos, books or other reproductions for the amusement of patrons, the central feature of which is generally deemed unsuitable for minors.

**Advertisement** means a message carried in a communications medium including but not limited to a newspaper, radio, television, sign or billboard for the purposes of informing the public of a matter of public or private interest.

**AER** means the Alberta Energy Regulator or its successor.

**Agricultural Land, Productive** means

- a) land with a farmland assessment rate of 40% or more;

- b) grey-wooded soil producing hay, forage or other crops;
- c) bush-covered soil with agricultural potential (where potential is determined based on the farmland assessment value the land would have if cleared); and
- d) land used for grazing cattle.

except where an Area Concept Plan has been adopted by Council, good productive land has the meaning set out in that Area Concept Plan. (definition *amended by Bylaw 2020/63*)

**Agriculture, Extensive** means agricultural uses including but not limited to cultivation of grains, oilseeds, forage, pasture and/or grazing of cattle or other animals.

**Agriculture, Intensive** means agricultural uses which are intensified or specialized in nature. This use includes, but is not limited to, horse breeders and/or trainers, cow-calf operators, exotic animal breeders, greenhouses, market gardens, fruit farms, tree farms and horticulture operations.

**Agriculture, Processing** means the use of land or a building for the processing of agricultural and food products for distribution or sale but does not include an abattoir.

**Airstrip** means a parcel of land as regulated by Transport Canada or its successor.

**Animal Grooming Facility or Dog Training** means a development that provides a service for the training or care and appearance of animals but does not include kennel, or the overnight boarding of such animals.

**Animal Unit** means, for a type of livestock, the number determined by dividing the number of individuals of the type of livestock by the factor listed in Schedule 1 of *Agricultural Operations Practices Act*, Part 2 Matters Regulation. See Appendix A.

**AOPA** means the *Agricultural Operations Practices Act*.

**Apartment, Dwelling** see Dwelling, Multiple.

**Apiary** means land and buildings used for the production of honey, including facilities for the maintenance of hives and bees and the extraction, processing, and packaging of raw honey.

**Applicant** means the registered owner of land or persons authorized by the registered owner to act as the representative, or agent.

**Approach** means a direct built access to a road or highway which conforms to the Municipality's Policy on rural approaches, as amended from time to time.

**Area Concept Plan (ACP)** means a non-statutory plan passed by resolution that sets out principles and policies to act as a guideline for new developments or growth in a predetermined area as identified by Council.

**Area Structure Plan (ASP)** means a statutory plan prepared pursuant to Section 633 of the Act that applies to a defined area of land that provide a framework for more

detailed subdivision and development, staging of development, land uses and infrastructure matters that must be addressed as defined by County Policy.

**Assistant Development Officer** means that person appointed according to the procedures authorized by County Council to act as Assistant Development Officer.

**Aquaculture** means land devoted to the hatching, raising, and breeding of fish or other aquatic plants or animals.

**Auction Facility** means a development intended for the auctioning of livestock, goods, and equipment, including the temporary storage of such livestock, goods and equipment.

**Auto Salvage and Auto Recycling Yard** means a site in an industrial district used in whole or in part for the collection of damaged or aged vehicles for the purpose of salvaging and recycling automotive parts which are sold for re-use.

**Auto Wrecking Yard** means a site on which vehicle bodies are stored and processed for parts and other materials and may include a crusher.

**Bank Break** means the point at which the land begins to slope sharply downward to a water-body, watercourse or valley floor and is above the elevation of a floodplain.

**Bareland Condominium** means a condominium development with bareland units as defined in the *Condominium Property Act*, RSA 2000, (C-22).

**Basement** means a storey or storeys of building located below the first storey

**Basement, Walkout** means a storey or storeys of a building located below the first level and having at least one wall above grade.

**Bathroom** means a sink, toilet, shower, bathtub or a combination thereof.

**Bed and Breakfast** means an accessory use of a dwelling to provide commercial accommodation in guest-rooms and where breakfast may be provided to registered guests in a common room. This use shall be subordinate to the principal use of the dwelling and does not include a hotel, motel or guest house. The residential character of the dwelling unit must be retained.

**Bingo Hall** see Casino (gambling establishment).

**Boat-house** means a building intended solely for the storage of boats.

**Borrow Site** means an area from which sub-soils and/or clay has been or is to be taken for use in constructing or maintaining roads or other earth structures.

**Building** means anything constructed or placed on, in, over, or under land but does not include a highway, public roadway or a bridge forming part of a highway.

**Building Height** means the vertical distance from the finished ground elevation to the top of the building at all points within the parcel. The following structures are not included when measuring building or structure height: elevator housing, mechanical

housing, roof stairway entrance, ventilation fan, skylight, steeple, smokestack, parapet wall, flag pole, or similar device not structurally essential to the building.

**Bulk Fuel Depot** means lands, buildings, and structures for the bulk storage and distribution of petroleum products. This does not include Service Stations.

**Bulk Fuel Dealer** means a development for the purposes of storing fuel oil and other hydrocarbons for sale and distribution.

**Bunk House** see Guest Cabin.

**Business** means an establishment for carrying on a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other service for gain or profit. This includes home business.

**Business Service** means services which include, but are not limited to, printing; photographic processing; the provision of office maintenance; custodial services; office security; the sale, rental, repair or servicing of business equipment, furniture, supplies and machines, computers, cellular telephones, and fax machines.

**Bylaw** means the County of Wetaskiwin No. 10 Land Use Bylaw.

**Caliper** means the diameter of a tree trunk measured at a point 300 mm above the top of the root ball.

**Campground** means a development on an area of land which has been planned and improved for the use of tents and/or recreational users, not exceeding 180 days. Related facilities that are accessory to and support the campground may include an administrative office, Laundromat, picnic grounds and playgrounds that are on site.

**Cannabis** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seed and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time. *(amended by Bylaw 2022/14)*

**Cannabis Accessory** means Cannabis accessory as defined in the *Cannabis Act* (Canada) and its regulations, as amended from time to time and includes, but is not limited to; rolling papers or wraps, holders, pipes, water pipes, bongs, vaporizers, or anything that is deemed to be used in the consumption of Cannabis. *(amended by Bylaw 2018/55)*

**Cannabis Accessory Store** means a retail store unlicensed by the Province of Alberta where Cannabis Accessories are sold at the premises and does not include the sale of any Cannabis. *(amended by Bylaw 2018/55)*

**Cannabis Production Facility** means an enclosed building, licensed by the Federal Government, where Cannabis is grown for distribution (for medical or private retail purposes), and typically includes the cultivating, propagating and/or harvesting of the Cannabis plant. Other processes may include the packaging, shipping, testing and storage of Cannabis and Cannabis related products. Note: Growing licences will be through the Federal Government that will include Federal restrictions on the maximum size of buildings. *(amended by Bylaw 2018/55)*

**Cannabis Retail Store** means the use of a building or a portion of a building that has all necessary Provincial licenses and approvals in place, where all types of Cannabis and its derivative Cannabis products, as defined by the Alberta Gaming Liquor and Cannabis Act are stored and often for sale at retail prices and includes storage of Cannabis products within the premises in quantities sufficient only to service the store. This does not include Cannabis Accessory Stores, Cannabis Storage and Distribution Facilities or Cannabis Production Facilities. (*amended by Bylaw 2022/14*)

**Cannabis Storage and Distribution Facilities** means an enclosed building, licensed by the Provincial Government, where Cannabis is stored, but not grown (for medical or private retail purposes), and may include processes such as the packaging, shipping, storage and distribution of Cannabis and Cannabis related products.

Note: Growing licences will be through the Federal Government that will include Federal restrictions on the maximum size of buildings. (*amended by Bylaw 2018/55*)

**Casino** (gambling establishment) means a facility licensed by *Alberta Gaming and Liquor Commission*, where the principal activity is gaming with the chance of monetary loss or gain through playing such games. Types of gaming may include card or other table games, video lottery terminal, slot machines, or other electronic or mechanical gambling devices. Development may include restaurants, drinking establishments, commercial, retail service and bingo halls.

**Cemetery** means a site used for the entombment of deceased persons. It includes but is not limited to memorial parks, burial grounds, and gardens of remembrance, and may include crematories and mausoleums.

**Certificate of Title** means a certificate issued by the Province of Alberta Land Titles Office identifying the owner(s) of a particular parcel of land.

**Chief Administrative Officer (CAO)** as defined under the Act.

**Child Care Facility** means buildings and lands used for the provision of care, instruction, maintenance or supervision of five or more children by a person other than one related by blood or marriage for periods not exceeding twenty-four (24) consecutive hours and includes all day care centres, early childhood services, nurseries, and after school or babysitting programs which meet this definition and are licensed by the Province of Alberta.

**Commercial Storage** means a self-contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature.

**Commercial Unit** means a separate or self-contained area or area of one building which contains one commercial unit.

**Common Lot** means a bareland condominium lot collectively owned by the owners of the condominium subdivision. The lot is reserved for the exclusive use of the residents of the subdivision for purposes such as providing private open space, temporary recreation facilities or storage or access to public parks or reserve land.

**Communal Dwelling** see Dwelling, Communal.

**Communication Tower** see Telecommunication Tower

**Community Hall** means a building, which is available to the public for the purposes of assembly for community, cultural, political or social events.

**Community Lot** means a bareland condominium lot collectively owned by the owners of a subdivision plan. The lot is reserved for the exclusive use of the residents of the subdivision for purposes such as providing private open space, temporary recreation facilities or storage or access to public parks or reserve land.

**Condominium Unit** means a condominium unit as defined by the *Condominium Property Act*, RSA 2000, (C-22).

**Confined Feeding Operation (CFO)** as defined by the AOPA means an activity on land that is fenced or enclosed or within buildings where livestock are confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing, but does not include seasonal feeding and bedding sites. The County has no jurisdiction over confined feeding operations.

**Convenience Store** means a building where retail goods and food products are sold as required by area residents on a day-to-day basis and may include fuel pumps. Retail Liquor Store and Cannabis Retail Store is not included within this definition. (*amended by Bylaw 2022/14*)

**Convention Facility** means a development that provides accommodation for meetings, seminars, conventions, product and trade fairs and other exhibitions, with or without eating and drinking facilities.

**Conventional Construction or Conventional Stick Built** means a building frame or constructed on-site of conventional building materials in accordance with the Alberta Building Code.

**Corner Lot or Site** means a lot or site located at the intersection of two public roads, other than lanes.

**Council** means the Council of the County of Wetaskiwin No. 10.

**County** means the County of Wetaskiwin No. 10.

**CSA** means the Canadian Standards Association.

**Day Care** means any child care program provided to seven (7) or more children (under the age of seven (7) who are not attending school on a full time basis) for four (4) or more consecutive hours in each day the program is provided and operates in accordance with Schedule 1 of the Child Care Licencing Regulation.

**Day Home** means a child care program providing child care to no more than six (6) children zero (0) to twelve (12) years old in the private residence of the child care provider.

**Deck** means a structure with the top of the floor 0.6 m (2 ft) or greater in height above finished grade without a roof or walls, except for railings, which is designed and intended for use as an outdoor amenity area.

**Deemed Complete** means an application for a development permit is in order such that it may be processed.

**Deemed Incomplete** means a decision to refuse a development or subdivision application because the applicant has provided insufficient information to process the application, or where the applicant indicates in writing that they no longer wish to continue with the application.

**Density** means the ratio of the number of dwelling units to the lot area or, the maximum number of dwelling units per developable hectare.

**Designated Officer** means a Development Officer or any other official appointed by the Chief Administrative Officer (CAO) to enforce the provisions of this Bylaw.

**Detached Dwelling** see Dwelling, Detached.

**Detention/Correction Service** means the confinement and treatment of persons in a secure facility with controlled access for the general public. Typical facilities would include prisons, mental institutions, jails, remand centres and correction centres.

**Development** means:

- a) an excavation or stockpile and the creation of either of them;
- b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land;
- c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
- d) a change in the intensity of use of land or a building or act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

**Development Authority** see Designated Officer.

**Development Officer** means an official of the County of Wetaskiwin No. 10 appointed, according to the procedures authorized by County Council, to act as development authority according to the *Municipal Government Act*.

**Development Permit** means a document or permit which may include attachments issued pursuant to the Bylaw authorizing a development.

**Development, Temporary** means a development for which a development permit has been issued for a limited time only at the discretion of the Development Officer.

**Discretionary Use** means a use of land or of a building provided for in this Bylaw for which a development permit may be issued with or without conditions as provided for in this Bylaw.

**Disposal Area** means those areas of a parcel of land that have been used and will not be used again for the placing of waste material or where waste processing or a burning activity is conducted in conjunction with a sanitary landfill, modified sanitary landfill, hazardous waste management facility or dry waste site.

**Dog** as defined in the County's Dog Control Bylaw and any amendments thereafter.

**Domestic Pet** means, but may not be restricted to, Dogs, Cats, and Rabbits.  
(amended by Bylaw 2019/55)

**Drive-In Food Service** means a development or part of a development that can include a restaurant, designed to serve customers remaining in their vehicles.

**Driveway** means a privately developed roadway on private land that provides access to a specific development or area. Private driveways (excluding the approaches within County Road Allowances) are not subject to being developed to any predetermined County standard except where developed for commercial purposes. For commercial developments an all-weather road surface is required to provide emergency access.  
(amended by Bylaw 2019/44)

**Dwelling** means a building or a part of a building containing one or more habitable rooms in which the primary use is human habitation and is self-contained for that use with facilities containing bathroom(s), and may include a washroom, a kitchen, and sleeping areas for a single household for year-round residential accommodation. Dwelling does not include Recreational Units or Guest Cabin,

**Dwelling, Communal** means a dwelling that is an arrangement of buildings that are an integral part of an agricultural, educational, recreational or religious facility, operated by a recognized communal organization such as a Hutterite colony. Accessory buildings may include a communal kitchen, dining room or both.

**Dwelling, Detached** means a dwelling that is built on a foundation or base extending below grade. The building is constructed on-site using conventional construction methods and materials and, is separate from other buildings on all sides. Detached dwelling excludes modular dwelling.

**Dwelling, Mobile** means a structure that is to be utilized as a dwelling and was designed to be transported on a heavy chassis that allows for the permanent or temporary attachment of a hitch and wheel assembly to enable the relocation of the unit. The building must have CSA-A277 certification as a 'Mobile' and must be constructed in accordance with the CSA-Z240 standards for foundations such as blocking and steel piles with an enclosed and insulated joist space. A mobile dwelling includes manufactured homes but does not include park models, recreational vehicles, modular dwellings, detached dwellings, or moved in dwellings. (amended by Bylaw 2022/66)

**Dwelling, Modular** means a factory constructed single or multiple section structure that is to be utilized as a dwelling and is assembled on or transported to a building site from components manufactured off-site. The structure must have CSA-A277 certification as a 'Modular' and cannot be built to CSA-Z240 standards and must be set on a subgrade foundation, such as a grade beam, with a heated crawl space or

basement. Modular Dwellings include Ready to Move Homes (R.T.M) but shall not include detached dwellings, mobile dwellings, or moved in dwellings. (*amended by Bylaw 2022/66*)

**Dwelling, Moved in** means a detached or used modular dwelling previously occupied or used that is transported in whole or in parts to a new building site and does not include recreational vehicles, park models, new modular homes, or mobile homes. (*amended by Bylaw 2022/66*)

**Dwelling, Multiple** means a building containing three (3) or more dwelling units which may include an apartment, row house, or adult living complex.

**Dwelling, Principal** means the dwelling determined by the Development Authority to be primary for the purpose of assigning secondary status to an additional dwelling under this Bylaw.

**Dwelling, Side by Side (Duplex, side by side)** means a building containing two (2) dwelling units with individual and separate entrances where the units are situated beside each other and may be subdivided onto separate lots.

**Dwelling, Secondary** means an additional dwelling that is ancillary to a dwelling, principal on the same lot, and may include but is not limited to a modular, mobile, moved in building or guest cabin.

**Dwelling, Uninhabitable** means a building or structure that is no longer used as a dwelling and has had all cooking facilities, washroom and bathroom facilities, and sleeping quarters removed or permanently disabled to the satisfaction of the Development Authority to enable the building to be utilized exclusively as an accessory building.

**Dwelling, Vertical (Duplex, Vertical)** means a building containing two (2) dwelling units situated one on top of the other in whole or in part with an individual and separate entrance to each dwelling unit.

**Dugout** means a site excavation of earth, rock, concrete or other natural material designed to capture and retain water for agricultural, commercial, industrial or fire prevention uses, but does not include a lagoon for the purpose of processing wastewater.

**Eave** means the projecting overhang at the lower edge of a roof.

**Education Facility** means a development developed for instruction, training, and education purposes, and may include administration offices, dormitories, and accessory uses/structures.

**Engineer** means a practicing member and a member in good standing of the Association of Professional Engineers, Geologists and Geophysicists of Alberta (APEGGA).

**Engineer's Report** means a document that bears the professional stamp of an engineer who is a member in good standing of the Association of Professional Engineers, Geologists and Geophysicists of Alberta (APEGGA).

**Environmental Impact** see Nuisance Effect.

**Equestrian Center** means a commercial facility used for the training of horses and riders and includes facilities for boarding horses, grooming, horse shows, and equestrian competitions.

**Existing Dwelling and Related Improvements** means a dwelling in active use with an approach and driveway, shelterbelt, outbuildings, and water, power and sewer services associated with the dwelling to form an integrated development in a rural area.

**Farm Building** means a structure other than a dwelling used to store agricultural products, house farm equipment or that is otherwise associated with an agricultural use but does not include dwellings or buildings for the confinement of animals in an intensive animal use.

**Farm Site** means the first farm site situation on a single lot in an agricultural district that is improved for residential use, including a working well or on which proof of a water supply has been demonstrated pursuant to the standards of this Bylaw.

**Farm Supply and Services Dealer** means a development where farm vehicles, equipment, supplies and services are stored, offered or kept for sale at retail prices and includes storage within the premises of supplies necessary only to service the business.

**Fence** means a vertical structure used to prevent visual intrusions, unauthorized access or to provide sound abatement.

**Fire Hall** means a building used to store fire fighting vehicles and equipment and other emergency vehicles and equipment.

**Fire Separation** means a construction assembly that acts as a barrier against the spread of fire as defined in the Alberta Safety Codes.

**Floodplain** means land lying within the 1% flood risk (1 in 100 year flood event) area of a water feature as calculated using methods acceptable to Alberta Environment.

**Forestry** means woodlot management, selective cutting, and silviculture, but excludes clearing of land for agricultural purposes.

**Foundation** means the lower portion of a building that is usually concrete or masonry, and includes footings that transfer the weight of, and loads on a building to the ground.

**Frame and Fabric Structure** means a building designed and constructed with a rigid frame that supports an exterior fabric covering and may also include some rigid exterior wall panels containing windows and/or doors.

**Front Yard** means, in the case of an interior lot, a line separating the lot from the road; or in the case of a corner lot, a line separating the narrowest road frontage of the lot from the road not including a corner rounding or corner cut; or, in the case of a yard (flanking), the front lot shall be determined by a Development Authority based on the location of permitted access and the orientation of other development on the block. In the case of a lot abutting a watercourse, the front lot line is the lot line abutting the road

**Funeral Service** means a facility used for the preparation of a corpse for burial, the purification and the reduction of the human body (corpse) by heat, and the keeping of bodies other than in a cemetery and the holding of associated services. Typical use includes funeral home.

**Garage** means an accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles.

**General Contractor** means the use of land and/or building(s) for a business which provides construction, repairing and storing services including but not limited to road construction, oilfield maintenance, pipeline construction, sand and gravel hauling, and water and sewer projects. Buildings for sales office or residential use may also be included as accessory uses to the principal use.

**Geotechnical Investigation Report** means the investigation of the physical qualities of a site, such as but not limited to subsurface soil and geological conditions, ground-water conditions, and depth to bedrock, to determine the impact of such conditions on the safety and suitability of the site for the proposed development. The final report must indicate a site be safe and suitable for the intended development and be stamped by a Professional Engineer. *(amended by Bylaw 2021/60)*

**GFA** means gross floor area.

**Golf Course** means land developed for golfing purposes including, a driving range, fairways and greens, and may include a professional shop, clubhouse with a lounge, and/or restaurant.

**Golf Netting** is an essential piece of equipment to ensure that properties adjacent to golf courses remain safe from damages associated with stray golf balls. *(amended by Bylaw 2021/60)*

**Government Service** means a Crown-owned area of land or facility providing services to the travelling public and includes but is not limited to a rest area, maintenance yard or weigh-scale facility.

**Grade** means the average ground elevation calculated at the perimeter of a site as determined by the Development Authority or by an Engineer.

**Grade, Building** means the ground elevation established for the purpose of regulating the number of storeys and building height. One building grade shall be the level adjacent to the walls of the building if the finished grade is level. If the grade is not entirely level, the grade shall be determined by averaging the elevations of the ground for each face of the building. A building height shall be measured from the base of the main floor. *(amended by Bylaw 2019/55)*

**Grade, Drainage** means the ground elevation established in a lot drainage plan attached to the application for a development permit for the purpose of controlling the flow of surface water on the parcel. *(amended by Bylaw 2019/55)*

**Grain Elevator** means a Warehouse use of a building or structure used to store grains and oilseeds for shipment by rail or truck.

**Greenhouse** means the growing, acclimating, propagating, harvesting, displaying and selling of edible, bedding, household and ornamental plants and may include accessory uses related to the storing, displaying and selling of gardening, nursery and related products.

**Gross Floor Area (GFA)** means the total area of all floors of all buildings, including accessory buildings, located on a parcel.

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

**Guest Cabin** means a building not to exceed 29.7 m<sup>2</sup> (320 ft<sup>2</sup>) with a maximum of six beds used for sleeping accommodation, but that does not contain a kitchen facility, bathroom or washroom facility and where the maximum occupancy shall not exceed 240 days in one calendar year. Sleeping accommodation attached to or above a garage or another accessory building may be deemed to be a Guest Cabin. This use does not include hotel, motel, manufactured homes and/or Recreational Units of any type.

**Hamlet** means an unincorporated community.

**Health Facility** means a public use development providing room, board and surgical or other medical treatment for the sick, injured or infirm including out-patient services and accessory staff residences, and includes but is not limited to clinics, hospitals, psychiatric hospitals, nursing homes, convalescent homes, isolation facilities and detoxification facilities.

**Heliport** means a lot or lots used or intended for the use of helicopters landing or taking off as regulated by Transport Canada or their successors.

**Highway, Provincial** means a highway as defined in the *Highways Development and Protection Act* and is subject to direction, control and management by the Province.

**Highway** as defined under the *Traffic Safety Act*.

**Historic Resource, Historic Site, Provincial Historic Resource and Registered Historic Resource** have the same meanings as defined in the provincial legislations and federal regulations.

**Hotel** means a commercial development which provides rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor(s) and may be equipped with individual kitchen facilities, and may also include accessory eating and drinking establishments, conference facilities, meeting rooms and personal service businesses.

**Inclusionary Housing** means the provision of a dwelling unit or land or money in place of dwelling units or land, for the purpose of affordable housing as a condition of subdivision approval or of being issued a development permit.

**Industry Work Camp** means one or more buildings, including sleeping and eating quarters, established to accommodate persons who are employed in the agricultural, mining, lumbering, construction, drilling, resource exploration, utility installation or any similar industry, and includes the land on which the building or buildings are situated. The Development Authority may issue a development permit for an Industry Work Camp for a maximum of one year after which a re-application must be made. Consideration to approve any application is subject to a review of the compatibility of the Industry Work Camp with the neighbouring land uses and all other conditions including transportation, water and sewer services. The decision on such application is at the discretion of the Development Authority.

**Intensive Livestock Operation or Use** means a Confined Feeding Operation that is of a scale smaller than those requiring provincial permits and at a smaller scale than a confined feed operation, but where livestock are still confined at a density of at least one animal unit per 2,000 ft<sup>2</sup> for the purpose of breeding, sustaining, growing, or finishing by means other than grazing. It does not include a seasonal feeding site where livestock are confined from November to May, or are used for short term assembling, sorting, branding, or health management. See APPENDIX B. *(amended by Bylaw 2019/44)*

**Kennel** means any premises on which small domestic animals are maintained, boarded, bred, or cared for in return for remuneration, or kept for the purposes of sale, or recreational use. Typical facilities include dog boarding, recreational sled dog use, and animal rescue homes. This does not include veterinary clinic, dog training or animal grooming facility.

**Kitchen** means facilities for the preparation or cooking of food, and includes any room containing sinks, appliances for cooking food, refrigeration, wiring, cabinets, or a combination thereof that, when taken together, may be intended or used for the preparation of cooking food.

**Kitchenette** is a small cooking area, which may include only a fridge, sink and a microwave. A kitchenette will only be allowed in one accessory building per property and is not to be utilized for human habitation. *(amended by Bylaw 2019/55)*

**Landscaping Improvements** means physical man-made additions to the natural landscape such as flag poles, paving stones/hard surfacing, retaining walls, raised flower bed, water fountains, decorative rocks and family signs. *(amended by Bylaw 2019/44)*

**Legal Access** means an access and/or egress for vehicles from/or to a site or parcel and to/from a road or highway located on land dedicated as a road (for example, a road allowance, internal subdivision road) and constructed to meet a standard for County traffic, or otherwise deemed at law to be, a public highway, that serves as a motor vehicle access route.

**Livestock, Large** means, but may not be restricted to, Cattle, Swine, Horses, Bison, Cervid, and Wild Boar. *(amended by Bylaw 2019/55)*

**Livestock, Medium** means, but may not be restricted to Goats, Sheep, Miniature Horses, Miniature Swine and Miniature Cattle. *(amended by Bylaw 2019/55)*

**Livestock, Small** means, but may not be restricted to, Poultry and Meat Rabbits.  
(amended by Bylaw 2019/55)

**Local Improvement** means improvements including, but not limited to, roads and accesses which are or will become owned by the municipality and shall mean the same as Municipal Improvements.

**Long Term** means a period of one year (365 days) or more.

**Lot** means

- a) a quarter section;
- b) a river lot shown on an official plan referred to in Section 32 of the *Surveys Act* that is filed or lodged in a Land Titles office;
- c) a settlement lot shown on an official plan referred to in Section 32 of the *Surveys Act* that is filed or lodged in a Land Titles office;
- d) a part of a parcel described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision;  
or
- e) a part of a parcel described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

Note: An individual campground lot, site or unit that is not defined above is not considered a Lot, however, it may be considered part of a broader group of campground lots, sites or units within a Lot.

**Lot Grading** means the addition or removal of soil (or other material) on a parcel of land that alters its natural topography to promote a building site the drainage of water and/or to create an aesthetically appealing area. (Excludes any drainage associated with agricultural operations). (amended by Bylaw 2019/44)

**Lumber Yard** means Warehouse use of a lot and/or building where bulk supplies of lumber and other building materials are stored for retail sale.

**Major Renovations** mean work carried out which changes the use, size, structural elements and/or shape of a development.

**Manse** means the dwelling for, but not limited to, a clergyman or minister of a parish, if accessory to a Place of Worship.

**Manufacturing and/or Processing Plant** means a use which may involve outdoor storage of raw materials, storage and/or processing of hazardous goods, the movement of heavy vehicles to and from the site, and/or irregular operating hours, and which may create smoke, noise, dust and odours.

**Marina** means a development adjacent to or near the shore of a water-body at which the mooring of sailboats, yachts and power-craft is the primary use. Accessory uses at a marina may include but are not limited to fuel and bait sales and mechanical repair shop.

**Market Garden** means a use where plants, such as flowers, herbs, fruit, vegetables or a combination thereof, are cultivated in a commercial greenhouse, fruit farm or outdoor garden plot or plots and sold on-site to the general public.

**May** is an operative word that means a choice is available, with no particular direction or guidance intended.

**Minor** means where added as a prefix to a Permitted or Discretionary use, a use which due to its natural or relative small size will, at the discretion of the Development Authority, have a limited impact on surrounding uses on which is intended to serve a small or local rather than a major or municipal area.

**Minor Renovations** means work carried out which does not change the use, size and/or shape of a development.

**Mobile Dwelling** see Dwelling, Mobile.

**Mobile Home Subdivision (also referred to as a “Mobile Home Park”)** means a parcel of land planned and subdivided into lots for the long term accommodation of mobile dwellings. A Mobile Home Subdivision may also include a condominium plan whereby mobile homes are planned and approved with each mobile home located on a single unit under a condominium plan.

**Mobile Vendor** means a self-contained vehicle, trailer or stand that is capable of being moved from one location to another that is equipped to prepare, serve and sell food, or goods. The mobile vendor is allowed to be on a specific location for a maximum period of seven (7) consecutive days of operation. (*amended by Bylaw 2019/44*)

**Modular Dwelling** see Dwelling, Modular.

**Motel** means a commercial development on a site providing sleeping units complete with washing and sanitary facilities and with adjoining or conveniently located parking spaces designed and operated for the purpose of providing temporary accommodation to the travelling public. A motel may include laundry facilities, restaurant, meeting rooms, personal services businesses, liquor and retail stores.

**Moved-in Dwelling** see Dwelling, Moved-in.

**Multi-lot Residential Subdivision** means a subdivision of land, registered by plan of survey or descriptive plan, that creates more than three (3) lots out of a quarter section and have been created for, or are being principally used for, residential purposes.

**Multiple Dwelling** see Dwelling, Multiple.

**Municipality** means the County of Wetaskiwin No. 10.

**Municipal Development Plan (MDP)** means the plan adopted by Council as a Municipal Development Plan.

**Municipal Improvements** mean improvements including, but not limited to, roads and accesses which are or will become owned by the municipality and shall mean the same as Local Improvements.

**Municipal Planning Services (MPS):** Subdivisions are processed in cooperation with Municipal Planning Services (MPS), who are contracted by the County to initiate all subdivision applications

**Municipal Service** means a municipally owned and operated system of works for the provision of water, sewer or other services.

**Multi-Tenant Commercial Building** means a building designed and constructed in accordance with appropriate safety codes to accommodate multiple commercial tenants and/or uses within the same building. Approval for the classification does not include approval for the specific uses.

**Must** is an operative word that means the action is obligatory.

**Natural Severed Split** means a parcel of land where a water course such as a river or stream, developed road, railroad, crown claimed water body or ravine physically separates the parcel into separate portions for farming, or where an intervening ownership will not allow his land to be used for crossing for farming purposes. There must be a suitable building site on both portions of the parcel, and physical and legal access to a maintained road.

**New Yardsite** means land on which there is a working well or on which proof of a water supply has been demonstrated pursuant to the standards of this Bylaw; and where the land must be improved for residential use and be more than ten years old before it can be registered as a separate title.

**Notwithstanding** means in spite of; without prevention by; nevertheless; all the same; although.

**Nuisance Effect** means an interference with the common right of the general public or an indefinite number of persons, or an interference with the health, safety, peace or comfort of the community. Specific conditions which may be characterized as nuisances may include, but shall not be limited to, noise, smoke, steam, odour, dust, fumes, exhaust, vibration, heat, glare, refuse matter and storage of hazard or combustible materials or goods or any other elements deemed relevant by the Development Authority.

**Obstruction to visibility** means an object or thing near a highway or road which affects the safety of vehicular and/or pedestrian traffic.

**Oilfield Service Business** means a company which provides services to the petroleum exploration and production industry but which does not typically produce petroleum themselves. This may include the provision of infrastructure, equipment, intellectual property and other services.

**Offsite Home Occupation (Type 1)** means business or commercial activities that operate within the following requirements:

- Allowed in all districts (excepting Commercial and Industrial districts which have respective regulations);
- No employees coming to the site, only resident/landowner ;

- No clients coming to the site (not including multiple deliveries per day);
- 500 ft<sup>2</sup> of outdoor storage (pertaining to the Home Occupation); and
- Company vehicles limited to one (1) and such vehicle to be restricted to a one (1) ton truck and maximum of 30 ft trailer (No trailer allowed in the following districts Recreational Resort Holding-Dorchester Ranch Resort, Mobile Home, High Density Rural Residential, Lakeshore Residential).

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply. (*amended by Bylaw 2019/55*)

**Offsite Home Occupation (Type 2)** means business or commercial activities that operate within the following requirements:

- Allowed in all Agricultural, Residential, and Watershed Protection, excluding the Recreational Resort Holding-Dorchester Ranch Resort, Mobile Home, High Density Rural Residential, Districts Lakeshore Residential, and Urban Residential districts;
- 2 employees coming to site not including the resident/ landowner
- No clients to site (not including multiple deliveries per day);
- 1000 ft<sup>2</sup> of outdoor storage (pertaining to the Home Occupation)
- Up to three (3) company vehicles up to a one (1) ton truck and 30 ft trailer.
- Allowance for only one of the three vehicles to be over a one (1) ton truck in size.

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply. (*amended by Bylaw 2019/55*)

**Onsite Home Occupation (Type 1)** means business or commercial activities that operate within the following requirements:

- Allowed in all Residential, and Agricultural districts;
- Up to 12 hours a day, 7 days a week;
- 1 employee, not including the owner/resident of the property;
- Up to one (1) ton truck with a maximum of 30 ft trailer; (No trailer allowed in the following districts RRHD, MH, HDR, LR, UR)
- 500 ft<sup>2</sup> of outdoor storage (pertaining to the Home Occupation); and
- Must be internal to existing residence or accessory building.

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply. (*amended by Bylaw 2019/55*)

**Onsite Home Occupation (Type 2)** means business or commercial activities that operate within the following requirements:

- Allowed in Agricultural, Country Residential, Rural Residential, Watershed Protection, Restricted County Residential, Lakeshore Mixed districts;
- Up to 12 hours a day, 7 days a week, multi lot 12 hours a day 6 days a week;
- 3 employees, not including the owner/ resident of the property;
- Up to three (3) company vehicles and trailers, only one can be larger than a one (1) ton up to and including a tractor unit and trailer. Within multi-lot subdivisions tractor units or tandem axle vehicles or larger shall not be allowed trailers;
- 500 ft<sup>2</sup> of outside storage, screening is required (pertaining to the Home Occupation);
- Must be internal to existing residence or accessory building; and
- Average Number of Vehicles to Site a day: 6.

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply. *(amended by Bylaw 2019/55)*

**Onsite Home Occupation (Type 3)** means business or commercial activities that operate within the following requirements:

- Allowed in Agricultural, Country Residential (2nd parcel out), Rural Residential, Watershed Protection, and Urban Fringe districts, no multi-lot subdivisions regardless of zoning;
- Up to 12 hours a day, 7 days a week;
- 5 employees, not including the owner/ resident of the property;
- Up to three (3) company vehicles and trailers, only one can be larger than a one (1) ton up to and including a tractor unit and trailer;
- 1000 ft<sup>2</sup> of outside storage, screening is required and should be located behind principal residence (pertaining to the Home Occupation);
- Average Number of Vehicles to Site a day: 6.

If a proposed use is already listed within a District or another more specific definition may be more suitable, the above definition does not apply. *(amended by Bylaw 2019/55)*

**Owner** means

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

**Parcel** means the aggregate of one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a Land Titles office.

**Parking Stall** means a space set aside for the parking of one motor vehicle.

**Pawn Shop** means a property used for a business that engages in the businesses of granting credit to individuals who takes in consumer goods by taking possession of them, or who purchases consumer goods under agreements or undertakings, express or implied, that the goods may be repurchased by the sellers.

**Permitted Use** means a use of land or of a building allowed under this Bylaw for which a development permit must be issued with or without conditions, provided that the proposed development complies in every way with the Bylaw.

**Personal Service Business** means a building or part of a building used to provide services related to the care and appearance of the body or to the cleaning and repair of personal effects, which includes, but is not limited to, barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, laundromats and dry cleaners.

**Physical Access** means a direct built access to a road or highway which conforms to County Policy 61.1.1– Approach Installation Policy, as amended from time to time.

**Place of Worship** means a facility operated by a recognized religious organization for worship and related religions, and/ or in which philanthropic or social activities occur, and which may include but is not limited, to accessory rectories, manse, meetings rooms, classrooms, dormitories, gymnasiums, and other buildings. Typical facilities include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.

**Post Office** means a building providing postal services or, in hamlets, a part of a commercial building or dwelling providing postal services.

**Principal Building** means a building which, in the opinion of the Development Officer:

- a) is the primary or main building among one or more buildings situated on the site;
- b) constitutes by reason of its use the primary purpose for which the site is used; and/or
- c) occupies the majority area of a site.

**Principal Use** means the primary purpose, in the opinion of the Development Officer, for which a building or site is used. No more than one (1) principal use must be located upon a site unless specifically permitted otherwise in the land use Bylaw.

**Privy** means a small enclosed building not attached to the principal dwelling or building of a property that is connected to either an earthen pit or certified tank for the purposes of providing either primary or secondary septic services to the property. Further regulation shall be as established through the Provincial Standards of Practice. *(amended by Bylaw 2020/63)*

**Prohibited Use** means a use listed in a district for which a Development Authority shall not approve a development permit.

**Province** means the Province of Alberta and includes all Ministries and Departments within the Government of Alberta.

**Public or Quasi-public Use** means a use or building which is owned or leased by a department or agency of the federal, provincial or municipal government for the purposes of public administration and services, or for the purposes of assembly. This use includes fire hall, health facility and schools, rest areas or post office.

**Public Utility** means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:

- a) water or steam;
- b) sewage disposal;
- c) irrigation;
- d) drainage;
- e) fuel;
- f) electric power;
- g) heat;
- h) waste management;
- i) telecommunications
- j) Government owned or managed Resource Extraction and Stockpile;
- k) and includes the thing that is provided for public consumption, benefit, convenience or use.

**Public Utility Lot (PUL)** means land required to be used for public utility purposes.

**Public Park** means a publicly owned area of land and or development specifically designed or reserved for the general public for active or passive recreational use. This use includes such facilities and buildings that are consistent with a public park whether publicly operated or operated by other organizations under agreement with the public authority, and includes but is not limited to picnic grounds, walking paths, playgrounds, and playing fields for soccer, baseball and other sports.

**Race Track** means an area of land used for racing events involving horses, bicycles or motor-powered vehicles (including but not limited to automobiles and motorcycles).

**Real Property Report (RPR)** means a plan prepared by an Alberta Land Surveyor to the standards of the *Alberta Land Surveyors Act* which shows property lines, the location of development relative to property lines, other features such as wells and sewer systems, and encroachments (if any).

**Reclamation** means the process of returning a previously disturbed or developed parcel of land to a state in which the ability of the land to support various land uses is similar to the ability that existed prior to an activity being conducted on the land, but that the individual land uses will not necessarily be identical. There are numerous Provincial legislative documents governing Reclamation within the Province of Alberta. In some instances where not governed by the Province, the County will pursue reclamation to its own standards where disturbance has occurred on County Land such as Environmental Reserves. (*amended by Bylaw 2019/44*)

**Recreation Trails** means a system of paths cut through an area of land for use by but not limited to horses, hikers, or skiers.

**Recreational, Commercial** means a use or building where patrons participate in a recreational activity, which, due to the nature of the activity or required equipment, requires a substantial area for each participant, and in which there is minimal provisions for spectators. This use includes, but is not limited to, go-cart tracks, paintball operations and snowmobile rentals.

**Recreational, Extensive** means a recreational land use located in a rural area to take advantage of a natural setting for dispersed, low impact activities including, but not limited to, walking, hiking, cross-country skiing, riding horses and bird watching and which may include cabins for short-term use on a commercial basis that may be subordinate to a principal dwelling or to a Place of Worship. *(amended by Bylaw 2019/44)*

**Recreational Units** means a mobile unit meant for use as temporary accommodation and includes, but is not limited to, holiday trailers, tents, tent trailers, fifth-wheel trailers, truck campers, motor homes, park model trailers, yurts, and recreational units that do not meet Part 9 of the Alberta Building Code (ABC). *(amended by Bylaw 2019/44)*

**Recreational Units Use** means the intermittent use of land (upon which there is no permanent dwelling) for the parking of one (1) Recreational Units that is used as temporary accommodation for users engaged in recreational or seasonal pursuits.

**Recreational Unit Dealer** means a development used for the retail sale or rental of new or used recreational or off-road vehicles and for providing maintenance services and parts sales.

**Recreational Unit Park** means an area of land with sewer, water and power services used for the short-term accommodation of Recreational Units on a private land title lease or rental basis and includes a sanitary pump out site for the disposal of wastes from the Recreational Units. This may include Recreational Units oriented Bareland condominium unit developments, subject to all infrastructure including roads, utilities, water and sewer which would normally be municipal or local improvements being constructed to minimum County standards.

**Recreational Unit Storage** means the storage, outdoors or inside a permanent structure, of Recreational Units with the Unit(s) being disconnected from all services with the exception of electrical, with slides, canopies, and other attachments and accessories put away. The maximum numbers of Recreational Units allowed on a parcel of land for

Recreational Unit (RU) Storage are as follows:

A parcel of land under 5 acres = One (1) Recreational Unit;

A parcel of land of 5 acres or more but less than 10 acres = Two (2) Recreational Units;  
or

A parcel of land of 10 acres or more = Three (3) Recreational Units (*Definition amended by Bylaw 2021/60*)

**Recreational Units (RU) Storage (Commercial)** means the storage of Recreational Units in excess of the maximum number authorized by Recreational Units (RU) Storage.

**Recycling Depot** means a development used for the buying and temporary storage of beverage containers, newsprint, and similar domestic materials for reuse where all storage is contained within an enclosed building.

**Regulation** means Alberta Regulation AR 84/2022 as amended, being Matters Related to Subdivision and Development Regulation. (*amended by Bylaw 2022/66*)

**Resource Extraction Operation Type A** means the on-site removal and/or extraction and/or processing of raw materials found on or under the site, including but not limited to gravel, sand and clay pits. Type A pits shall have an overall development area of more than 5.0 ha (12.5 ac) in total scope excluding any access road as determined by the Development Authority. For further details, see County Policy 61.1.14 – Requirements for Resource Extraction Operations.

**Resource Extraction Operation Type B** means the on-site removal and/or extraction and/or processing of raw materials found on or under the site, including but not limited to gravel, sand and clay pits. Type B pits shall have an overall development area of less than or equal to 5.0 ha (12.5 ac) in total scope excluding any access road as determined by the Development Authority. For further details, see County Policy 61.1.14– Requirements for Resource Extraction Operations.

**Resource Processing Operation** means a development at which a primary resource product, including but not limited to sand, gravel or clay, is processed or converted for further use and may include an asphalt plant.

**Rest Area** means an area of land located next to a road or highway for use by the travelling public for the consumption of food and non-alcoholic beverages, and which may include, but is not limited to, picnic shelters, picnic tables, fire pits, public washrooms and parking areas, but is not intended for overnight accommodation.

**Restaurant** means a development where prepared food and beverages are offered for sale to the public for consumption on or off the premises.

**Retail Store** means the use of a building or a portion of one where goods and merchandise are stored and offered for sale at retail prices and includes storage of these items within the premises in quantities sufficient only to service the store. This use includes Post Office but does not include Retail Liquor Store or Cannabis Retail Store. (*amended by Bylaw 2022/14*)

**Retail Liquor Store** means the use of a building or a portion of a building where all types of alcoholic spirits or beverages, as defined by the *Alberta Liquor Control Act*, are stored and offered for sale at retail prices and includes storage of liquor products within the premises in quantities sufficient only to service the store.

**Road** means a statutory road allowance and/or land shown as a road on a plan of survey that has been filed or registered in a Land Titles office or used as a public road, and that includes a bridge forming part of a public road and any structure incidental to a public road, but excludes a provincial highway as defined in this Bylaw.

**Rural Event Facility** means a building intended for events such as (but not limited to) weddings, meetings, seminars, farmers markets and trade fairs. An accessory outdoor area may be utilized for activities directly related to the event but is not to be utilized as a campground or Recreational Unit Park without approval having been obtained from the County. (*amended by Bylaw 2019/44*)

**Safety Codes** means *Safety Codes Act, 2000*, Chapter S-1, as amended from time to time.

**Safety Codes Agency** means an accredited Safety Codes Agency authorized to provide Safety Code services in the County.

**School** means a development for the purposes of educational instruction including assembly for educational, training, or instructional purposes and may include administration offices, dormitory and accessory buildings. This use includes public, separate, private, commercial school or college. Typical facilities may include seminaries, community colleges and universities, technical and vocational facilities. This use does not include home businesses or private educational services.

**Screening** may include, but may not be limited to, a fence, earth berm, hedge, shelterbelt, or exterior finish used to visually and/or physically separate areas of function as determined by the Development Authority.

**Sea-Can (Container)** is a land and sea container used to carry cargo, goods and/or materials to be used as an accessory structure for storage purposes only, provided that a building permit can be issued under the *Safety Codes Act, RSA 2000 (S-1)*.

**Second Farm Site** means the second farm site situated on a single lot in an agricultural district that is improved for residential use which conforms to the municipality's Policy for second yard subdivisions as amended from time to time.

**Secondary Suite** means a self-contained additional dwelling, accessory to the principal a dwelling, on a site. A secondary suite may consist of a designated area within a principal dwelling, a designated area within an accessory building, or as a standalone accessory building. A standalone secondary suite shall not consist of a recreational vehicle, park model, mobile home, or any other building/structure designed to be transported from one site to another (i.e. Atco trailer, seacan, building on skids, etc.) (*amended by Bylaw 2023/33*)

**Security** means a letter of credit or similar financial guarantee acceptable to and deposited with the County to ensure certain measures or works are carried out under a development permit, development agreement, or stop order.

**Seniors and/or Supportive Living Complex** means a multi-unit development designed and built specifically for senior citizens or adults for residential use operated solely to meet the housing needs of said persons or those requiring supportive housing

due to physical limitations. The facility operator may also provide supportive services to the residents which may include, but are not limited to, meals, housekeeping services, linen and laundry services and recreational services in accordance with Provincial regulations.

**Service Station** means a development for the service and repair of motor vehicles and trucks, the sale of gasoline and other hydrocarbons, lubricating oils and accessories for motor vehicles, and which may provide towing services and/or a car wash. A service station may also sell those goods commonly found in convenience stores and may contain a restaurant.

**Setback** means the perpendicular distance to a development from a property line or any other adjacent natural or manmade feature. A setback is not a yard.

**Severance, Legal** means an interest in land, such as a railway, which constitutes an intervening ownership and is either shown as an exception off title or is an exception to indefeasibility pursuant to Section 65 of the *Land Titles Act*.

**Severance, Physical** means a physical feature, such as a river, coulee or lake, which physically separates one part of a parcel from the balance of the parcel and which may be shown as an exception off title.

**Severed Parcel** see Natural Severed Split.

**Shall** means mandatory compliance.

**Shelterbelt** means a line of trees or combination of trees and large shrubs planted, (minimum one inch caliper) or existing to protect an area, field or yard-site from strong winds. For the purposes of subdivision approval for a yard-site, a shelterbelt must include a minimum of three sides.

**Short Term** means less than one year (365 days).

**Short Term Camping** means the use of land for the placement of a Recreational Unit that is used for no more than fourteen (14) consecutive days as temporary accommodation for users engaged in recreational or seasonal pursuits. After those fourteen (14) consecutive days, the Recreational Unit must be removed from the property, or placed into storage, if allowed for based on the districting of the property, for a minimum of seventy-two (72) hours. (*amended by Bylaw 2021/60*)

**Should** means compliance in principle but is subject to the discretion of the Development Authority.

**Show Home** means a structure constructed as a dwelling type listed as a permitted or discretionary use in the district, for the temporary purpose of illustrating to the public the type or character of a dwelling or dwellings to be constructed in other parts of a subdivision or development area but is not used as a dwelling. Show homes may contain offices for the purpose of the sale of other dwellings in the area and may be required to have parking within the same lot. Show homes may be used as a dwelling if applied strictly as a dwelling by a new development permit application when the structure ceases to be a show home.

**Sign** means any object or device intended for the purpose of advertising or calling attention to any good, service, business, product, person, matter, thing or idea, shall exclude regulatory signs.

**Sign, Freestanding Portable** means any thing or object which advertises and/or promotes a good, service, business, product, event, or idea, and is not permanently or securely attached to the ground or to a building and which is intended to be moved from place to place.

**Site** means an area of land consisting of one or more adjacent lots.

**Site Coverage** means the percentage of the site covered by a building or buildings, structures, or a combination thereof, on the lot.

**Site Plan** means a detailed, dimensional plan at a reproducible scale providing information and graphic depiction of all physical development relationships to occur on a site.

**Spectator Sport Facility** means development to accommodate public or sports events including race tracks.

**Statutory Plan** as defined in the Act.

**Storage Facility** means the accessory storage of equipment, goods, and materials in the open air when such storage of goods and materials does not involve the use of structures or the material alteration of the land and excludes natural material storage.

**Storey** means the space between the top of any floor and the bottom of the floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it.

**Storey, First** means the uppermost story having its floor level not more than 2.0 m (6 ft) above building grade.

**Strip of Farmland** as defined by County Policy: Guide to determine inclusion of strip of farmland, as amended from time to time.

**Subdivision** means the division of a parcel of land by an instrument; including a condominium plan and, the consolidation of, or boundary change to, two or more adjoining parcels; and "subdivide" has a corresponding meaning.

**Subdivision and Development Appeal Board** means the same as defined in the Act.

**Subdivision and Development Regulation** means the Matters Related to Subdivision and Development Regulation as made by the Minister pursuant to the *Municipal Government Act*.

**Subdivision Approval Period** means, pursuant to Section 657(1) of the Act, the one year period or any longer period authorized by Council that an applicant has to meet the conditions of a subdivision approval and submit a subdivision instrument to the Subdivision Authority for endorsement.

**Subdivision Endorsement Period** means, pursuant to Section 657(5) of the Act, the one year period or any longer period authorized by Council that an instrument must be registered in a Land Titles office.

**Suitable Building Site** means a site which must have:

- a) safe legal and physical access to a developed and gravelled road;
- b) an adequate water supply for human consumption
- c) and does not, is not, or would not:
- d) lie within a floodplain;
- e) have a high water table which makes the site unsuitable for foundations, private sewage disposal systems, and utilities;
- f) consist of muskeg or unconsolidated material;
- g) located on or near a bank break or slope;
- h) situated over an abandoned coal mine, an active or abandoned oil or gas installation, or a pipeline;
- i) safe due to contamination by previous land uses;
- j) situated closer to a confined feeding operation than the minimum distance set out in the regulations under AOPA;
- k) materially interfere with the operation or logical and economic expansion of an extensive agricultural, intensive animal or intensive agricultural use;
- l) meet the yard and setback standards of this Bylaw; and
- m) prevent or interfere with the logical and economic development and/or expansion of a nearby urban areas, a coal mine and/or field, an oil or gas field, a sewage treatment plant, a waste disposal or transfer site, a gravel pit, a pipeline, or a highway or road.

**Telecommunication Tower** means a structure for transmitting or receiving television, radio, telephone, internet, or other electronic communication as regulated by the Canadian Radio-television Telecommunications Commission (CRTC).

**Temporary** means such period of time as determined by the Development Officer.

**Top of Bank** means the upper natural topographical break that signifies the edge of the valley.

**Tree Covered Land** means land which has not been cleared and broken for an agricultural use on which the dominant vegetative cover is trees.

**Tree Farm** means an area of land on which trees are cultivated for sale and to be transplanted to other locations.

**Tree, Mature** means a tree which has a minimum 5.1 cm (2 in) calliper measured at a point 1.2 m (4 ft) from the ground.

**Uninhabitable Dwelling** see Dwelling, Uninhabitable.

**Use** means the purposes for which land or a building is arranged or intended, or for which either land, a building, or a structure is or may be occupied and maintained.

**Use, Non-conforming** means a use subject to Section 643 of the Act. See APPENDIX D.

**Use, Non-conforming Building** means a building subject to Section 643 of the Act. See APPENDIX D.

**Vehicle Lease** means a method of vehicle financing for the use or retention of a motor vehicle during a specific period in exchange for a payment or payments.

**Vehicle, Motor** means motorized vehicles such as automobiles, light trucks and motorcycles that are intended for use on roads or highways and meet the definition as defined in the *Traffic Safety Act*. This definition does not include off road vehicles.

**Vehicle, Off-Highway (OHV)** means any motorized mode of transportation built for cross-country travel on land, water, snow, ice or marsh or swamp land or on other natural terrain and, without limiting the generality of the foregoing, includes, when specifically designed for such travel: 4-wheel drive vehicles; low pressure tire vehicles; motorcycles and related 2-wheel vehicles; amphibious machines; all terrain vehicles; miniature motor vehicles; snow vehicles; minibikes; and any other means of transportation that is propelled by any power other than muscular power or wind. OHVs do not include motor boats and any other vehicle exempt from being an off-highway vehicle by regulation.

**Vehicles Sales, Motor** means a use where new or used vehicles are sold at retail prices to allow the general public (consumers) access to motor vehicles displayed for sale or lease; where each vehicle is a gross vehicle weight equal to or less than 4,500 kilograms; does not provide repair or maintenance services, new or used parts sales, dismantled vehicles sales, or installation of parts or equipment.

**Vehicle, Truck/Large Business** means a development where trucks and/or large vehicles are stored, offered or kept for sale at retail prices and includes storage within the premises of trucks and/or large vehicles necessary only to service the business.

**Vehicle Repair Business** means a development for the servicing, maintenance and repair of automobiles, trucks, recreational and off-road vehicles, and may include the sale, installation or servicing of related accessories and parts, and includes but is not limited to transmission shops, muffler shops, tire shops, automotive glass shops, and auto finishing and upholstery shops.

**Veterinary Clinic** means a development used for the care and treatment of animals operated by a licensed veterinarian.

**Walkout Basement** means a storey or storeys of a building located below the first level and having at least one wall above grade.

**Warehouse** means the storage of bulky, large or heavy goods within an enclosed building where the size and nature of the goods may require large floor areas for

storage and large areas for vehicle use for the trans-shipment of the goods. This use includes lumber yards, grain elevators and other similar uses.

**Washroom** means facilities for toilet and hand washing only and must exclude bathing and/or showering facilities.

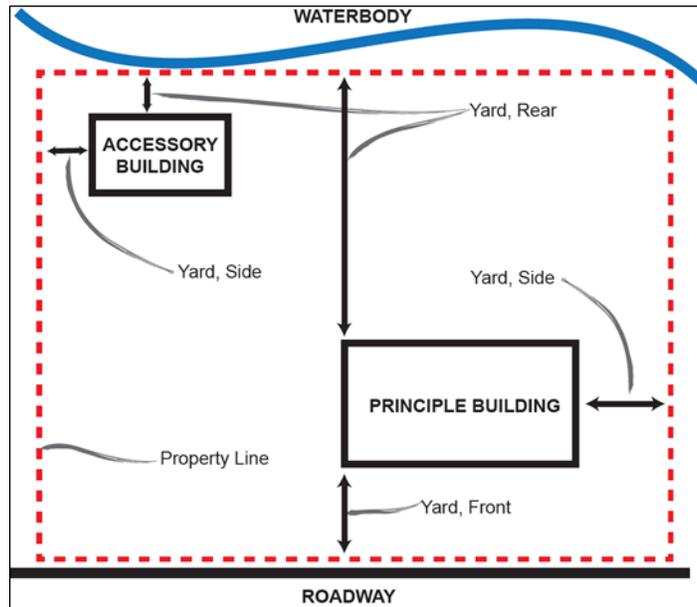
**Water Feature** means a body of water such as a lake, pond or slough or a watercourse such as a river, stream or creek.

**Wilderness Campsite, Low Density** means a campground and limits density to one (1) campsite per 2 ha of titled area.

**Working Water Well** means an existing working well, or a well driller's report or an engineer's report that proves out a water supply that satisfies the standards of this Bylaw.

**Yard** means a part of a lot upon which or over which no building is erected.

Figure 1: Yard



**Yard, Flanking** means the side yard of a corner or double fronting lot that abuts the longer of the two public roadways.

**Yard, Front** means, in the case of an interior lot, a line separating the lot from the road; or in the case of a corner lot, a line separating the narrowest road frontage of the lot from the road not including a corner rounding or corner cut; or in the case of a yard (flanking), the front lot shall be determined by a Development Authority based on the location of permitted access and the orientation of other development on the block. In the case of a lot abutting a watercourse, the front lot line is the lot line abutting the road.

**Yard, Rear** means either the lot line opposite to, and most distant from, the front lot line, or where there is no such property line, the point of intersection of any property lines other than a front lot line which is furthest from an opposite from the front lot line.

**Yard, Side** means any lot boundary line that is not a front or rear lot line.

**Yardsite** see Farmsite.

**Yardsite, First** means the first farm site situated on a single lot in an agricultural district with a habitable dwelling and improvements pursuant to the standards of this Bylaw. This use may include accessory buildings.

**Zoning Compliance Certificate** means a certificate issued by the Municipality, based on a Real Property Report, which says whether or not the present use of land and location of buildings on a parcel conforms to the Bylaw. The zoning compliance certificate shall follow Policy 61.1.16– Certificate of Compliance and Real Property Report.

### 1.3 Establishment of Districts

For the purpose of this Bylaw the County is divided into the following districts:

- Agricultural (AG)
- Severed Agricultural (SA)
- Agricultural Hobby Farm District (AHF)
- Rural Residential (RR)
- Country Residential (CR)
- Restricted Country Residential (RCR)
- Lakeshore Residential (LR)
- Lakeshore Mixed Use (LM)
- Recreational Resort Holdings (RRH)
- Mixed Recreational Residential (MRR)
- Mobile Home (MH)
- High Density Rural Residential (HDR)
- Rural Commercial (RC)
- Urban Residential (UR)
- Urban Commercial (UC)
- Urban Industrial (UI)
- Highway Interchange Commercial (HIC)
- Industrial (IN)
- Institutional (IS)
- Urban Fringe (UF)
- Recreational (R)
- Watershed Protection (WP)
- Rural Conservation (RCV)
- Wizard Lake Watershed (WLW)
- Agricultural/Intermunicipal Development Plan (A/ID)

- Environmental Reserve (ER)
- Municipal Reserve (MR)
- Municipal School Reserves (MS)
- Direct Control (DC)
- Recreational Resort Holdings District- Cavallo Ridge Resort (RRH-CRR) (*amended by Bylaw 2022/66*)
- Agricultural Small Holdings (ASH) (*amended by Bylaw 2020/63*)

## **1.4 District Boundaries**

**1.4.1** The boundaries on the land use maps shall be interpreted as follows:

- a) Where a boundary follows a public roadway, lane, railway, pipeline, power line or utility right-of-way or easement, it follows the centre line, unless otherwise clearly indicated.
- b) Where a boundary is shown as approximately following the County boundary, it follows the County boundary.
- c) Where a boundary is shown as approximately following the edge or shorelines of any river, lake, creek or other water body, it follows such lines and, in the event of change of such edge or shorelines, it moves with same.
- d) Where a boundary is shown as approximately following a lot line, it follows the lot line.
- e) If necessary, the location of the boundary may be determined by reference to any or all of the following: dimensions set out in this Bylaw, measurement of the Land Use maps, registered plans of subdivision or descriptive plans, Certificates of Title, aerial photographs, and site inspections.
- f) When an area of land has been reclassified prior to subdivision, the reclassification shall be interpreted as following the boundaries of the subdivided lot, even if the area of the lot and the area set out in the reclassification Bylaw are not identical; and
- g) When the boundary of a lot is changed through subdivision, the land use classification follows the new boundary.

**1.4.2** Where the application of the above interpretations does not determine the exact location of a boundary, the Development Authority shall establish in a manner consistent with the provisions of this Bylaw and with the degree of detail as to measurements and directions as circumstances require.

- 1.4.3** In determining a boundary, the Development Authority may request assistance from any designated planning agency administering planning, subdivision and/or development work on behalf of the County.
- 1.4.4** After the boundary has been established, it shall not be altered except by an amendment to this Bylaw.
- 1.4.5** The Development Authority shall maintain a record of decisions with respect to boundaries.

## **1.5 Uses and Regulations**

- 1.5.1** Except as otherwise permitted in this Bylaw, development and subdivision in each district shall be in accordance with the uses listed in the district for the site on which it is proposed and the regulations and the guidelines of this Bylaw. Appendices are included for information only and are not part of this Bylaw.
- 1.5.2** The Matters Related to Subdivision and Development Regulations (AR 84/2022) and its amendments govern setbacks for development and subdivision from sour gas facilities, oil and gas wells, wastewater treatment facilities, waste management sites and landfills.  
*(amended by Bylaw 2022/66)*

## **1.6 Interpretation**

- 1.6.1** In this Bylaw, words used in the singular include the plural, and words using the masculine gender include the feminine gender.

## **1.7 Metric Standard**

- 1.7.1** In this Bylaw, approximate imperial equivalents are indicated in brackets following the metric standards. Imperial figures are provided for information only and in all cases the metric figure shall govern.

## **1.8 Fees**

- 1.8.1** By resolution, Council may set a fee schedule for development permit applications and time extensions, Planning amendments, rezoning applications, subdivision approval and endorsement time extension, appeal hearings and other subdivision and development matters as Council deems necessary.

## **1.9 Forms**

- 1.9.1** Any forms, for the purpose of this Bylaw, included in this Bylaw are not part of the Bylaw but are included for convenience only and may be amended by the Development Authority.

## **1.10 Provincially Amended Appendices**

**1.10.1** Any Appendices or text reference amended by Provincial statute as indicated within Appendices A to F or text will not require Public Hearing amendment process and may be amended by the Development Authority.

## 1.11 Amending Bylaws

<b>Bylaw #</b>	<b>Approval Date</b>
2018/29	June 8, 2018
2018/55	November 8, 2018
2019/44	August 8, 2019
2019/55	December 5, 2019
2020/63	November 24, 2020
2021/60	August 30, 2021
2021/73	December 14, 2021
2022/14	April 19, 2022
2022/66	December 20, 2022
2023/13	May 23, 2023
2023/33	July 18, 2023

## **Section 2 Authorities**

### **2.1 Planning Authorities**

**2.1.1** Pursuant to Sections 623, 624 and 627 of the Act and Bylaws No. 95/42 and 99/45, the County has established:

- a) Council as Subdivision Authority;
- b) the position of Development Officer as Development Authority; and
- c) a Subdivision and Development Appeal Board.

### **2.2 Development Authority**

**2.2.1** A resolution of Council is required to appoint a person or persons to the position of Development Officer.

**2.2.2** The Development Officer must carry out the functions of this Bylaw.

**2.2.3** The Development Officer must keep and maintain for public inspection copies of this Bylaw and all amendments to it, and a record of all development permit applications, including the decisions and associated reasons.

### **2.3 Subdivision Authority**

**2.3.1** Pursuant to Section 625 of the Act the County may delegate its subdivision or development authority powers, duties or functions to an inter-municipal service agency.

**2.3.2** Pursuant to (repealed) Bylaw 2015/13, the Subdivision Authority must receive, consider and make decisions on all subdivision applications, except where Council delegates its authority elsewhere.

## Section 3 Development Process

### 3.1 Control of Development

**3.1.1** Unless exempted from requiring a development permit by this Bylaw or by federal or provincial legislation, any use or development of land, buildings or signs in the County requires a valid development permit.

### 3.2 Development Not Requiring a Development Permit

Except in the Agricultural/Intermunicipal Development Plan (A/ID) district, a development permit is not required for the following types of development so long as they conform to all other relevant provisions of this Bylaw:

- a) extensive agriculture;
- b) minor renovations to a building that does not change the use, size or shape of the building.;
- c) construction, maintenance, improvement, or placement of a thing including but not limited to trees, rocks, gardens or decks, except where the object will be:
  - i. on a property line adjacent to a highway or road;
  - ii. a deck that is higher than 0.6 m (2 ft) above grade;
  - iii. more than 1.0 m (3 ft) in height and within the setback from a highway or road;
  - iv. within the shaded areas shown on Figure 2;
  - v. significantly affecting the existing lot drainage and natural drainage pattern and will create off-site impacts; or
  - vi. a hazard to persons, property or traffic, in the opinion of the Development Officer.
- d) Construction, maintenance, improvement or placement of gates, fences, golf netting, walls or other means of enclosure except where the object will be:
  - i. Over 6 ft in height;
  - ii. Within the shaded areas of Figure 2.
- e) Landscaping improvements such as flag poles, paving stones/hard surfacing, retaining walls, raised flower beds, water fountains, decorative rocks and family signs except where the object will be:
  - i. Located on a property line (except hard surfacing);
  - ii. A retaining wall above 0.91 m (3 ft) in height and/or within 5 m (16 ft) of a property line;
  - iii. A family sign larger than 0.91 m x 1.21 m (3' x 4');

- iv. Within the shaded triangle areas shown on Figure 2; or
  - v. Significantly affecting the existing lot drainage and natural drainage pattern and will create off-site problems.
- f) Lot grading except where grading will;
- i. Significantly affect the existing lot drainage and natural drainage pattern and will create off-site impacts; and/or
  - ii. Be in contravention of a previous study or approval such as a Storm Water Management Plan or Area Structure Plan.
- g) Driveways except where the driveway will:
- i. Significantly affect the existing lot drainage and natural pattern and will create off-site impacts;
- h) a building, the use of which is incidental to the construction or renovation of a building for which a development permit has been issued;
- i) the development, maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial or municipal authorities on land which is publicly owned or controlled; or less; and
- j) an accessory building less than 10.0 mm<sup>2</sup> (108 ft<sup>2</sup>) in size which meets the development standards of the district.
- k) intensive livestock operations in the Agricultural district that is more than 400.0 mm (1312 ft) from land not districted as Agricultural.
- l) buildings and land uses which are exempt from municipal control under Section 618 of the Act.

*(Section 3.2 was amended by Bylaws: 2019/44, 2021/60)*

### **3.3 Agricultural Developments**

#### **3.3.1** In the Agricultural district development permits are required for:

- a) dwelling units;
- b) subject to Section 3.2(g), intensive animal and intensive agricultural uses and buildings directly associated with these uses;
- c) farm building within the City and County of Wetaskiwin Intermunicipal Development plan; and
- d) discretionary uses under the Agricultural district.

### **3.4 Development Permit Application**

**3.4.1** The landowner, or an agent acting on the landowner's behalf, may make an application for a development permit by completing an application form and submitting it to the Development Officer.

**3.4.2** The Development Officer may require any or all of the following as part of the application:

- a) a site plan showing the legal description of the site, the location of the development(s), the front, rear and side yard setbacks, and access to and from the site;
- b) a site plan showing how off-street loading and/or parking is to be provided;
- c) floor plans, elevations and sections;
- d) estimated start-up and completion dates for the development;
- e) estimated cost of the project;
- f) a Real Property Report;
- g) an engineer's report and/or environmental impact assessment that certifies a safe building site;
- h) an engineer's report and/or environmental impact assessment which establishes the boundaries of a 1:100 year floodplain;
- i) a detailed landscaping plan indicating grading, loading and parking areas, tree planting and/or removal and playgrounds and parks;
- j) photographs, and a statement of what improvements will be made, if necessary, to structures that are relocated;
- k) any additional information which, in the opinion of the Development Officer, is necessary to make a decision on an application for a development permit;
- l) the prescribed fees;
- m) a completed application form;
- n) where a golf course is proposed in the Pigeon Lake or Wizard Lake drainage basins, a nutrient budget prepared by a professional agrologist.
- o) an application for a mobile dwelling must include CSA certification or equivalent documentation to the satisfaction of the Development Authority, which provides verification as to the structure's classification as a mobile dwelling; and
- p) an application for a modular dwelling must include CSA certification or equivalent documentation to the satisfaction of the Development Authority, which provides verification as to the structure's classification as a modular dwelling.

*(Section 3.4.2 amended by Bylaw 2022/66)*

**3.4.3** An application will not be deemed complete until the required information and fees have been provided.

**3.4.4** Pursuant to Section 683.1(1) through to (11) of the Act, the following subsections are outlined in relation to development applications:

1. A development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete.
2. An application is complete if, in the opinion of the development authority, the application contains the documents and other information necessary to review the application.
3. The time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the development authority or, if applicable, in accordance with a land use Bylaw made pursuant to section 640.1(a).
4. If the development authority does not make a determination referred to in subsection (1) within the time required under subsection (1) or (3), the application is deemed to be complete.
5. If a development authority determines that the application is complete, the development authority must issue to the applicant an acknowledgment in the form and manner provided for in the land use Bylaw that the application is complete.
6. If the development authority determines that the application is incomplete, the development authority must issue to the applicant a notice in the form and manner provided for in the land use Bylaw that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the development authority in order for the application to be considered complete.
7. If the development authority determines that the information and documents submitted under subsection (6) are complete, the development authority must issue to the applicant an acknowledgment in the form and manner provided for in the land use Bylaw that the application is complete.
8. If the applicant fails to submit all the outstanding information and documents on or before the date referred to in subsection (6), the application is deemed to be refused.
9. If an application is deemed to be refused under subsection (8), the development authority must issue to the applicant a notice in the form and manner provided for in the land use Bylaw that the application has been refused and the reason for the refusal.
10. Despite that the development authority has issued an acknowledgment under subsection (5) or (7), in the course of reviewing the application, the development

authority may request additional information or documentation from the applicant that the development authority considers necessary to review the application.

11. If the development authority refuses the application for a development permit, the development authority must issue to the applicant a notice in the form and manner provided for in the land use Bylaw that the application has been refused and the reasons for the refusal.

**3.4.5** The Development Officer must receive, consider and decide on all development permit applications.

**3.4.6** Pursuant to Section 684 of the Act, the following subsections are outlined regarding permits deemed refused:

1. The development authority must make a decision on the application for a development permit within 40 days after the receipt by the applicant of an acknowledgment under section 683.1(5) or (7) or, if applicable, in accordance with a land use Bylaw made pursuant to section 640.1(b).
2. A time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the development authority.
3. If the development authority does not make a decision referred to in subsection (1) within the time required under subsection (1) or (2), the application is, at the option of the applicant, deemed to be refused.
4. Section 640(5) does not apply in the case of an application that was deemed to be refused under section 653.1 (1)(8) or 683.1 (1)(8).

**3.4.7** The Development Officer:

- a) may refer any development permit application to Municipal Planning Services, Alberta Transportation and Utilities, Alberta Environmental Protection, Alberta Agriculture, Food and Rural Development, Alberta Labour, the Fire Advisor, Alberta Health Services, the Alberta Energy Regulator, an affected railway authority, an adjacent municipality, an Indian Band Council or any other department or agency the Development Officer may consider necessary. The purpose of the referral will be to receive comments and/or recommendations.
- b) A development permit or rezoning application which affects land zoned Agricultural/Intermunicipal Development Plan (A/ID) must be referred to the City of Wetaskiwin for comment. A development permit or rezoning application which affects land zoned Urban Fringe adjacent to the Town of Millet must be referred to the Town for comment.

**3.4.8** In making a decision on a development permit application, the Development Officer may:

- a) approve an application without conditions;
- b) approve an application with conditions;
- c) refuse the application; or

d) deem the application to be incomplete.

**3.4.9** The Development Officer may attach conditions to a development permit to require the developer and/or development to:

- a) adhere to the relevant standards for the subject district as provided by the Bylaw;
- b) obtain a building permit or other permits pursuant to the requirements of the *Safety Codes Act*;
- c) obtain any additional and necessary permits or approvals from appropriate departments or agencies;
- d) take actions or measures to ensure that the development will comply with the Bylaw and, if necessary, other statutes;
- e) provide an Engineer's report and/or environmental impact assessment to certify a suitable building site for the proposed development;
- f) carry out any necessary landscaping and/or drainage work;
- g) locate the development according to certain standards;
- h) take actions or measures to mitigate the concerns of adjacent landowners;
- i) take actions or measures to mitigate an increase in the amount and/or type of traffic generated by the proposed development;
- j) control the location and amount of goods, materials and any other items stored on a site;
- k) construct or pay for the construction of roads required to give access to the development;
- l) maintain or pay for the maintenance of roads required to give access to the development;
- m) install or to pay for the installation of utilities needed to service the proposed development;
- n) pay a local improvement charge, an off-site levy or a redevelopment levy where such charge is established by a Bylaw from the municipality;
- o) provide security to ensure that the conditions of the permit are carried out;
- p) with respect to signs, govern the size and location of the sign and the length of time it is to remain in place; and
- q) any additional condition or conditions which, in the opinion of the Development Officer, are necessary to ensure that the development complies with the Act.

### **3.5 Frequency of Development Permit Application**

- 3.5.1** If a development permit is refused by the Development Officer, the Development Officer may, at his discretion, refuse to accept another application for a development on the same land and for the same or a similar use for at least three hundred sixty five (365) days after the date of the issue of the decision.
- 3.5.2** If, on appeal, a development permit is refused by the Subdivision and Development Appeal Board, the Development Officer may, at his discretion, refuse to accept another application for a development on the same land and for the same or a similar use for at least three hundred sixty five (365) days after the date of the issue of the Board's decision.
- 3.5.3** If the Court of Appeal confirms the Board's decision to refuse a development permit the Development Officer may, at his discretion, refuse to accept another application for a development on the same land and for the same or a similar use for at least one full calendar year after the date of the issue of the Court's decision. If the Court decides that the Board must rehear the matter, the Development Officer may, at his discretion, refuse to accept another application for a development on the same land and for the same or a similar use for at least three hundred sixty-five (365) days after the date of issue of the Board's most recent decision.

### **3.6 Non-conforming Uses and Non-conforming Buildings**

- 3.6.1** Non-conforming uses and non-conforming buildings are governed by Sections 643 of the *Municipal Government Act* Chapter M-26 as amended. Section 643 is re-printed in APPENDIX D for the reader's convenience.

### **3.7 Use or Building Not Provided in the Bylaw**

- 3.7.1** If a proposed use of land or of a building is not provided under a district of this Bylaw the Development Officer may determine that the proposed use or building is similar to a permitted or discretionary use prescribed for the district and may issue a development permit for the use or building, but only as a discretionary use.
- 3.7.2** The Development Officer may decide on an application for a development even though the proposed development does not comply with the Bylaw or is a non-conforming building if, in the opinion of the Development Officer:
- a) the proposed development will not:
    - i. unduly interfere with the amenities of the neighbourhood; or
    - ii. materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
  - b) the proposed development conforms with the use prescribed for the land or building in this Bylaw.

### **3.8 Variance Provisions**

- 3.8.1** With the exception of Sections 9.10.2 and 9.10.4 the Development Officer may relax the setback standards of this Bylaw by up to 75%.
- 3.8.2** The Development Officer may relax a bank break setback required under Section 9.10.4 by 50% or may require a Geotechnical Investigation Report to certify the safety of future development within the reduced setback. The Development Officer must not relax a bank break setback by more than 50% without a Geotechnical Investigation Report which certifies that the building site is safe. *(amended by Bylaw 2021/60)*
- 3.8.3** The Development Officer may relax the setback standards of this Bylaw by up to 75% for non-conforming buildings that are permitted or discretionary uses under the Bylaw provided there are no objections from the affected road authority or from adjacent landowners.
- 3.8.4** The Subdivision and Development Appeal Board may relax the setback standards of this Bylaw up to 100%, provided there are no objections from the affected road authority or from adjacent landowners.
- 3.8.5** Where a setback standard has been varied for a building or structure, the new setback shall be considered the yard setback for the subject building or structure only, for the purposes of this Bylaw.

*(Section 3.8 amended by Bylaws 2021/60 and Bylaw 2022/66)*

### **3.9 Conditions of Subdivision**

- 3.9.1** For multi-lot subdivisions of land, the Development Officer may issue a development permit or require the applicant to enter into a Development Agreement for work required to satisfy the conditions of subdivision.

### **3.10 Development Permits and Notices**

- 3.10.1** With the exception of a development permit granted for a permitted use where the provisions of the Bylaw were not relaxed, varied or misinterpreted, the development permits granted pursuant to this Section do not come into effect until twenty one (21) days after the date on which the permit was issued or such greater time as specified by the Development Officer. Any development carried out by the applicant prior to or within this twenty one (21) day period is at the applicant's risk.
- 3.10.2** When an appeal is made pursuant to the Act, an approved development permit becomes null and void. The Subdivision and Development Appeal Board's decision takes effect on the date shown on the decision or as specified elsewhere in the decision, unless there is a further appeal pursuant to Section 688 of the Act.

- 3.10.3** When a development permit has been granted for:

- a) a permitted use where the provisions of the Bylaw were relaxed, varied or misinterpreted;
- b) a discretionary use;
- c) a use or building in a direct control district where the permit has been issued by the development officer; or
- d) a use or building not provided in this Bylaw; the Development Officer must:
  - i. mail a notice in writing to all registered owners of land as listed on title of land who are directly adjacent or in proximity to the property, or any other stakeholder in the opinion of the Development Officer, may be affected by the decision; and/or (*amended by Bylaw 2019/44*)
  - ii. publish in a local newspaper a notice which states the proposed use and the location of the subject property. The location must include the legal description, the municipal address and/or subdivision name where available, and a general description of where the subject property is relative to local landmarks.

**3.10.4** Development authorized by a development permit must be commenced within one year of the date on which the permit was issued or the permit is deemed to be null and void. The Development Officer may either grant a time extension for the permit or require a new application.

**3.10.5** All decisions of the Development Officer on development permit applications must be in writing and a copy of the decision must be sent to the applicant and/or landowner.

**3.10.6** When the Development Officer refuses an application for a development permit the decision must contain reasons.

### **3.11 Notice of Agricultural Operation**

**3.11.1** The Development Officer may place the following notice in the local newspaper at least once per year

*“Landowners and residents are warned that farming operations in the County of Wetaskiwin may cause noise and dust. Fertilizers, pesticides and herbicides may be applied, possibly by aerial spraying. Farms may have extended working hours. Manure may be produced, stored or applied to land, and it may create odours.”*

### **3.12 Recreational Units**

**3.12.1** Where the use complies with the maximum number of Recreational Units set out in the respective definition of the use, and the use otherwise complies with all other provisions of this Bylaw, (Recreational Units are subject to a 5 m (16.5 ft) setback distance from any road or street abutting the property, exempting back alleys). Recreational Units may be authorized as follows:

a) Short Term Camping is exempt from the requirement for a development permit in the following land use districts (Recreational Units are subject to a 5 m(16.5 ft) setback distance from any road or street abutting the property exempting back alleys):

- i. Agricultural
- ii. Severed Agricultural
- iii. Agricultural Hobby Farm District (AHF)
- iv. Rural Residential
- v. Country Residential (subject to an existing approved dwelling)
- vi. Restricted Country Residential (subject to an existing approved dwelling)
- vii. Lakeshore Residential
- viii. Lakeshore Mixed Use
- ix. Recreational Resort Holdings (> 1 ac (up to 3 units), < 1 ac (1 unit))
- x. Mixed Recreation Residential (> 1 ac (up to 3 units), < 1 ac (1 unit))
- xi. High Density Rural Residential
- xii. Urban Residential
- xiii. Institutional
- xiv. Urban Fringe
- xv. Recreational
- xvi. Watershed Protection
- xvii. Rural Conservation
- xviii. Wizard Lake Watershed
- xix. Agricultural Small Holdings (ASH) (*amended by Bylaw 2020/63*)

b) Recreational Units Storage is exempt from the requirement for a development permit in the following land use districts (Recreational Units are subject to a 5 m (16.5 ft) setback distance from any road or street abutting the property exempting back alleys):

- i. Agricultural
- ii. Severed Agricultural
- iii. Agricultural Hobby Farm
- iv. Rural Residential
- v. Country Residential
- vi. Restricted Country Residential
- vii. Lakeshore Residential

- viii. Lakeshore Mixed Use
  - ix. Recreational Resort Holdings
  - x. Mixed Recreation Residential
  - xi. High Density Rural Residential
  - xii. Rural Commercial
  - xiii. Urban Residential
  - xiv. Urban Commercial
  - xv. Urban Industrial
  - xvi. Industrial
  - xvii. Institutional
  - xviii. Urban Fringe
  - xix. Recreational
  - xx. Watershed Protection
  - xxi. Rural Conservation
  - xxii. Wizard Lake Watershed
  - xxiii. Agricultural/Intermunicipal Development Plan
  - xxiv. Agricultural Small Holdings (ASH) (*amended by Bylaw 2020/63*)
- c) Where there is no permanent dwelling on a parcel of land, Recreational Units Use is a discretionary use in the following land use districts. The Development Authority may issue a development permit for Recreational Units Use for a maximum of three years. If the landowner wants the use to continue, they must reapply for the use prior to the expiry of the permit. The development permit lapses and the Recreational Units use must be removed when a new application is received which changes the use of the land:
- i. Lakeshore Residential
  - ii. Wizard Lake Watershed
  - iii. Recreational (subject to Section 10.21 Recreational District)
  - iv. Watershed Protection (greater than 32. ha (80 ac) only)
  - v. Agricultural (greater than 32. ha (80 ac) only)
  - vi. Severed Agricultural (greater than 32. ha (80 ac) only)
- d) Where there is no permanent dwelling on a parcel of land, Recreational Units Use is a permitted use in the following land use districts:
- i. Recreational Resort Holdings
  - ii. Mixed Recreation Residential

The development permit lapses and the Recreational Units use must be removed when a new application is received which changes the use of the land.

- e) In the Country Residential (CR) and Restricted Country Residential (RCR) districts where there is no permanent dwelling on a parcel of land, the Development Authority may include a condition that approves Recreational Units Use as a time limited Accessory Use provided the approval is given concurrently with the approval of a development permit for a Detached dwelling on the land. The conditional approval shall only be for the months of April thru October and will lapse after 12 months of the issuance of the development permit. In the event that construction of the Detached dwelling is not completed by the time the conditional approval for the Recreational Units Use expires, the Recreational Units must be removed from the land unless the Development Authority has approved a new development permit approving the ongoing use of the Recreational Units as an Accessory Use to the Detached dwelling. The maximum number of Recreational Units Use approvals shall be two (2).
- f) A Recreational Units may NOT be augmented by an attached canopy, deck, lean-to or any other attached accessory building. Non-attached accessory buildings require a development permit.
- g) Sewage and wastewater systems, including holding tanks and onsite treatment, are subject to approval from a Provincially Accredited Safety Codes Agency.
- h) Utility hookups are subject to approval from a Provincially Accredited Safety Codes Agency.

**3.12.2** To accommodate family functions, reunions, weddings, and other similar family functions that are associated with temporary use of Recreational Units, a written application must be provided to the County in accordance with Recreational Units During Family Functions Policy (*amended by Bylaw 2021/60*)

## **Section 4 Development Appeal**

Development appeals are governed by the *Municipal Government Act* Chapter M-26 as amended. (*amended by Bylaw 2022/66*).

## Section 5 Enforcement

### 5.1 Contravention

**5.1.1** If the Development Officer finds that a development, land use or use of a building is not in accordance with:

- a) Part 17 of the Act or Part 3 of the Regulation;
- b) this Bylaw; or
- c) a development permit or subdivision approval;

the Development Officer may, by written notice, order the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to:

- a) stop the development or use of the land or building in whole or part as directed by the notice;
- b) demolish, remove or replace the development; or
- c) carry out any other actions required by the notice so that the development or use of the land or building complies with Part 17 of the Act, the regulations under Part 3, this Bylaw, or a development or subdivision approval;

within the time set out in the notice.

**5.1.2** Pursuant to Section 685(1)(c) of the Act, a person who receives a notice referred to in Section 5.1.1 may appeal to the Subdivision and Development Appeal Board.

**5.1.3** If a person fails or refuses to comply with an order directed to him under Section 5.1.1 or an order of a Subdivision and Development Appeal Board under Section 687 of the Act, the County may, pursuant to Section 542 of the Act, enter on the land or building and take any action necessary to carry out the order.

**5.1.4** The County may register a caveat under the *Land Titles Act* in respect of an order referred to in section 5.1 against the certificate of title for the land that is the subject of the order.

**5.1.5** If the County registers a caveat under section 5.4, the County must discharge the caveat when the order has been complied with.

*(Section 5.1 amended by Bylaw 2022/66)*

### 5.2 Enforcement of Stop Order

**5.2.1** The County may register a caveat under the *Land Titles Act* in respect of an order referred to in Section 5.1.1 against the certificate of title for the land that is the subject of the order.

**5.2.2** If the County registers a caveat under Section 5.2.1, the County must discharge the caveat when the order has been complied with.

**5.2.3** Any person who contravenes any provision of the Bylaw is guilty of an offence and is liable upon summary conviction to pay the specified penalty for that offence as set out below. Any person who commits a second or subsequent offence under this Bylaw within one calendar year of committing a first offence under this Bylaw is liable on summary conviction to an increased fine as follows:

- a) First offence - \$500
- b) Second offence - \$1,000
- c) Third and subsequent offence(s) - \$5,000

### **5.3 Unauthorized Development**

**5.3.1** Where unauthorized development has occurred without a permit, and a permit is applied for, the development shall meet the current standards and regulations of the Bylaw.

## **Section 6 Bylaw Amendment Process**

### **6.1 Application to Amend Bylaw**

- 6.1.1** An owner of land or a person authorized by an owner of land may apply in writing to Council for an amendment to this Bylaw.
- 6.1.2** An application to amend this Bylaw must include reasons for the amendment and an accurate drawing of the proposed amendment where it affects all or part of a parcel of land. If the Development Officer is of the opinion that the information provided with the application is not sufficient for Council to make a decision, the Development Officer may require additional information from the applicant.
- 6.1.3** An application to amend this Bylaw with respect to land zoned Agricultural/Intermunicipal Development Plan District, or with respect to text provisions related to this district, must be referred to the City of Wetaskiwin.
- 6.1.4** Council may initiate an amendment to this Bylaw at any time.

### **6.2 Frequency of Redistricting Application**

- 6.2.1** If an application for redistricting is refused, Council may refuse to accept another application for redistricting on the same land and for the same or a similar use for at least three hundred sixty-five (365) days after the date of Council 's decision.

### **6.3 Intermunicipal Districts**

- 6.3.1** Districting of lands within the City/County Intermunicipal Development Plan area may be changed to conform to the Intermunicipal Development Plan at Council 's discretion.
- 6.3.2** Existing development approvals that are contrary to the City/County Intermunicipal Development Plan are a non-conforming use/building.
- 6.3.3** Development approvals for proposed uses that require renewal and are contrary to the City/County Intermunicipal Development Plan may not be renewed.

### **6.4 City of Wetaskiwin Land Use Bylaw**

- 6.4.1** This Land Use Bylaw also includes the City of Wetaskiwin Land Use Bylaw, as amended from time to time, as a Schedule to the County's Land Use Bylaw for purposes including intermunicipal planning.

### **6.5 Town of Millet Land Use Bylaw**

- 6.5.1** This Land Use Bylaw also includes reference to the Town of Millet Land Use Bylaw, as amended from time to time, in the County's Land Use Bylaw for purposes including intermunicipal planning.

## Section 7 Subdivision Process

### 7.1 Subdivision Application

**7.1.1** Applications for subdivision must be made to the County or to the designated agency administering the subdivision process on behalf of the County.

**7.1.2** All applications for subdivision must be accompanied by:

- a) a copy of title not more than thirty (30) days old for the property or properties which will be affected by the subdivision;
- b) a sketch of the proposed subdivision showing existing property lines, proposed new property lines and their associated dimensions, as well as the location of existing development (i.e. houses, other buildings, accesses and services);
- c) a completed Application for Subdivision form; and
- d) fees in an amount as set by Council or the designated agency.

**7.1.3** The applicant may be required to provide, in support of an application for subdivision:

- a) topographic information (such as contours or natural water features);
- b) information necessary to determine site suitability for a proposed use, including, but not limited to, an engineer's report for water supply, water table and percolation rate test results;
- c) a Real Property Report; and
- d) any other information deemed necessary by the subdivision authority to determine whether the application meets the requirements of Section 654 of the Act.

### 7.2 Policies Related to Subdivision and Development

The County has approved a series of policies related to Subdivision and Development in reviewing, approving and applying conditions of subdivision the County's Subdivision and Development Approval Authority may apply these Policies in such decisions.  
*(amended by Bylaw 2019/44)*

### 7.3 Subdivision Application Referral

**7.3.1** Applications for subdivisions must be referred pursuant to Part 2 Section 7 of the Regulation. *(amended by Bylaw 2022/66)*

**7.3.2** Pursuant to Section 653(1) of the Act, notice of an application for subdivision must be given to landowners adjacent to the land that is the subject of the application.

## **7.4 Subdivision Application Decision**

**7.4.1** The Subdivision Authority for the County must receive, consider and make decisions on all subdivision applications.

**7.4.2** In making a decision, the Subdivision Authority may

- a) approve an application with conditions;
- b) refuse the application; or
- c) deem the application refused for lack of information or at the applicant's request.

**7.4.3** The Subdivision Authority may approve an application for subdivision notwithstanding the fact that the proposed subdivision does not comply with this Bylaw if, in the Subdivision Authority's opinion,

- a) the proposed subdivision would not:
  - i. unduly interfere with the amenities of the neighbourhood; or
  - ii. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
- b) the proposed subdivision conforms with the use prescribed for that land in the Bylaw.

**7.4.4** If the Subdivision Authority refuses an application, reasons for the Subdivision Authority's decision must be provided in writing.

**7.4.5** The Subdivision Authority may impose conditions considered appropriate for the development and as provided for in the Act, the Regulation or in this Bylaw on a subdivision approval.

## **7.5 Frequency of Subdivision Application**

**7.5.1** When an application for subdivision has been refused by the Subdivision Authority or, on appeal, by the Subdivision and Development Appeal Board or the Land and Property Rights Tribunal, an application for subdivision on the same land and for the same or similar use of land from the same or any other applicant may not be accepted for at least six months (one hundred and eighty-three days (183 days)) after the date of the final decision unless Council approves otherwise. (*amended by Bylaw 2022/66*)

## **7.6 Subdivisions Decision Time Period**

**7.6.1** If the Subdivision Authority fails to make a decision on an application for subdivision within sixty (60) days of the date on which the application was accepted, the applicant may, within fourteen (14) days after the 60-day period has expired

- a) enter into an agreement with the subdivision authority to extend the period beyond sixty (60) days; or

- b) treat the application as "deemed refused" and file an appeal.

## **7.7 Subdivision Approval Time Extensions**

**7.7.1** Council may extend or may delegate the power to extend periods of time related to subdivision approvals as follows:

- a) a subdivision approval for a use which remains compatible with adjacent land uses and which continues to conform to the Bylaw may be extended, in one year increments, to a maximum of five years from the original approval date;
- b) a subdivision approval extension may be granted one time without the review of conditions and there may be not more than four additional extensions that are subject to the applicant showing substantial completion of the majority of the conditions. Council may grant three extensions, but after the third extension the applicants are subject to any amended policies;
- c) a subdivision approval for a use which may come into conflict with adjacent land uses or which no longer conforms to the Bylaw must not be extended; and
- d) a subdivision approval granted five years from the date of the extended approvals may not be extended.

## **7.8 Approved Subdivision Endorsement Time Period**

**7.8.1** The plan of subdivision or instrument must be submitted to the Subdivision Authority for endorsement within one year or by the time prescribed by Council beyond one year; otherwise, the subdivision approval is void.

**7.8.2** The plan of subdivision or instrument must be submitted to the Land Titles office for registration within one year from the time of endorsement or by the time prescribed by Council beyond one year; otherwise, the subdivision approval of the plan or instrument and the endorsement is void.

**7.8.3** The Municipal Planning Agency or Commission may grant not more than one extension, to a maximum of three years, beyond the first endorsement.

## **7.9 Water Supply Standards**

Please see Section 9.13 for water supply standards related to subdivision.

## **7.10 Development Agreement**

**7.10.1** The Development Authority may require that an applicant or landowner enters into a development agreement with the County and that the agreement be registered as a caveat on the title of the subject lands.

**7.10.2** There will be a per lot fee, as determined by Council resolution, for site inspection of approaches for new subdivisions.

**7.10.3** If deficiencies are noted and subsequent inspection(s) required, an additional fee may be levied for each subsequent inspection.

## **7.11 Subdivision of an Existing Residential Lot**

**7.11.1** An application for subdivision of existing lots will be considered in Urban Residential, Urban Commercial, Urban Industrial, or High Density Urban Residential districts.

**7.11.2** The subdivision of existing lots zoned Lakeshore Residential, Recreation Resort Holdings, Mixed Recreation Residential, and Country Residential is not allowed, except if:

- a) The lot being created will be about the same size as most of the lots in the area;
- b) The land being subdivided is the next stage of a more extensive subdivision which was approved at the time of the original subdivision or which is contemplated in a statutory plan or Bylaw; or
- c) Lot lines are being adjusted and no additional lots are being created.

**7.11.3** A person wishing to re-subdivide an existing subdivided parcel in a hamlet or multi-lot country residential subdivision must provide, at a minimum, the following with the subdivision application.

- a) Proof of water supply
- b) Existing building locations
- c) Proposed subdivision
- d) Legal access
- e) Neighbours' concerns
- f) Upgrading sewer systems.

## **7.12 Environmental Reserve Dedication**

**7.12.1** In accordance with the provisions outlined in Section 661 of the Act, the County may require the dedication of Environmental Reserves (ER) as part of the subdivision process; examples of land that may be dedicated as ER include the shorelines of lakes, rivers, and streams; wetlands, bogs, or marshes; steep slopes, bank breaks, gullies, or ravines; and floodplains.

**7.12.2** A minimum setback of 20.0 m (66 ft) shall apply for all features listed in Section 7.12.1.

**7.12.3** Notwithstanding Section 7.12.2, minimum setbacks distance(s) related to bank breaks may be adjusted if a bank break involves a varied or longer extended slope with the features listed in Section 7.12.1.

**7.12.4** If verification of distance is required for a setback variation as outlined in Section 7.12.3, a geotechnical report shall be submitted as part of the approval process.

*(amended by Bylaw 2020/63)*

## **Section 8 Subdivision Appeal**

Subdivision appeals are governed by the *Municipal Government Act* Chapter M-26 as amended.

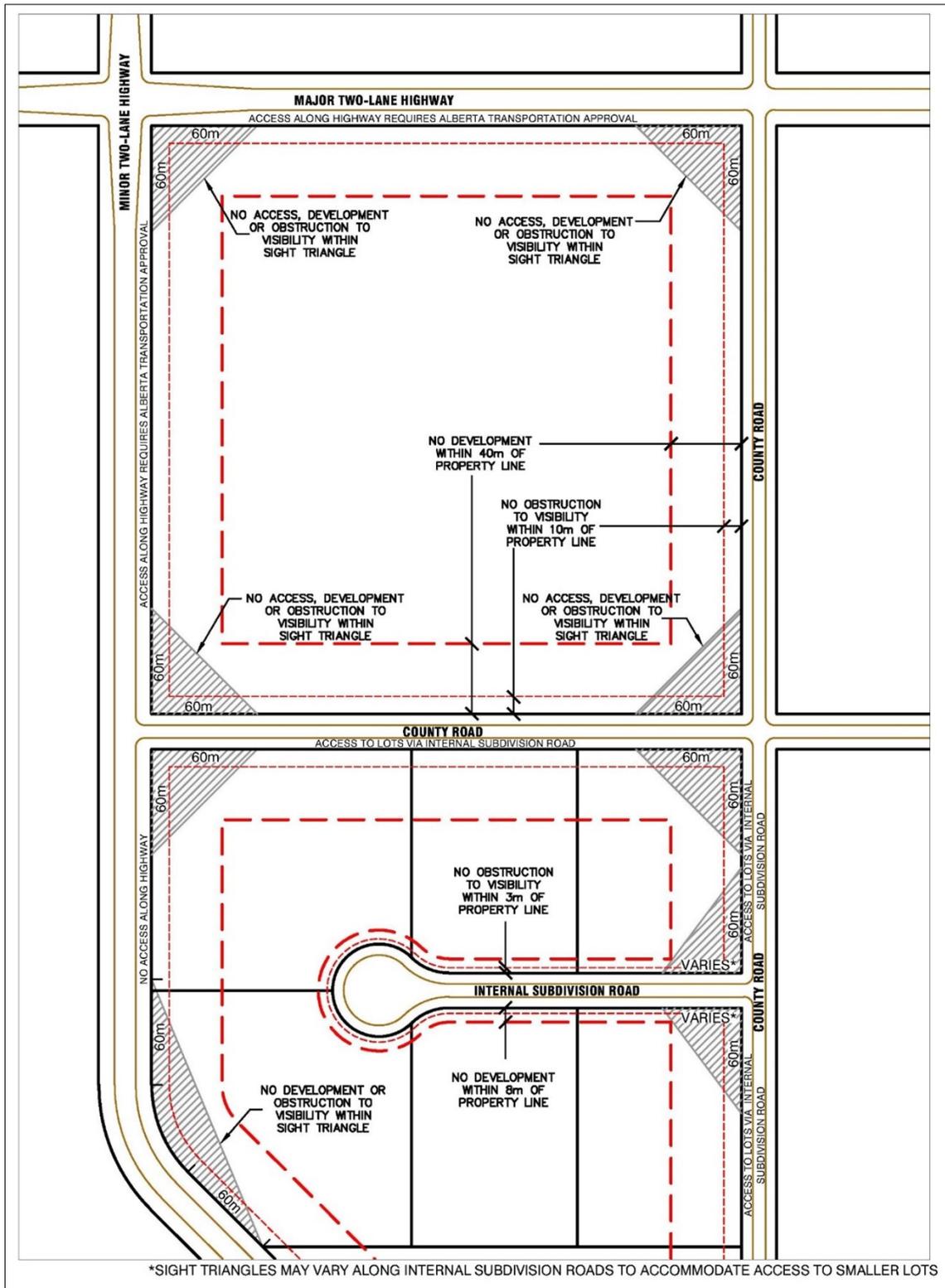
*(amended by Bylaw 2022/66)*

## Section 9 General Land Use Regulations

### 9.1 Access and Approaches

- 9.1.1** Any proposed parcel or parcels of land that is or are the subject of a subdivision application or a development permit application shall have legal and physical access to a County road or highway to the satisfaction of the County before a development permit or subdivision application is approved.
- 9.1.2** Any proposed parcel or parcels of land that is or are the subject of a subdivision application or a development permit application and is adjacent to a highway must have legal and physical access to the highway to the satisfaction of Alberta Transportation.
- 9.1.3** Physical access may not be allowed by easement or other legal agreement. For example, this applies where an intervening ownership or boundary separates a parcel from a road or highway.
- 9.1.4** No approach is allowed onto any road within 60 m (197 ft) of an intersection, a road, a crown in a road, or within areas as shown on Figure 2 of this Bylaw unless an engineer's report indicates that there are no safety concerns. (*amended by Bylaw 2022/66*)
- 9.1.5** Standards of construction, gravelling and maintenance are subject to County Policies, including but not limited to, Approach Installation Policy 61.1.1, Performance Deposit for Approach Construction Policy 61.1.9, and Design Guidelines and Construction Policy 61.1.13, as amended from time to time.
- 9.1.6** In all districts, excepting Agricultural, each lot shall only have one approach unless valid reasons exist that would necessitate a second approach. In such cases, a written request including supporting information must be provided to the County in accordance with Approach Installation Policy 61.1.1.
- 9.1.7** Agricultural districted lands may have more than one approach subject to County Approach Installation Policy 61.1.1.

Figure 2: Development Setbacks from Roads (amended by Bylaw 2022/66)



## 9.2 Animal Restrictions

### 9.2.1 Residential Livestock

- a) Including within Hamlets, Lakeshore Residential, Lakeshore Mixed Use, Recreational Resort Holding, Mixed Recreational Resort, Mobile Home, Rural Conservation, and Urban Residential districts (excluding those lots adjacent to lakeshores or County Reserve land bordering on lakeshore) there shall be allowed four (4) small livestock, but shall be subject to an approved discretionary development permit, which shall be issued solely at the discretion of the Development Officer.
- b) The Rural Residential, Country Residential, and Restricted Country Residential districts are subject to the following:
  - i. 0.44 animal units (Animal units are as outlined and defined by the AOPA in Appendix A of this Bylaw) per titled ac with no development permit required. A permit shall not be issued for any proposals above the 0.44 animal unit per ac threshold.
  - ii. Where a lot is located within a multi-lot subdivision and section 9.2(b)(i) would enable more than fifty (50) individual animals based on the 0.44 animal units per ac, poultry units shall be limited to a maximum of fifty (50) birds individual animals, with an additional 0.44 animal units per lot (i.e. 2 goats or 1 horse) granted.
- c) Sensitive natural areas, such as naturally occurring wetlands and riparian areas should be fenced from livestock;
- d) Manure shall be handled, stored and disposed of in accordance with Provincial and Federal Regulations

*(Section 9.2 amended by Bylaws 2019/55 and 2022/66)*

### 9.2.2 Kennels

- a) A proposed or existing unpermitted kennel requires a development permit and the development permit may be considered either a permitted or discretionary use in accordance with the current Land Use Bylaw. The application must accompany the supporting information listed below and the processing of the application shall follow the following steps:
  - i. Supply letters from all the immediate adjacent landowners commenting on the number of dogs proposed;
  - ii. Provide written disclosure of any previous kennel operated by the owner(s) whether within the County or another location;
  - iii. Upon receipt of a development permit application form, the Development Officer shall consider the letter from the adjacent landowners and the application form to:

- a. Grant a development permit for a kennel for a maximum of four (4) dogs;
    - b. Grant a development permit for a kennel with terms and conditions that include five(5) dogs or more, but must state the maximum number of dogs to be allowed; or
    - c. Refuse a development permit and provide to the applicant reasons for the refusal.
  - iv. A development permit for a kennel shall not be transferrable, and a new development permit application is required any time there is a change in ownership or change in operation including an increase in the number of dogs;
  - v. All kennels shall be subject to the kennel regulations as written in the land use Bylaw;
  - vi. Failure to obtain an approval of a development permit for a kennel may be subject to an offense under either this land use Bylaw and/or the dog control Bylaw as amended from time to time.
- b) A kennel shall not be located closer than 400.0 m (1,312 ft) from the boundary of a multi-lot residential subdivision, except:
- i. when a highway bisects the minimum separation distance; or
  - ii. a kennel within 400 m (1,312 ft) of a multi-lot residential subdivision that provides, to the satisfaction of the Development Officer, evidence of its existence prior to passage of Land Use Bylaw 95/54 may be permitted to continue operating as a non-conforming use but will not be permitted to expand and is subject to the following regulations.
- c) All kennel buildings and exterior exercise areas (runs) may be required to have soundproofing and screening to the satisfaction of the Development Officer.
- d) The Development Officer may require that any buildings or exterior exercise area used to accommodate dogs are not located within 30.0 m (98 ft) of any property line of the lot on which the kennel is located.
- e) All exterior exercise areas shall be enclosed with a fence acceptable to the Development Officer.
- f) The Development Officer may place a restriction on the number of dogs over six (6) months of age, based on location, proximity to neighbouring properties, size of parcel, and other factors deemed appropriate by the Development Authority. These restrictions may be applied to kennels that existed prior to the passage of this Bylaw.
- g) The Development Officer may apply conditions regarding the hours the dogs will be allowed to be outside. These restrictions may be applied to kennels that existed prior to the passage of this Bylaw.

- h) Complaints from adjacent land owners may result in amendments or additions to the conditions of a development permit in order to further regulate noise, traffic, hours of operation, or the number of dogs allowed on the premises. These restrictions may be applied to kennels that existed prior to the passage of this Bylaw.
- i) Kennels with a retail store attached are only permitted in the Rural Commercial district on parcels larger than 0.4 ha (1 ac) and are subject to all of the above regulations.
- j) Kennel buildings, at the discretion of the Development Officer, shall be built in accordance with any applicable requirements as outlined within the Canadian Veterinary Medical Association's Code of Practice for Canadian Kennel Operations. (*amended by Bylaw 2019/44*)

### **9.3 Environmental Protection Measures – Limited Access**

#### **9.3.1** In concurrence with Section 9.3.5, no trees or vegetation can be cleared

- a) from any land within 30.0 m (98 ft) of a bank break abutting a water feature;
- b) from any slope as steep as or steeper than 6.5:1 (15%), (8.7°) or any other slope which, in the opinion of the Development Officer, is potentially unstable (see Appendix I); and
- c) from within 30.0 m (98 ft) of the top and bottom of any slope as determined by 9.3.1(b).

#### **9.3.2** No person may alter or damage natural drainage patterns on a parcel of land through implementation of a landscape design or drainage scheme that is a condition of a development permit or subdivision approval without all provincial and regulatory approvals in place.

#### **9.3.3** An application for a development permit or for subdivision may be refused where the land affected lies within a floodplain.

#### **9.3.4** Under Section 3 of the Public Lands Act, title to the beds and shores of all permanent and naturally occurring bodies of water, and all naturally occurring rivers, streams, watercourses and lakes, is vested in the Crown in right of Alberta. Crown-owned wetlands may be left with an agricultural parcel. Wetlands not owned by the Crown may be included in a Rural Residential or Rural Conservation parcel.

#### **9.3.5** In all districts

- a) no trees or vegetation can be cleared within 6.0 m (20 ft) of the edge of a water feature, except to provide pedestrian access up to the edge of the water feature and only to a maximum of 2.0 m (6.5 ft) of the frontage.
- b) no removal or destruction of trees or vegetation, or disturbance of soil, is allowed to occur on a Municipal or Environmental Reserve unless written approval is

provided by the Development Officer and only to a maximum of 2.0 m (6.5 ft.) in width and only for pedestrian access from the edge of the lot of the upland landowner to a water feature. No motorized equipment or machinery is allowed to create such 2.0 m (6.5 ft.) pedestrian access except the use of chainsaw equipment for this purpose.

- c) In any district that borders on a water feature, including Lakeshore Residential, Mixed Recreational Residential, Recreational, Recreational Resort Holdings, Rural Conservation and Watershed Protection Districts, private sewer systems such as holding tanks, field and mound systems shall be located, where possible, between the use and the road, not between the use and the lakeshore. Sewage and wastewater systems, including holding tanks and onsite treatment, are subject to approval from a Provincially Accredited Safety Codes Agency.

## **9.4 Height of Buildings**

**9.4.1** A development permit application for a proposed building with more than two storeys above grade may be subject to conditions to address negative impacts, such as shadowing, on adjacent properties, unless otherwise permitted in the district.

**9.4.2** No building containing sleeping accommodation may be constructed with more than two floors above grade without approval from the Development Officer, subject to the conditions based on advice from the authority administering the Fire Code in accordance with the *Safety Codes Act* for the County.

## **9.5 Development near Highways**

**9.5.1** The Development Officer must refer development permit applications to Alberta Transportation where the application affects land adjacent to or within 300.0 m (984 ft) of a highway right-of-way or within 800 m of the centerline of a highway and public road intersection. (*amended by Bylaw 2019/55*)

**9.5.2** The Development Officer must have regard to any comments provided by Alberta Transportation for development permit application that affects land adjacent to or within 300.0 m (984 ft) of a highway right-of-way within 800 m (2,624 ft) of the centerline of a highway and public road intersection. (*amended by Bylaw 2019/55*)

## **9.6 Confined Feeding Operations and Intensive Animal Operations**

**9.6.1** Confined Feeding Operations (CFOs) are regulated by the *Agricultural Operations Practices Act* (AOPA) and under the jurisdiction of the Province. As such, CFOs are required to obtain provincial permits as regulated by AOPA and associated regulations; however, it is the County's intent that any negative effect from CFOs should be minimized. The *Municipal Government Act* requires the municipality to identify where new CFOs should locate. (*amended by Bylaw 2019/44*)

- 9.6.2** An Intensive Livestock Operation is a Confined Feeding Operation that is smaller than the threshold size that falls under Provincial jurisdiction, as determined by the Provincial guideline.
- 9.6.3** For Intensive Livestock Operations, the Minimum Distance Separation (MDS) set out in the regulations under AOPA should be maintained.
- 9.6.4** For Intensive Livestock Operations, the Minimum Distance Separation is determined by using the threshold level of the animal or the combined effects of the different kind of animals that are kept on one premise.
- 9.6.5** New Intensive Livestock Operations shall obtain development permits from the County.
- 9.6.6** Existing Intensive Livestock Operations shall obtain a new permit when:
- a) changing the category or the number of animals; or
  - b) increasing the amount of manure produced beyond the existing approval.
- 9.6.7** A development permit for an existing, expanding or proposed Intensive Livestock Operation may be refused if the proposed development is likely to have a negative effect on a watercourse or lake. In determining such proposals, the applicant may include an environmental inspection report from a qualified intensive livestock engineer representing Alberta Agriculture or Forestry (or successor).
- 9.6.8** The Development Officer may request an environmental assessment before issuing a development permit for any expanded or proposed Intensive Livestock Operation.
- 9.6.9** In accordance with Objective 1.4 of the County's Municipal Development Plan, a development permit for an existing, expanding or proposed intensive livestock operation may be refused if the proposed development is within:
- a) 2.4 km (1.5 mi) from the boundary of a City, Town, Village, Hamlet, Summer Village or a school or hospital;
  - b) Under no circumstances can a new CFO be located within 1.6 km (1 mi) of the following named lakes: Battle Lake, Buck Lake, Coal Lake, Pigeon Lake, Red Deer Lake, Wizard Lake and Twin Lakes; or
  - c) All other unspecified environmental features, including but not limited to lakes not specified in (b), wetlands, and watercourses shall have setbacks in accordance with *Alberta Operation Practices Act* and Regulations (AOPA) as amended.
- 9.6.10** Land within identified drainage basins 2.4 km (1.5 mi) around named lakes (as referred to in the Municipal Development Plan) may not be used for manure disposal unless sufficient protection measures are proposed by the operator to prevent manure runoff negatively affecting such lakes. In accordance with the County's jurisdiction regarding Intensive Livestock Operations (ILO). (*amended by Bylaw 2019/44*)

**9.6.11** A new intensive livestock operation shall be separated from a third party's existing residence by the Minimum Distance Separation (MDS) set out in the regulations under AOPA, for the smallest size of that type of operation.

(Example: 300 head is the smallest beef finisher operation recognized as a CFO. The MDS for that size of operation to a single residence is 245 m (804 ft). Therefore, 245 m (804 ft) is the MDS for any beef finisher operation that qualified as an intensive livestock operation under the Bylaw definition above).

**9.6.12** A new residence is not permitted within the Minimum Distance Separation of an existing Confined Feeding Operation/Intensive Livestock Operation, unless the residence is associated with the operation or the applicant has provided a written waiver to the satisfaction of the Development Officer.

**9.6.13** Within the Millet-Wetaskiwin Acreage Study Area, the setback distance outlined in Section 9.6.12 may be relaxed by up to 25% of the minimum distance separation required by the Alberta Agricultural Code of Practice (AOPA). (*amended by Bylaw 2019/44*)

## **9.7 Moved-In Buildings**

**9.7.1** Any person who applies to move a building onto a lot as a principal or accessory building must:

- a) apply for a development permit;
- b) inform the Development Officer of the present location and use of the building.

**9.7.2** The Development Officer may inspect the building or, at the applicant's expense, make arrangements to have the building inspected to assess the structural integrity of the building and its suitability for the proposed use.

**9.7.3** The Development Officer may require the applicant to repair and/or upgrade the building and prepare the proposed building site as a condition of issuing a development permit.

**9.7.4** The Development Officer may require photographs or other acceptable description to provide to persons who may inquire about the quality of the building.

## **9.8 Number of Dwellings on a Lot**

**9.8.1** No person is allowed to construct or locate or cause to be constructed or located more than one principal dwelling on a lot or parcel unless otherwise authorized by this Bylaw.

**9.8.2** Notwithstanding Section 9.8.1, the Development Officer may issue a development permit to:

- a) Permit the construction or location of a secondary dwelling on a parcel with a minimum area of 32.3 ha (80 ac) where the dwelling is a permitted or discretionary use for the district; (*amended by Bylaw 2019/55*)

- b) permit the construction or location of a second dwelling on a parcel that is a minimum of 28.3 ha (70 ac) in size only if:
  - i. An 32.0/32.0 ha (80/80 ac) split has occurred and the titled area of the quarter was less than 64.7 ha (160 ac); and/or
  - ii. An 32.0/32.0 ha (80/80 ac) split has occurred and due to physical features of the land one parcel was created larger/smaller than the other (this includes the “soft 80” concept); and/or
  - iii. An 32.0/32.0 ha (80/80 ac) split has occurred and either highway or road widening or a service road dedication was required
- c) permit the placement of a second dwelling, being solely a mobile dwelling, on an agricultural parcel less than 28.32 ha (70 ac) for the purpose of accommodating a person hired by the operator of an intensive agricultural operation, an intensive livestock operation or confined feeding operation for a minimum period of six consecutive months (183 consecutive days). The mobile dwelling shall be removed when it is no longer being used for the purpose stated herein or upon the expiry of any associated development permit authorizing said use;
- d) permit the placement of a second or third dwelling, being solely a mobile dwelling, on an agricultural parcel with a minimum area of 28.32 ha (70 ac) for the purpose of accommodating one or two persons (one per dwelling) hired by the operator of an intensive agricultural operation, intensive livestock operation or confined livestock operation, for a minimum period of six consecutive months (183 consecutive days). The mobile dwelling(s) shall be removed when it is no longer being used for the purpose stated herein or upon the expiry of any associated development permit authorizing said use;
- e) permit the placement of a third or fourth dwelling, being solely mobile dwelling, on an agricultural parcel with a minimum area of 28.32 ha (70 ac) for the purpose of accommodating persons hired by the operator of a confined feeding operation, with an NRCB registration/approval, for a minimum period of six consecutive months (183 consecutive days). The mobile dwelling(s) shall be removed when it is no longer being used for the purpose stated herein or upon the expiry of any associated development permit authorizing said use;
- f) in accordance with Sections 9.8.2 a), b) and c), permit the placement of a second dwelling, being solely a mobile dwelling, on a lot not designated as Lakeshore Residential District, Lakeshore Mixed Use District, Recreational Resort Holdings District, Mixed Recreational Residential District, Urban Residential District, or Country Residential District, in a Multi-Lot Residential Subdivision only, if the second mobile dwelling is a permitted or discretionary use and shall be used by a person(s) who require(s) full-time care being provided by the primary resident of the parcel. Such person must provide detailed written reasons from a physician. The mobile dwelling(s) shall be removed when it is no longer being used for the purpose stated herein or upon the expiry of any associated development permit authorizing said use;

permit the construction or location of a building with two or more dwelling units where the building is a permitted or discretionary use for the district. (*Section 9.8.2 amended by Bylaw 2019/44*)

**9.8.3** Notwithstanding 9.8.1, two existing dwellings may be subdivided together on a single lot when the subdivision is the first or second parcel from a quarter section. The dwellings shall be considered conforming for the purposes of this bylaw. If either dwelling is removed, it may not be replaced except in conformance with this bylaw. (*Section 9.8.3 amended by Bylaw 2023/33*)

## **9.9 Secondary Suites**

a) A lot shall:

- i. be limited to one secondary suite; and
- ii. not be subdivided for the purpose of separating a title for a secondary suite. The restriction of subdivision shall be fundamental to the secondary suite use.

b) A secondary suite shall:

- i. be an accessory use to the principal dwelling;
- ii. have a maximum floor area of:
  - a. 80 m<sup>2</sup> (861.11 ft<sup>2</sup>) within the Urban Residential (UR) and Lakeshore Residential (LR) districts; or,
  - b. 115 m<sup>2</sup> (1238 ft<sup>2</sup>) outside the Urban Residential (UR) and Lakeshore Residential (LR) districts;
- iii. comply with all applicable Alberta Safety Codes and any other applicable Municipal and Provincial regulations;
- iv. be provided with off-street parking and not interfere with on-street or adjacent landowners parking; and
- v. where applicable, not be considered in the maximum density described for the neighbourhood in which it is located or the number of dwellings on a lot.

c) Notwithstanding b) ii., the Development Officer may approve a secondary suite located in the basement of a principal dwelling that exceeds the maximum floor area. (*Section 9.9 amended by Bylaw 2023/33*)

## **9.10 Setbacks**

The following setback standards apply in all districts except where noted otherwise.

### **9.10.1 Front yard:**

All development shall be located at least:

- a) 40 m (131 ft) from the property line abutting a highway (see Figure 2); and

- b) 40.0 m (131 ft) from the property line abutting all other roads excepting internal subdivision roads (see Figure 2); and
- c) 8.0 m (26 ft) from the property line abutting internal subdivision roads, service road, or service road dedication (see Figure 2). *(amended by Bylaw 2019/44)*

*(Section 9.10.1 a) amended by Bylaw 2020/63)*

**9.10.2 Side Yard:**

5.0 m (16 ft) This setback shall not be varied less than 2.44 m (8 ft.) unless approved Alberta Safety Code fire ratings are met to allow wall or respective building materials to reduce distance. *(amended by Bylaw 2019/44)*

**9.10.3 Rear yard:**

10.0 m (33 ft).

**9.10.4** For parcels of land including or adjacent to a bank break, no development may be located within 30.0 m (98 ft) of a bank break unless approved otherwise under the Variance Provisions of this Bylaw.

**9.10.5 Sight Lines:**

- a) obstructions to visibility are not allowed within 10.0 m (33 ft) of the property line abutting a highway, secondary highway or road, excepting internal subdivision roads (see Figure 2);
- b) obstructions to visibility are not allowed within 3.0 m (10 ft) of the property line abutting an internal subdivision road; and
- c) obstructions to visibility and no access are allowed within the “sight triangles” as shown on Figure 2 at the junction of roads and/or highways.

**9.10.6** Setbacks governing sour gas facilities, oil and gas wells and setbacks from wastewater treatment facilities, waste sites and landfills shall be as provided for in the Regulation. *(amended by Bylaw 2022/66)*

**9.10.7 Projections into Yard Setbacks:**

- a) Projections into any yard setback must comply with the requirements of the Alberta Building Code.
- b) The following may project any distance into a yard setback, provided existing lot drainage and the natural drainage pattern are not affected, and the projection does not create an off-site impact:
  - i. Driveway, curbs, sidewalks, concrete patios, or any other hard surfacing less than 0.6 m (2 ft) in height;
  - ii. Off street parking;

- iii. Mailboxes, flagpoles, family signs, retaining walls, raised flower beds, and landscaping features such as water fountains, decorative rocks or other similar landscaping features;
    - iv. Lot grading.
  - c) Wheelchair ramps may project into any yard setback at the discretion of the Development Officer
  - d) Cooling/air conditioning units may project a maximum of 0.91 m (3 ft) into any yard setback.
  - e) Unenclosed steps, landings, and stairs, and uncovered/opened balconies, terraces, verandas, and decks may project a maximum of:
    - i. 0.6 m (2 ft) into a yard setback less than 4.0 m (13.1 ft);
    - ii. 1.8 m (6 ft) into a yard setback of 4.0 m (13.1 ft) to 7.5 m (24.6 ft);
    - iii. 3.05 m (10 ft) into a yard setback greater than 7.5 m (24.6 ft).
  - f) Windowsills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar features may project a maximum of 0.6 m (2 ft) into any yard setback, provided there is no encroachment onto an easement or utility right-of-way.
  - g) A cantilever which provides additional interior space may project a maximum of 0.6 m (2 ft) into any yard setback, but in all cases at least 1.2 m (3.9 ft) shall be maintained between the wall designed with the cantilever and the lot line.
  - h) Utilities, underground parking, and similar structures constructed entirely beneath the surface of the ground may project into any yard setback provided such underground projections and the projections are covered by sufficient soil depth or surface treatment to foster landscaping.

*(Section 9.10.7 amended by Bylaw 2022/66)*

### **9.10.8 Resource Extraction Setbacks:**

- a) Resource extraction operation types A and B shall have no required side yard setback where the affected parcels of land are under the same ownership or where a letter of permission has been obtained waiving the setback requirement from the adjoining owner(s). If the adjoining lands are publicly owned lands the applicable district setbacks shall be applied unless approval is obtained from the appropriate governing body of the lands.
- b) Resource extraction operation types A and B shall abide by the front yard setback requirements of the applicable land use district for stock piling and mining in cases where there is a developed road within the road allowance and where the mining will occur at an elevation of three (3) ft or less above the bottom and the adjoining County ditch system. Where adjacent to a Provincial Highway, the setback shall be determined by Alberta Transportation.

- c) Where there is an undeveloped road allowance, mining and stockpiling may occur up to and within the road allowance but shall be at the discretion of the County's Public Work's department as well as Alberta Transportation. Further, it may be requested that reclamation of the mined road allowance not contain a future waterbody.
- d) Resource extraction operation types A and B shall have no required rear yard setback where the affected parcels of land are under the same ownership or where a letter of permission has been obtained waiving the setback requirement from the adjoining owner(s). If the adjoining lands are publicly owned lands the applicable district setbacks shall be applied unless approval is obtained from the appropriate governing body of the lands.

*(Section 9.10.8 was amended by Bylaw 2019/44)*

### **9.10.9 Fence Setbacks:**

- a) Fences, gates, and walls that do not require a development permit as specified by the conditions outlined within Section 3.2 will have no setback requirements to property lines but must remain on private property;
- b) Fences, gates, and walls that do require a development permit will have setback requirements (up to and including a 100% relaxation to an adjacent property line) that shall be at the discretion of the development authority.

*(Section 9.10.9 was amended by Bylaw 2019/44)*

## **9.11 Signs**

### **General Sign Regulations**

**9.11.1** Development permits are required for signs with the exception of:

- a) one (1) sign located on a single lot more than 300.0 m (984 ft) from the right-of-way of a highway or road and 1.2 m (4 ft) by 0.6 m (2 ft) in size or less;
- b) signs for an election campaign posted sixty (60) days before and five (5) days after the relevant federal, provincial or municipal election date;
- c) signs posted for a community event or auction posted fourteen (14) days before the date the event or auction occurs and removed on the day after the event or auction;
- d) signs offering for sale or rent the lot or parcel on which the sign(s) is posted; and
- e) signs for municipal, municipal public works, emergency, or Alberta Transportation purposes.

**9.11.2** All content on erected signs must be relevant to the land use and/or land ownership on which the sign is located.

**9.11.3** A maximum of one (1) sign per lot is permitted.

- 9.11.4** All signs shall be discretionary.
- 9.11.5** The maximum size of a sign that is not within either a commercial or industrial district, shall be no greater than 8.9 m<sup>2</sup> (96 ft<sup>2</sup>)
- 9.11.6** The maximum size of a sign within either a commercial or industrial district shall be no greater than 12.0 m<sup>2</sup> (130 ft<sup>2</sup>).
- 9.11.7** Applications for illuminated or animated signs will be considered on a case-by-case basis. A permit may be granted, provided that:
- a) the sign conforms to all other regulations in this Bylaw; and
  - b) the illumination or animation will not cause safety hazards or interfere with the use or enjoyment of any adjacent properties, as per the discretion of the Development Officer.
- 9.11.8** The Development Officer may consult with adjacent landowners, adjacent municipalities, and any other external agencies including, Alberta Transportation and AER, before making a decision on an application for a development permit for a sign.
- 9.11.9** Where this Bylaw does not provide the Development Officer with sufficient direction as to the location of a sign in a given part of the County, the Development Officer may issue a development permit for a sign but must treat the sign as a discretionary use under the Bylaw.
- 9.11.10** The Development Officer may issue a development permit for any sign that is not specified in this Bylaw as a discretionary use.
- 9.11.11** The Development Officer will not approve a development permit for a commercial sign within 3.0 km (1.8 mi) of the boundary of the City of Wetaskiwin unless the proposed sign has all other relevant approvals, including provincial approval.
- 9.11.12** sign shall be placed within 300.0 m (984 ft) of a provincial highway or 800.0 m (1/2 mi) of an intersection with a provincial highway without prior approval from Alberta Transportation.
- 9.11.13** Any signs, including signs attached to or towed by vehicles, including tractor trailers or similar units approved under previous Bylaws, shall not receive grandfather status if signs have been or are changed after the original approval. The owner of the property on which the sign is located must either remove the sign or apply for a development permit upon the passing of this Bylaw. Unauthorized signs may be subject to any orders, fines, fees, charges or penalties issued by the County. **Note:** Exceptions may be granted to exchangeable letter board signs.
- 9.11.14** The use of Tractor Trailer signs shall not be permitted as an acceptable method of advertising or displaying signs. Only Tractor Trailer signs which have valid approval from Alberta Transportation and the County may be considered grandfathered and may remain at their current location, subject to Section 9.11.13 above.

- 9.11.15** All signs shall be kept in a safe, clean and proper condition, and may be required to be renovated or removed if not properly maintained.
- 9.11.16** Removal, replacement or reconstruction of any sign requires approval by the County. The existence of a sign at a location does not entitle the automatic continued approval of a sign at that location when the original sign is to be removed, replaced or reconstructed.
- 9.11.17** All signs shall be securely built, constructed and erected to conform to the standards set forth in this Bylaw and the current Alberta Safety Codes, as applicable.
- 9.11.18** Every sign owner shall permit the Development Authority to inspect the owner's premises at any reasonable time for the purpose of administering or enforcing this Bylaw.
- 9.11.19** A sign that is a danger to public safety, traffic or property that does not conform to Section 9.10.1 shall be removed immediately at the sign owner's expense. If the person responsible for the sign cannot be identified, the Development Officer may remove the sign.
- 9.11.20** No additions to any existing permitted sign are allowed, unless a new permit is issued for such addition.

## **9.12 Safety and Suitability of Sites**

- 9.12.1** Notwithstanding that use of land may be permitted or discretionary in a land use district,
- a) the Subdivision Authority may refuse to approve the subdivision of a lot, or
  - b) the Development Officer may refuse to issue a development permit,
  - c) if, in the Authority's opinion, the site of the proposed building or use is not safe or suitable for the proposed building or use.
- 9.12.2** A site is deemed unsafe or unsuitable if it
- a) does not have safe legal and physical access to a maintained road;
  - b) is subject to more than a 1% annual risk of flooding, using methods acceptable to Alberta Environmental Protection;
  - c) has a high water table which makes the site unsuitable for foundations and sewage disposal systems;
  - d) consists of muskeg or unconsolidated material unsuitable for building;
  - e) is situated on an unstable slope;
  - f) is closer than 100.0 m (328 ft) (or such lesser distance as the Alberta Energy Regulator (AER) may approve in writing) to an oil or gas well or pipeline;
  - g) is within the setback distance required by the AER from a sour oil or gas facility;

- h) is situated over an active or abandoned coal mine or oil or gas well or pipeline;
- i) would expose the structure itself, and/or the people living and working there, to risk from the operations of a nearby airstrip;
- j) is unsafe due to contamination by previous land uses;
- k) has an inadequate or unsafe water supply;
- l) is closer to a confined feeding operation or manure storage facility than the minimum separation distance set out in the regulations under AOPA, for the smallest size of that type of operation.

(Example: 300 head is the smallest beef finisher operation recognized as a CFO. The MDS for that size of operation to a single residence is 245.0 m (804 ft). Therefore, 245 m (804 ft) is the MDS for any beef finisher operation that qualified as an intensive livestock operation under the Bylaw definition above).

- m) would materially interfere in the natural and economic expansion of an existing agricultural operation or its proposed expansion;
- n) 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
- o) is subject to any easement, caveat, restrictive covenant, or other registered encumbrance which makes it impossible to build on the site.

**9.12.3** The Subdivision Authority or Development Authority may approve a subdivision or development permit if the Authority is satisfied that there is no risk to persons or property, or that these concerns will be met by appropriate measures.

## **9.13 Water Supply Standards**

**9.13.1** The County may require developers to prove out an adequate water supply before approving an application for subdivision or a development permit application. The Province of Alberta *Water Act* (2000) requires that 1,250 m<sup>3</sup>/year be available per household in a rural subdivision in order to avoid interference between existing household and/or traditional agricultural users in the area.

**9.13.2** For the proposed subdivision of single lots in rural areas for residential use, groundwater must provide the water supply unless otherwise provided by a municipally and provincially approved water system.

**9.13.3** Cisterns may be allowed only in a previously subdivided lot:

- a) as an addition to a well with a low production rate; or
- b) as the sole source of supply in areas of the County where a well would be prohibitively expensive, as determined by the County.

- 9.13.4** Dugouts may not be permitted for residential uses.
- 9.13.5** For the proposed subdivision of a lot for an existing farm site and related improvements, an existing water well(s) may be accepted as proof of an adequate water supply. If the well(s) does not provide an adequate water supply, the developer may be required to have the well tested by a licensed water well driller.
- 9.13.6** For the proposed subdivision of two to five lots (including the accumulation or result of subdivision) from a quarter section or its development equivalency, an existing well may be tested or a new well may be drilled by a licensed water well driller and/or report by a hydrological engineer to prove adequate water supply exists, as determined in this section.
- 9.13.7** For medium to high density residential uses and all other uses, supply standards may be decided through consultation with a hydrological engineer and relevant agencies, including Alberta Environmental Protection, Alberta Agriculture and Rural Development, and the Fire Adviser - Alberta Labour.
- 9.13.8** For the purpose of Section 9.13.5, Section 9.13.6 and Section 9.13.7 above, the well driller's or hydrological engineer's report must be submitted to the County and must show a minimum two-hour pump test, a minimum production level of 0.5 imperial gallons per minute (igpm), impact on adjacent well drawdown and a minimum recovery rate of 90%.
- 9.13.9** Development permit or subdivision applications for uses which require large quantities of water may not be allowed if, in the opinion of the Development Officer, they will have a negative effect on the water supply of adjacent landowners.

## 9.14 Parking and Loading

- 9.14.1** The following on-site parking provisions apply to all districts. The minimum number of on-site vehicle parking stalls required for each use is specified in the following table:

Use	Required Parking Stalls
Business	
Abattoir	1.0 per 100.0 m <sup>2</sup> ground floor area (GFA)
Business Service	3.4 per 100.0 m <sup>2</sup> GFA
Equestrian Centre Oilfield Service Business	As determined by Development Officer
Greenhouse	1.0 per 30.0 m <sup>2</sup> GFA
Kennel	1.0 per 25.0 m <sup>2</sup> GFA
Personal Service Veterinary Clinic	1.0 per 40.0 m <sup>2</sup> GFA
Public	
Cemetery	10.0 per ha

Community Hall	1.0 per 10 seats
Education Facility Elementary/Junior High High School	1.0 per 10 students 1.0 per 5 students
Funeral Service	1.0 per 5 seats of public seating, plus 1 stall per funeral home vehicle
Government Services Public Park Public Utility Rest Area	As determined by Development Officer
Place of Worship	1.0 per 10 seating spaces
Recycling Depot	1.0 per 100.0 m <sup>2</sup> GFA
Retail and Service	
Casino	1.0 per 5 seats or 1.0 per 10.0 m <sup>2</sup> GFA used by patrons
Bulk Fuel Dealer	As determined by Development Officer
Convenience Store Retail Store Retail Liquor Store Cannabis Retail Store ( <i>amended by Bylaw 2022/14</i> )	Below 2,000.0 m <sup>2</sup> GFA: 2.2 per 100.0 m <sup>2</sup> ; 2,000 to 20,000.0 m <sup>2</sup> GFA: 3.2 per 100.0 m <sup>2</sup> ; or Above 20,000.0 m <sup>2</sup> GFA: 4.3 per 100.0 m <sup>2</sup>
General Contractor	1.0 per 100.0 m <sup>2</sup> GFA; or 3 per tenant or establishment
Farm Supply and Services Dealer RU/OHV Dealer and/or Storage	1.0 for every inventory vehicle on the lot
Heliport	As determined by Development Officer
Restaurant	1.0 per 4 seats
Motor Vehicle Sales	per every inventory vehicle
Vehicle Repair Business	per 2 service bays
Warehousing, Storage and Distribution	1.0 per 100.0 m <sup>2</sup> GFA up to 2000.0 m <sup>2</sup> plus 1 per additional 500.0 m <sup>2</sup>
Service Station	1 per 100.0 m <sup>2</sup> GFA, and not less than 3 per establishment

Industrial	
Auto Wrecking Yard	As determined by Development Officer
All Other Industrial Uses: Manufacturing and Processing Operation Resource Extraction Operation Type A Resource Extraction Operation Type B Resource Processing Operation	1 per 100.0 m <sup>2</sup> GFA, and not less than 3 per tenant or establishment
Residential	
Low Density Dwellings, including: Dwelling, Detached Dwelling, Mobile Dwelling, Modular Dwelling, Moved-in Dwelling, Side-by-Side	2.0 per dwelling unit
Group Home	1.0 per 4 beds plus where applicable, plus 1.0 per 2 employees
Higher Density Dwellings, including: Dwelling, Communal Dwelling, Multiple Dwelling, Vertical	1.0 per 1-bedroom dwelling unit, 1.5 per 2-bedroom dwelling unit, and 2.0 per 3+ bedroom dwelling unit; plus 1.0 visitor stall for every 7 dwelling units
Home Occupation	1.0 additional stall plus total required parking stalls for primary dwelling unit
Mobile Home Park	1.0 per dwelling, plus 1.0 visitor stall for every 4 dwellings
Seniors/Supportive Living Complex	1.0 per 4 sleeping units
Show Home	4.0 per 100.0 m <sup>2</sup> GFA

Accommodation	
Campground	1.0 per camping space plus 1.0 visitor stall for every 7 camping spaces
Bed and Breakfast	1.0 per guest room plus total required parking stalls for primary dwelling unit
Guest Cabin	1.0 per guest room
Hotel Motel	per guest room plus 1.0 per 3 employees on maximum shift plus parking required for associated accessory use
Recreational Units (RU) Development	1.0 per RV lot plus 1.0 visitor stall for every 7 lots
Recreational	
Golf Course	5.0 per hole plus parking for associated accessory use
Marina	1.0 per 2 boat spaces
Other Recreational Business Recreational, Commercial Recreational, Extensive	As determined by Development Officer

**9.14.2** Where a fractional number of parking stalls are required, the next highest number of stalls shall be provided.

**9.14.3** Where a development is likely to attract a high volume of traffic, the Development Officer may require more parking.

**9.14.4** Where a use is not specified above, the number of stalls provided shall be the same as for a similar use as determined by the Development Officer.

**9.14.5** Where development on a lot includes more than one use, the required number of parking spaces shall be the sum of the requirements for each of the uses.

**9.14.6** Notwithstanding the above, the parking requirement may be relaxed where, in the opinion of the Development Officer, sufficient parking is available:

- a) on-street without causing congestion;
- b) in nearby public parking lots; or
- c) in private parking on-site or nearby that can be shared with other uses.

**9.14.7** A loading space shall be provided entirely within the lot boundaries. Adequate space for loading and unloading shall be provided and maintained to the satisfaction of the Development Officer.

**9.14.8** Each required stall shall conform to the following provisions:

- a) Each required stall be a minimum of 3.0 m (10 ft) in width and a minimum of 5.5 m (18 ft) in length, exclusive of access driveways, aisles, ramps, columns, or work areas;
- b) Parallel parking stalls shall be a minimum of 7.0 m (23 ft) in length, except those located in an end, which space with an open end shall be a minimum of 5.5 m (18 ft);
- c) Parking stalls for the physically disabled shall be a minimum of 3.9 m(13 ft) in width;
- d) Recreational Units stalls shall be a minimum of 3.3 m (11 ft) in width and a minimum of 7.0 m(23 ft) in length;
- e) Each required stall shall have a vertical clearance of at least 2.0 m (7 ft); and
- f) Aisles serving on-site parking space shall be a minimum of 7.0 m (23 ft) wide for 90° parking, 5.5 m (18 ft) wide for 60° parking; and 3.6 m (12 ft) wide for 45° parallel parking.

## **9.15** **Objects Restricted on the Site**

**9.15.1** No person shall keep or permit in any district:

- a) any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the district; or
- b) any excavation, storage or piling up of materials required during the construction stage, unless all necessary safety measures are undertaken and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work; or
- c) in the Country Residential (CR) district, no permanent structure, including accessory buildings, corrals, or holding and feeding facilities for animals, shall be located in the front yard unless approved by the Development Officer.

## **9.16** **Home Occupation**

**9.16.1** Home Occupations within this Bylaw have been categorized either as Onsite or Offsite use. Both Onsite and Offsite then are broken up into different types (1, 2 or 3) depending on their intensity as defined in the definition section and listed in the respective Land Use Districts. (*amended by Bylaw 2019/55*)

## **9.17 Uses Compatible with Agriculture Use**

**9.17.1** In this Bylaw, the following are considered to be uses compatible with agricultural uses:

- a) any land which is in agricultural production;
- b) sloughs and watercourses;
- c) pens and livestock feedings areas;
- d) any planted or natural shelterbelt situated more than 100.0 m (328 ft) from a dwelling; or
- e) barns and outbuildings situated more than 100.0 m (328 ft) from a dwelling.

## **9.18 Accessory Buildings**

**9.18.1** An accessory building shall not be used for human habitation unless approved by the Development Officer.

**9.18.2** An accessory building shall not be located in the required front yard unless approved by the Development Officer.

### **9.18.3 Residential Accessory Buildings**

- a) The maximum combined floor area of accessory buildings on a site 0.40 ha (1 ac) or less shall be 140 m<sup>2</sup> (1506 ft<sup>2</sup>) and the wall height of the accessory buildings shall not exceed 4.26 m (14 ft) unless approved by the Development Officer.
- b) The maximum combined floor area of accessory buildings on a site greater than 0.40 ha (1 ac) shall not exceed 3.5% of the titled area of the lot, with no one building larger than 4,000 ft<sup>2</sup> and a maximum cumulative square footage of 6,000 ft<sup>2</sup>, and the wall height of the accessory buildings shall not exceed 4.88 m (16 ft) unless approved by the Development Officer.
- c) Notwithstanding a) and b) above, the cumulative total of accessory and principal buildings on a site shall not exceed the maximum site coverage as specified in the zoning district.
- d) Notwithstanding a) and b) above, the overall height of an accessory building shall not exceed the maximum height as specified in the zoning district.

### **9.18.4 Non-Residential Accessory Buildings**

- a) The development regulations for principal buildings in a zoning district shall apply to non-residential buildings.

*(Section 9.18 amended by Bylaws 2019/55, 2020/63, 2022/66)*

## 9.19 Mobile Vendors

- a) Prior to operation of the Mobile Vendor, the applicant must receive approval from the County by applying for a Request to Operate Business letter.
- b) A comprehensive operation plan must be provided to the satisfaction of the Development Authority outlining the goods to be sold, location(s) of the operation base, details of solid waste and wastewater disposal and management, provisions for signage, and hours of operation.
- c) The vendor shall not conduct or locate business in such a way that would restrict or interfere with the ingress or egress of the adjacent property owner(s) or constitute an obstruction to adequate access by emergency vehicles.
- d) The mobile vendor and its operations shall not cause any vehicular or pedestrian obstructions or hazards.
- e) Mobile vendors must obtain all applicable Federal, Provincial, and Alberta Health Services regulations, permits and approvals.
- f) Mobile vendor operations shall not create any disturbance or nuisance, including but not limited to noise, vibration, smoke, dust, odour, air pollution, heat, glare, bright light, hazardous or unacceptable waste. Lights, sounds or actions which may be a distraction for motorists and/or pedestrians are not permitted.
- g) The Mobile vendor shall be responsible for providing solid waste collecting facilities (garbage cans/bins) and ensuring that all litter and waste associated with Mobile Vendor is cleaned up to the satisfaction of the Development Authority.
- h) Mobile Vendors shall not conduct any sales from lands that are zoned for the primary use of residential (ie. Lakeshore Residential and Country Residential). Further, sales shall not be conducted from County owned property unless involved within larger events (ie. rodeos, fairs, ball tournament) which are as a whole authorized directly by the County or at the direction of the Lessor of the County Facility, e.g. Community groups.

*(Section 9.19 was amended by Bylaw 2019/44)*

## 9.20 Outhouse Use, Installation, & Approval

**9.20.1** Lots described below, will be prohibited from having earthen pit privies.

- a) Smaller than 0.4 ha (1 ac) within multi-lot subdivisions;
- b) Zoned as Lakeshore Residential, Mixed Recreational Residential, and Urban Residential; or
- c) Located within a Hamlet of the County of Wetaskiwin;

**9.20.2** Instalment of any other onsite private septic system is to be in accordance with the Alberta Private Sewage Systems Standard of Practice, the County's Wastewater Bylaw and any other applicable Policy or Bylaw.

**9.20.3** In this regard, only privies with an approved tank acceptable under the Alberta Private Sewage Systems Standard of Practice will be allowed, subject to all other applicable bylaws and regulations.

*(Section 9.20 amended by Bylaw 2020/63)*

## **9.21 Golf Netting**

**9.21.1** Construction, maintenance, improvement or placement of golf netting, subject to:

- a) The maximum height of all golf netting shall not exceed 6.09 m (20 ft);
- b) Must be constructed out of a fine netting material with squares not exceeding 22 mm in size and must either be black or dark green in colour;
- c) Only lots directly adjacent to a golf course will be approved for the development of Golf Netting along the property line adjacent to the golf course as well as the side yards of the lot, at the discretion of the Development Officer, which are perpendicular to the golf course; and
- d) Golf Netting height shall be viewed independently from any other height restrictions listed within this Bylaw.

*(Section 9.21 was added by Bylaw 2021/60)*

## **9.22 Cannabis**

**9.22.1** Cannabis Retail Stores may not have any part of an exterior wall that is located within 100 m of:

- a) A provincial health care facility or a boundary of the parcel of land on which the facility is located;
- b) A building containing a school or a boundary of a parcel of land on which the building is located; or
- c) A boundary of a parcel of land that is designated as school reserve or municipal and school reserve under the *Municipal Government Act*;
- d) Reciprocally, a provincial health care facility, school or a boundary of a parcel of land that is designated as a school or municipal reserve shall not be located within 100 m of an existing Cannabis Retail Store.

*(Section 9.22 was amended by Bylaw 2022/14)*

# Section 10 District Regulations

## **10.1 Agricultural District (AG)**

### **10.1.1 Purpose**

The purpose of the Agricultural District (AG) is to maintain and preserve land for productive agricultural uses and to allow for limited subdivision and development for residential use compatible in the farming community.

### **10.1.2 Permitted Uses**

- a) Agriculture, Extensive
- b) Dwelling, Detached
- c) Dwelling, Mobile – New
- d) Dwelling, Modular – New
- e) Intensive Livestock Operation - situated at least 400.0 m (1312 ft) away from any land not districted as Agricultural or Severed Agricultural
- f) Dwelling, Moved-in-New (*amended by Bylaw 2019/44*)
- g) Buildings and uses accessory to the above

### **10.1.3 Discretionary Uses**

- a) Dwelling, Communal
- b) Dwelling, Moved-in- Used (*amended by Bylaw 2019/44*)
- c) Dwelling, Mobile – Used
- d) Dwelling, Modular – Used
- e) Secondary Suite
- f) Agricultural, Intensive
- g) Intensive Livestock Operation - within 400.0 m (1312 ft) of any land not classified as Agricultural or Severed Agricultural under this Bylaw
- h) Tree Farm
- i) Bed and Breakfast
- j) Industry Work Camp
- k) Kennel
- l) Public Utility
- m) Public or Quasi-Public Use

- n) Resource Extraction Operation Type A
- o) Resource Extraction Operation Type B
- p) Resource Processing Operation
- q) Recreational, Extensive
- r) Abattoir
- s) Greenhouse
- t) Veterinary Clinic
- u) Equestrian Center
- v) Recreational Units Use (greater than 32.0 ha (80 ac), where no dwelling exists – maximum 3 year permit. If the landowner wishes the use to continue, they must re-apply for the use prior to the expiry of the permit).
- w) Apiary (*amended by Bylaw 2019/44*)
- x) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- y) Offsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- z) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- aa) Onsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- bb) Onsite Home Occupation (Type 3) (*amended by Bylaw 2019/55*)
- cc) Market Garden (*amended by Bylaw 2019/55*)
- dd) Buildings and uses accessory to the above

#### **10.1.4 Parcel size**

The minimum size for a parcel intended to be used for extensive agriculture is 32.0 ha (80 ac), but this minimum size may be relaxed:

- a) to allow a parcel to follow natural boundaries;
- b) to allow for existing or proposed subdivisions for public or quasi-public purposes;  
or
- c) proportionally where the original quarter section title was less than 64.7 ha (160 ac).

The minimum size for a parcel intended to be used for an intensive agricultural operation shall be at the discretion of the Subdivision Authority, who may consult with appropriate specialists from the Province or consult with the Director or Agricultural Services for the County.

### **10.1.5 Setbacks**

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 m (16 ft)
- c) Rear yard: 10.0 m (33 ft)

### **10.1.6 Number of Lots**

A quarter section may be subdivided to create one of the following:

- a) an existing farm yard site;
- b) a new yard site;
- c) two approximately equal parts;
- d) a natural or severed split;
- e) a subdivision for public purposes (*amended by Bylaw 2023/33*)

**10.1.7** Regulations for the creation of a yard site subdivision shall be as in the Rural Residential district, and, after subdivision, the regulations for Rural Residential apply, even though the land retains its Agricultural zoning. **Note:** Small parcels of land on which the primary use is residential are deemed under this Bylaw to be a Rural Residential use and the standards of that district apply.

### **10.1.8 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

### **10.1.9 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12(g), Recreational Units.

### **10.1.10 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

### **10.1.11 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.2 Severed Agricultural District (SA)**

### **10.2.1 Purpose**

The purpose of the Severed Agricultural District (SA) is to allow a parcel of farm land to be subdivided into two parts or to be defined by a natural split, with both the resulting parcels staying in agricultural use.

### **10.2.2 Definition**

In order for a piece of land to be rezoned to Severed Agricultural it must

- a) have a suitable building site as defined in Section 9.12 of this Bylaw;
- b) have legal and physical access to a maintained road; and
- c) be physically separated from the rest of the quarter by;
  - i. a river or creek which normally flows all summer;
  - ii. a developed public road or highway;
  - iii. a railway;
  - iv. a lake or large slough to which the Crown claims ownership;
  - v. a ravine which is so deep or steep that it is an impossible barrier to farming; or
  - vi. an intervening ownership, where the intervening owner will not allow his land to be used or crossed for farming purposes.

### **10.2.3 Permitted Uses**

- a) Agriculture, Extensive
- b) Dwelling, Detached
- c) Dwelling, Modular – New
- d) Dwelling, Mobile – New
- e) Intensive Livestock Operations - situated at least 400.0 m (1312 ft) away from any land not classified as Agricultural or Severed Agricultural
- f) Buildings and uses accessory to the above uses.

### **10.2.4 Discretionary Uses**

- a) Intensive Livestock Operations - within 400.0 m (1312 ft) of any land not classified as Agricultural or Severed Agricultural under this Bylaw
- b) Agriculture, Intensive
- c) Bed & Breakfast

- d) Dwelling, Modular -Used
- e) Dwelling, Mobile - Used
- f) Dwelling, Moved in
- g) Secondary Suite
- h) Kennel
- i) Public Utility
- j) Resource Extraction Operation Type A
- k) Resource Extraction Operation Type B
- l) Resource Processing Operation
- m) Veterinary Clinic
- n) Recreational Units Use (greater than 80 ac, where no dwelling exists – maximum 3 year permit. If the landowner wishes the use to continue, they must re-apply for the use prior to the expiry of the permit).
- o) Greenhouse
- p) Apiary (*amended by Bylaw 2019/44*)
- q) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- r) Offsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- s) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- t) Onsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- u) Onsite Home Occupation (Type 3) (*amended by Bylaw 2019/55*)
- v) Market Garden (*amended by Bylaw 2019/55*)
- w) Buildings and uses accessory to the above uses

#### **10.2.5 Setbacks**

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 m (16 ft)
- c) Rear yard: 10.0 m (33 ft)

#### **10.2.6 Density of Development**

No more than one residence shall be built or maintained on a parcel.

### **10.2.7 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

### **10.2.8 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

### **10.2.9 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

### **10.2.10 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

### **10.3 Agricultural Hobby Farm (AHF)**

#### **10.3.1 Purpose**

The purpose of this district is to provide for small parcels that exist on poorer agricultural land for residential hobby farm purposes.

#### **10.3.2 Lot Involving Poorer Agricultural Land for Agricultural Hobby Farm**

Lots proposed under this concept must be shown to have:

- a) If required under Policy, an Area Structure Plan;
- b) An area of at least eighty percent (80 %) of the land showing no greater than forty percent (40%) soil rating; (*amended by Bylaw 2019/44*)
- c) Demonstrated compatibility between the proposed land use and existing land uses; and
- d) Any further fragmentation of the remainder is subject to existing policies and Bylaws.

#### **10.3.3 Permitted Uses**

- a) Agriculture, Extensive
- b) Dwelling, Detached
- c) Dwelling, Modular – New
- d) Dwelling, Mobile – New
- e) Buildings and uses accessory to the above uses

#### **10.3.4 Discretionary Uses**

- a) Agriculture, Intensive
- b) Apiary
- c) Bed and Breakfast operations with a maximum of three guest rooms
- d) Dwelling, Detached – Used
- e) Dwelling, Modular – Used
- f) Dwelling, Mobile – Used
- g) Secondary Suite
- h) Equestrian Center
- i) Green Houses

- j) Market Garden
- k) Public Utility
- l) Veterinary Clinic
- m) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- n) Offsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- o) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- p) Onsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- q) Onsite Home Occupation (Type 3) (*amended by Bylaw 2019/55*)
- r) Kennel (*amended by Bylaw 2020/63*)
- s) Buildings and uses accessory to the above uses

### **10.3.5 Setbacks**

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 m (16 ft)
- c) Rear yard: 10.0 m (33 ft)

### **10.3.6 Lot Size**

The minimum and maximum lot size shall respectively be between 2.0 ha (5.0 ac) to 32.4 ha (80.0 ac). (*amended by Bylaw 2020/63*)

### **10.3.7 Density of Development**

No more than one residence shall be built or maintained on a parcel.

### **10.3.8 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

### **10.3.9 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

### **10.3.10 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

### **10.3.11 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.4 Rural Residential District (RR)**

### **10.4.1 Purpose**

The purpose of the Rural Residential District (RR) is to allow for the subdivision and/or development of a single residential parcel on an agricultural quarter section where this is compatible with adjacent land uses.

For the purposes of section 654(2)(b) and 680(2)(b) of the Municipal Government Act:

- Any land which is in agricultural production;
- Sloughs and watercourses;
- Pens and livestock feeding areas;
- Any planted or natural shelterbelt situated more than 100 m from a dwelling; and
- Barns and outbuildings situated more than 100 m from the dwelling are deemed to be agricultural and not residential land uses.

### **10.4.2 Permitted Uses**

- a) Dwelling, Detached
- b) Dwelling, Mobile – New
- c) Dwelling, Modular – New
- d) Buildings and uses accessory to the above

### **10.4.3 Discretionary Uses**

- a) Agriculture, Extensive (limited and compatible with adjacent land uses)
- b) Dwelling, Mobile – Used
- c) Dwelling, Modular – Used
- d) Dwelling, Moved-in
- e) Secondary Suite
- f) Bed and Breakfast
- g) Public or Quasi-Public Use
- h) Veterinary Clinic
- i) Public Utility
- j) Apiary (*amended by Bylaw 2019/44*)
- k) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)

- l) Offsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- m) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- n) Onsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- o) Onsite Home Occupation (Type 3) (*amended by Bylaw 2019/55*)
- p) Market Garden (*amended by Bylaw 2019/55*)
- q) Kennel (*amended by Bylaw 2020/63*)
- r) Buildings and uses accessory to the above

#### **10.4.4 Subdivision Standards - Existing Yard site**

- a) the residential use on the proposed parcel must be compatible with adjacent land uses;
- b) the proposed parcel must have a habitable dwelling, a working water well, an approach to a gravelled County road or developed secondary highway, a driveway, a power pole and transformer, and a private sewer system;
- c) parcel size is to be determined by the minimum number of ac required to include residential improvements but not including any other land or buildings;
- d) provided it does not include any land which is cleared or in production, a proposed lot served by an existing open discharge sewer system may be created large enough to allow open discharge to be used after subdivision.

#### **10.4.5 Subdivision Standards - New or Abandoned Yard site**

- a) the proposed parcel must have a suitable building site;
- b) the proposed residential use must be compatible with adjacent land uses;
- c) the maximum parcel size is 2.02 ha (5 ac);

#### **10.4.6 Subdivision Standards - Second Parcel on a Quarter Section**

- a) the proposed parcel must have a suitable building site;
- b) the proposed parcel must be entirely located on poor agricultural land;
- c) there must be, where possible, a suitable building site on poor agricultural land on the balance of the parcel being subdivided;
- d) the proposed residential use must be compatible with adjacent land uses;
- e) the maximum parcel size is 2.02 ha (5 ac);

#### **10.4.7 Subdivision Standards - Severance**

- a) the proposed parcel must have a suitable building site with both legal and physical public access;
- b) is no greater than 2.13 ha (7 ac) for this district;
- c) the proposed residential use must be compatible with adjacent land uses;

#### **10.4.8 Setbacks**

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 m (16 ft)
- c) Rear yard: 10.0 m (33 ft)

#### **10.4.9 Building Height**

- a) The maximum building height of all buildings shall be 10.0 m (33 ft)
- b) The maximum height of an accessory building shall be 7.9 m (26 ft). (*amended by Bylaw 2020/63*)

**10.4.10** With the exception of hamlets and areas zoned for Country Residential uses, any lot or parcel on which the primary use is a dwelling with private services (e.g. a well, a septic tank and open discharge, field or mound, and a power pole and transformer), a built approach off a highway or road, and on which there may be a shelterbelt and a garage or other accessory outbuildings, is deemed to be districted Rural Residential for the purposes of this Bylaw.

#### **10.4.11 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.4.12 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

#### **10.4.13 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.4.14 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.5 Country Residential District (CR)**

### **10.5.1 Purpose**

The purpose of the Country Residential District (CR) is to allow for the subdivision and development on non-productive agricultural land of non-farm dwellings.

### **10.5.2 Permitted Uses**

- a) Dwelling, Detached
- b) Dwelling, Modular – New
- c) Buildings and uses accessory to the above

### **10.5.3 Discretionary Uses**

- a) Dwelling, Moved-in
- b) Dwelling, Mobile – New
- c) Dwelling, Mobile – Used
- d) Dwelling, Modular – Used
- e) Secondary Suite
- f) Bed and Breakfast
- g) Public Utility
- h) Show Home
- i) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- j) Offsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- k) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- l) Onsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- m) Onsite Home Occupation (Type 3) \* 2nd Parcel out only (*amended by Bylaw 2019/55*)
- n) Market Garden (allowed only in lots not located in a subdivision) (*amended by Bylaw 2019/55*)
- o) Buildings and uses accessory to the above

### **10.5.4 Parcel Size**

- a) Minimum: 0.40 ha (1 ac)
- b) Maximum: 2.02 ha (5 ac)

### **10.5.5 Setbacks**

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 m (16 ft)
- c) Rear yard: 10.0 m (33 ft)
- d) No development can be located within 8.0 m (26 ft) of the property line adjacent to an internal subdivision road;
- e) Obstructions to visibility are not allowed within 3.0 m (10 ft) of the property line adjacent to an internal subdivision road.

### **10.5.6 Animal Restrictions**

See Section 9.2.

### **10.5.7 Subdivision Standards**

- a) Site suitability testing is required before subdivision approval and includes but is not limited to water supply, water table levels, percolation rates, environmental impact assessment, etc.
- b) Density restrictions shall be at the discretion of Council, based on factors including but not limited to tests listed under Section 10.3.7(a). Density greater than 24 parcels on a quarter section shall be considered as being of a higher density and may be subject to requirements for infrastructure above the general County standard.
- c) A proposal to subdivide an existing acreage lot(s) will be subject to County Policy 61.1.5 “Resubdivision in Multiple Lot Subdivisions” and amendments thereto and Section 7.9 of the Bylaw.

### **10.5.8 Building Height**

- a) The maximum building height of all buildings shall be 10.0 m (33 ft)
- b) The maximum height of an accessory building shall be 7.9 m (26 ft). (*amended by Bylaw 2020/63*)

### **10.5.9 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

### **10.5.10 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

### **10.5.11 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

### **10.5.12 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.6 Restricted Country Residential District (RCR)**

### **10.6.1 Purpose**

The purpose of the Restricted Country Residential District (RCR) is to allow for the subdivision and development on poor agricultural land of non-farm detached dwellings compatible with adjacent land uses.

### **10.6.2 Permitted Uses**

- a) Dwelling, Detached
- b) Buildings and uses accessory to the above

### **10.6.3 Discretionary Uses**

- a) Public Utility
- b) Secondary Suite
- c) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- d) Offsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- e) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- f) Onsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- g) Buildings and uses accessory to the above

### **10.6.4 Parcel Size**

- a) Minimum: 0.40 ha (1 ac)
- b) Maximum: 2.02 ha (5 ac)

### **10.6.5 Setbacks**

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 m (16 ft)
- c) Rear yard: 10.0 m (33 ft)
- d) No development can be located within 8.0 m (26 ft) of the property line adjacent to an internal subdivision road;
- e) Obstructions to visibility are not allowed within 3.0 m (10 ft) of the property line adjacent to an internal subdivision road.

### **10.6.6 Animal Restrictions**

See Section 9.2.

### **10.6.7 Subdivision Standards**

- a) Site suitability testing is required before subdivision approval and includes but is not limited to water supply, water table levels, percolation rates, environmental impact assessment, etc.
- b) Density is limited to 24 parcels per quarter section, excluding reserve and utility lots.
- c) Dwellings must be detached dwellings of new construction with a minimum floor area of 135 m<sup>2</sup> (1500 ft<sup>2</sup>), excluding garages, porches, patios and decks.
- d) Storage of commercial or business equipment and supplies outside the dwelling is not allowed.

### **10.6.8 Building Height**

- a) The maximum building height of all buildings shall be 10.0 m (33 ft).
- b) The maximum height of an accessory building shall be 7.9 m (26 ft) (*amended by Bylaw 2020/63*)

### **10.6.9 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

### **10.6.10 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

### **10.6.11 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

### **10.6.12 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.7 Lakeshore Residential District (LR)**

### **10.7.1 Purpose**

The purpose of the Lakeshore Residential District (LR) is to allow for the subdivision and development of residential uses adjacent to County lakes.

### **10.7.2 Lake Access**

Through the planning process Council will ensure that public access to lakes is maintained and, where possible, enhanced.

### **10.7.3 Permitted Uses**

- a) Dwelling, Detached
- b) Buildings and uses accessory to the above

### **10.7.4 Discretionary Uses**

- a) Dwelling, Mobile – New
- b) Dwelling, Mobile – Used
- c) Dwelling, Modular – New
- d) Dwelling, Modular – Used
- e) Dwelling, Moved-in
- f) Secondary Suite
- g) Bed and Breakfast
- h) Guest Cabin - if a primary dwelling exists
- i) Public Utility
- j) Show Home
- k) Recreational Units Use (where no dwelling exists – maximum 3-year permit. If the landowner wants the use to continue, they may reapply for the use prior to the expiry of the development permit)
- l) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- m) Offsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- n) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- o) Buildings and uses accessory to the above

### **10.7.5 Lot Sizes**

- a) In a proposed subdivision served or to be served by municipal water and sewer services, each lot intended for residential use must have an area of at least 450.0 m<sup>2</sup> (4857 ft<sup>2</sup>) and a minimum width of 15.2 m (50 ft).
- b) In a proposed subdivision served or to be served by a municipal sewer service, but not by a municipal water service, each lot intended for residential use shall have an area of at least 929.0 m<sup>2</sup> (10,000 ft<sup>2</sup>) and an average width of at least 21.3 m (70 ft).
- c) In a proposed subdivision served or to be served by a municipal water service, but not by a municipal sewer service, each lot intended for residential use must have an area of at least 1,394.0 m<sup>2</sup> (15,000 ft<sup>2</sup>) with a minimum width of 30.5 m (100 ft).
- d) In a proposed subdivision not served or not to be served by municipal water and sewer services, each lot intended for residential use must have an area of at least 1,858.0 m<sup>2</sup> (20,000 ft<sup>2</sup>) with a minimum width of 30.5 m (100 ft).
- e) Irregular (i.e. pie-shaped) lots under (c) and (d) above must have a minimum average lot width of 30.5 m (100 ft).

### **10.7.6 Setbacks**

- a) No development can be located within 6.0 m (20 ft) of a road, the shore of a water feature as defined by Section 3 of the Public Lands Act, or the property line of a reserve parcel.
- b) No development can be located within 2.44 m (8 ft) of any other property line. *(amended by Bylaw 2019/44)*

### **10.7.7 Site Coverage**

The area of land covered by all buildings must not exceed 40% of the area of the lot on which the buildings are situated.

### **10.7.8 Guest Cabin**

Guest cabins must not contain kitchen or plumbing services and must fall under the requirements of the definition of this Bylaw.

### **10.7.9 Environmental Protection Measures**

- a) See Section 9.3.
- b) No more than 50% of the area in a Lakeshore Residential parcel can be cleared of its natural vegetation.

### **10.7.10 Building Height**

- a) The maximum building height of all buildings shall be 10.0 m (33 ft)

b) The maximum height of an accessory building shall be 6.0 m (20 ft)

**10.7.11 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

**10.7.12 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

**10.7.13 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

**10.7.14 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.8 Lakeshore Mixed Use District (LM)**

### **10.8.1 Purpose**

The purpose of the Lakeshore Mixed Use District (LM) is to allow for the subdivision and development of a range of uses adjacent to County lakes. These may include, but are not limited to, residential, commercial and recreational uses, or a combination of them.

### **10.8.2 Lake Access**

Through the planning process Council will ensure that public access to lakes is maintained and, where possible, enhanced.

### **10.8.3 Permitted Uses**

- a) Dwelling, Detached
- b) Buildings and uses accessory to the above

### **10.8.4 Discretionary Uses**

- a) Dwelling, Modular – New
- b) Dwelling, Modular – Used
- c) Dwelling, Moved-in
- d) Dwelling, Mobile – New
- e) Dwelling, Mobile – Used
- f) Secondary Suite
- g) Bed and Breakfast
- h) Public Utility
- i) Convenience Store
- j) Restaurant
- k) Recreational Unit/Off-highway Vehicle Dealer or Storage
- l) Marina
- m) Hotel
- n) Show Home
- o) Day Care
- p) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)

- q) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- r) Onsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- s) Motel (*amended by Bylaw 2022/66*)
- t) Building and uses accessory to the above

#### **10.8.5 Subdivision Standards**

- a) Density in a proposed subdivision shall be determined by the available supply of groundwater as established pursuant to Section 9.13 of this Bylaw.
- b) Standards in Section 10.15.4 shall be used as a guideline to set lot size standards with respect to a proposed subdivision.
- c) Notwithstanding the above, given the variable nature of the uses allowed under this district, the County may choose to negotiate with a developer on lot size standards.
- d) The County may refer the proposed standards(s) to outside agencies for additional, detailed comment.

#### **10.8.6 Setbacks**

- a) No development can be located within 6.0 m (20 ft) of a road, the shore of a water feature as defined by Section 3 of the Public Lands Act, or the property line of a reserve parcel.
- b) No development can be located within 2.44 m (8 ft) of any other property line. (*amended by Bylaw 2019/44*)
- c) To prevent accidental spills and/or discharges, private sewer systems (i.e. holding tanks, field and mound systems) should be located, wherever possible, between the use and the road, but not between the use and the lakeshore.

#### **10.8.7 Site Coverage**

- a) The area of land covered by all buildings must not exceed 40% of the area of the lot on which the buildings are situated.

#### **10.8.8 Environmental Protection Measures**

- a) See Section 9.3.
- b) No more than 50% of the area in a Lakeshore Mixed Use parcel can be cleared of its natural vegetation.

#### **10.8.9 Building Height**

- a) Height allowances shall be subject to the considerations within Section 9. General Regulations, Subsection 9.4 Height of Buildings. (*amended by Bylaw 2021/60*)

#### **10.8.10 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.8.11 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

#### **10.8.12 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.8.13 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.9 Recreational Resort Holdings District (RRH)**

### **10.9.1 Purpose**

The purpose of the Recreational Resort Holdings District (RRH) is to allow the development of individually owned recreational holdings. Commercial activities are also allowed where they are compatible with residential use.

### **10.9.2 Permitted Uses**

- a) New, conventionally built detached residences or Recreational Units Use, limited to one per lot
- b) Golf courses
- c) Recreational, Extensive (*amended by Bylaw 2019/44*)
- d) Public parks
- e) Public utility installations
- f) Buildings and uses accessory to the above

### **10.9.3 Discretionary Uses**

- a) Single detached modular residences, limited to one per lot
- b) Dwelling, Multiple (*amended by Bylaw 2019/44*)
- c) Secondary Suite
- d) Dwelling, Moved in (*amended by Bylaw 2019/44*)
- e) Bed and breakfast businesses
- f) Convenience stores
- g) Restaurants
- h) Recreational Units dealers
- i) Recreational Unit (RU) Storage (Commercial)
- j) Hotels
- k) Horse riding, boarding, and training establishments
- l) Other recreational businesses including but not limited to:
  - i. go-cart tracks
  - ii. paintball operations
  - iii. snowmobile rentals

- m) Day Care
- n) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- o) Motel (*amended by Bylaw 2022/66*)
- p) Buildings and uses accessory to the above (*amended by Bylaw 2019/44*)

#### **10.9.4 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.9.5 Lot sizes**

- a) In a proposed subdivision served or proposed to be served by a municipal water system and a municipal sewer system, each lot intended for residential use must have an area of at least 450 m<sup>2</sup> (5,000 ft<sup>2</sup>) and a mean width of at least 15 m (50 ft).
- b) In a proposed subdivision served or proposed to be served by a municipal sewer system but not a municipal water system, each lot intended for residential use must have an area of at least 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) and a mean width of at least 30 m (100 ft).
- c) In a proposed subdivision not served by a municipal sewer system, each lot intended for residential use must have an area of at least 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) and a mean width of at least 30 m (100 ft), or such larger size as may be required by Requirements for Sewer Service at Named Lakes Including Buck Lake and Pigeon Lake and other Sensitive Areas Policy 61.1.11.
- d) In addition to the sizes set out above, an irregular or pie shaped lot shall have a road frontage of at least 10 m (33 ft).
- e) The lot size requirements set out above may be over-ridden by other standards set out in an area structure plan following input from health and environmental agencies.

#### **10.9.6 Setbacks**

- a) No development can be located within 6 m (19.6 ft) of a road, the shore of a water feature as defined by Section 3 of the Public Lands Act, or the property line of a reserve parcel.
- b) No development can be located within 2.44 m (8 ft) of any other property line. (*amended by Bylaw 2019/44*)

#### **10.9.7 Site Coverage**

The area of land covered by all buildings must not exceed 50% of the area of the lot on which the buildings are situated.

#### **10.9.8 Wastewater**

The collection, treatment, and disposal of wastewater (sewage) must be addressed in any subdivision or development application, and a system acceptable to the development officer must be specified in an agreement under this Land Use Bylaw or the Act.

#### **10.9.9 Means of registration**

A development under RRH zoning shall be registered as a subdivision and not as a condominium or bare land condominium.

#### **10.9.10 Third party restrictions on land use**

When making a decision on an application for a development permit, the development officer is not bound any restrictive covenants, architectural guidelines, or similar restrictions registered on the title of a lot.

#### **10.9.11 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

#### **10.9.12 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.9.13 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.10 Mixed Recreational Residential District (MRR)**

### **10.10.1 Purpose**

The purpose of the Mixed Recreational Residential District (MRR) is to allow the development of individually owned recreational and/or residential use.

### **10.10.2 Permitted Uses**

- a) Detached dwelling or Recreational Units Use; limited to one per lot
- b) Public parks
- c) Public utility installations
- d) Buildings and uses accessory to the above

### **10.10.3 Discretionary Uses**

- a) Dwelling, Modular (*amended by Bylaw 2019/44*)
- b) Dwelling, Modular- Used (*amended by Bylaw 2019/44*)
- c) Secondary Suite
- d) Dwelling, Moved in (*amended by Bylaw 2019/44*)
- e) Bed and breakfast businesses
- f) Boat-house
- g) Guest Cabin (accessory to dwelling) (*amended by Bylaw 2019/44*)
- h) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- i) Buildings and uses accessory to the above (*amended by Bylaw 2019/44*)

### **10.10.4 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

**10.10.5** Guest Cabin must not contain kitchen facilities or plumbing services and must fall under the requirements of the definition of this Bylaw.

### **10.10.6 Lot sizes**

- a) In a proposed subdivision served or proposed to be served by a municipal water system and a municipal sewer system, each lot intended for residential use must have an area of at least 450 m<sup>2</sup> (5,000 ft<sup>2</sup>) and a mean width of at least 15 m (50 ft).
- b) In a proposed subdivision served or proposed to be served by a municipal sewer system but not a municipal water system, each lot intended for residential use

must have an area of at least 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) and a mean width of at least 30 m (100 ft).

- c) In a proposed subdivision not served by a municipal sewer system, each lot intended for residential use must have an area of at least 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) and a mean width of at least 30 m (100 ft), or such larger size as may be required by Requirements for Sewer Service at Named Lakes Including Buck Lake and Pigeon Lake and other Sensitive Areas Policy 61.1.11.
- d) In addition to the sizes set out above, an irregular or pie shaped lot shall have a road frontage of at least 10 m (33 ft).
- e) The lot size requirements set out above may be over-ridden by other standards set out in an area structure plan following input from health and environmental agencies.

#### **10.10.7 Setbacks**

- a) No development can be located within 6 m (19.6 ft.) of a road, the shore of a water feature as defined by Section 3 of the Public Lands Act, or the property line of a reserve parcel.
- b) No development can be located within 2.44 m (8 ft) of any other property line.  
*(amended by Bylaw 2019/44)*

#### **10.10.8 Site Coverage**

The area of land covered by all buildings must not exceed 50% of the area of the lot on which the buildings are situated.

#### **10.10.9 Wastewater**

The collection, treatment, and disposal of wastewater (sewage) must be addressed in any subdivision or development application, and a system acceptable to the development officer must be specified in an agreement under this Land Use Bylaw or the Act.

#### **10.10.10 Means of registration**

A development under MRR zoning shall be registered as a subdivision and not as a condominium or bare land condominium.

#### **10.10.11 Third party restrictions on land use**

When making a decision on an application for a development permit, the development officer is not bound by any restrictive covenants, architectural guidelines, or similar restrictions registered on the title of a lot.

## **10.11 Mobile Home District (MH)**

### **10.11.1 Purpose**

The purpose of Mobile Home District (MH) is to regulate development to ensure the orderly placement of fully serviced mobile homes in a planned mobile home park or mobile home subdivision.

### **10.11.2 Permitted Uses**

- a) Dwelling, Mobile – New
- b) Buildings and uses accessory to the above

### **10.11.3 Discretionary Uses**

- a) Dwelling, Mobile – Used
- b) Public Utility
- c) Show Home
- d) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- e) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- f) Buildings and uses accessory to the above

### **10.11.4 Parcel size**

- a) Minimum: 2.02 ha (5 ac) for a mobile home park
- b) Maximum Gross Density: 20.0 units/ha (8 units/ac)

### **10.11.5 Lot/Stall Sizes**

- a) For a singlewide mobile dwelling, each lot/stall must have an area of at least 350.0 m<sup>2</sup> (3767 ft<sup>2</sup>), with a minimum lot/stall width of 12.0 m (39 ft).
- b) For a doublewide mobile dwelling, each lot/stall must have an area of at least 450.0 m<sup>2</sup> (5,000 ft<sup>2</sup>), with a minimum lot/stall width of 15.2 m (50 ft).

### **10.11.6 Setbacks**

- a) Front Yard: 6.0 m (33 ft) from property line for lots or from the curb for a stall
- b) Side Yard: Where there is developed rear access to the lot/stall, both side yards must be at least 2.44 m (8 ft); and if there is no developed rear access to the lot, one side yard must be a minimum of 4.0 m (13 ft). (*amended by Bylaw 2019/44*)
- c) Rear Yard: 3.0 m (10 ft); and 1.0 m (3 ft) for accessory buildings.

#### **10.11.7 Building Height**

- a) The maximum building height of all buildings shall be 10.0 m (33 ft).
- b) The maximum accessory building height shall be no more than 4.5 m (15 ft).

#### **10.11.8 Area**

The area of all buildings shall not exceed 40% of the area of the lot/stall on which the buildings are situated.

#### **10.11.9 Site Development**

All mobile homes shall be fully-serviced by a municipal water and sewer system and meet all County engineering standards for development.

#### **10.11.10 Open Space**

A minimum of 10% of the gross parcel area of a mobile home park shall be devoted to community open space, recreational use or as determined by the Development Officer.

#### **10.11.11 Other Requirements**

- a) The boundary of each mobile stall shall be clearly marked off to the satisfaction of the Development Officer. This may include stakes, counter-sunk steel posts, fences, curbs, hedges, or other means.
- b) All mobile homes must be placed on a proper foundation in accordance with Alberta Building Code regulations.

**10.12 High Density Rural Residential District (HDR)**

**10.12.1 Purpose**

The purpose of the High Density Rural Residential District (HDR) is to allow residential development where densities exceed those of other districts and where there is a minimal impact on the social and physical environment.

**10.12.2 Permitted Uses**

- a) Dwelling, Side-by-Side
- b) Dwelling, Vertical
- c) Seniors and/or Supportive Living Complex
- d) Buildings and uses accessory to the above

**10.12.3 Discretionary Uses**

- a) Dwelling, Communal
- b) Dwelling, Multiple
- c) Show Home
- d) Public Utility
- e) Offsite Home Occupation (Type 1) *(amended by Bylaw 2019/55)*
- f) Onsite Home Occupation (Type 1) *(amended by Bylaw 2019/55)*
- g) Buildings and uses accessory to the above

**10.12.4 Parcel size**

Dependent on the level of servicing and site standards related to the proposed use.

**10.12.5 Setbacks**

- a) Front yard: see Section 9.10.1, except for: duplexes shall be 6.0 m (20 ft) and; multiple dwellings, apartment and seniors and/or adult living complex shall be 10.0 m (33 ft).
- b) Side yard: 5.0 m (16 ft)
- c) Rear yard: 10.0 m (33 ft)

**10.12.6 Special Provisions**

- a) Density of development is at the discretion of Council and/or the Development Officer, having considered local road capacity, groundwater supply, proposed sewage treatment, availability of emergency services and effects on adjacent land uses

- b) Proposals for bareland condominiums may be required to be designed for conversion to the standards of the Urban Residential district, if necessary, based on such criteria as legal and physical access, parcel size, and provision of reserve and utility lots.

**10.12.7 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

**10.12.8 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

**10.12.9 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

**10.12.10 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.13 Rural Commercial District (RC)**

### **10.13.1 Purpose**

The purpose of the Rural Commercial District (RC) is to allow for uses to serve the commercial needs of the general and travelling public.

### **10.13.2 Permitted Uses**

- a) Convenience Store
- b) Retail Store
- c) Government Service
- d) Business Service
- e) Buildings and uses accessory to the above

### **10.13.3 Discretionary Uses**

- a) Service Station
- b) Day Care
- c) Retail Liquor Store
- d) Hotel
- e) Restaurant
- f) Farm Supply and Service Dealer
- g) Recreational Units (RU)/Off-Highway Unit Dealer or Storage
- h) Resource Processing Operation
- i) Bulk Fuel Dealer
- j) Public Utility
- k) Casino
- l) Dwelling Detached
- m) Dwelling, Modular – New
- n) Dwelling, Modular – Used
- o) Dwelling, Mobile – New
- p) Dwelling, Mobile – Used
- q) Dwelling, Moved-in

- r) Secondary Suite
- s) General Contractor
- t) Greenhouse
- u) Industry Work-Camp
- v) Vehicle Lease (*amended by Bylaw 2019/44*)
- w) Motor Vehicle Sales
- x) Veterinary Clinic
- y) Warehouse
- z) Kennel
- aa) Abattoir
- bb) Cannabis Accessory Store (*amended by Bylaw 2018/55*)
- cc) Cannabis Storage and Distribution Facility (*amended by Bylaw 2018/55*)
- dd) Rural Event Facility (*amended by Bylaw 2019/44*)
- ee) Apiary (*amended by Bylaw 2019/44*)
- ff) Market Garden (*amended by Bylaw 2019/55*)
- gg) Cannabis Retail Store (*amended by Bylaw 2022/14*)
- hh) Motel (*amended by Bylaw 2022/66*)
- ii) Buildings and uses accessory to the above

#### **10.13.4 Parcel size**

Minimum parcel size is 1,858.0 m<sup>2</sup> (20,000 ft<sup>2</sup>) with a minimum width of 32.8 m (100 ft).

#### **10.13.5 Setbacks**

- a) Front yard: for uses adjacent to a highway, front yard setbacks must be as required by Alberta Transportation. For all other uses, front yard setbacks are as shown in Section 9.10.1
- b) Side and Rear yard: for all uses, the minimum side and rear yard setbacks are 5.0 m (16 ft) and 10.0 m (33 ft), respectively.

#### **10.13.6 Access**

- a) For uses adjacent to a highway, access including service road and number of approaches shall be as required by Alberta Transportation.

b) For uses adjacent to all other roads, access must be as shown in the Section 9.1.

**10.13.7 Parking and Loading**

The off-street parking spaces and/or off-street loading bays shall be required in accordance with Section 9.14. A parking plan must be submitted with a development permit including visitor, employee, vehicle inventory and resident vehicles.

**10.13.8 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

**10.13.9 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

**10.13.10 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

**10.13.11 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.14 Urban Residential District (UR)**

### **10.14.1 Purpose**

The purpose of the Urban Residential District (UR) is to allow for the subdivision and/or development of land for residential uses in hamlets and elsewhere to an urban standard where the uses can now or may, in the future, be tied to full municipal services.

### **10.14.2 Permitted Uses**

- a) Dwelling, Detached
- b) Dwelling, Modular – New
- c) Buildings and uses accessory to the above

### **10.14.3 Discretionary Uses**

- a) Dwelling, Moved-in
- b) Dwelling, Mobile – New
- c) Dwelling, Modular – Used
- d) Dwelling, Side-by-Side
- e) Secondary Suite
- f) Dwelling, Vertical
- g) Dwelling, Multiple
- h) Bed and Breakfast
- i) Public Utility
- j) Show Home
- k) Seniors and/or Supportive Living Complex
- l) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- m) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- n) Buildings and uses accessory to the above

### **10.14.4 Lot Sizes**

- a) In a proposed subdivision served or to be served by municipal water and sewer services, each lot intended for residential use must have an area of at least 450.0 m<sup>2</sup> (5,000 ft<sup>2</sup>) and a minimum width of 15.2 m (50 ft).

- b) In a proposed subdivision served or to be served by a municipal sewer service, but not by a municipal water service, each lot intended for residential use shall have an area of at least 929.0 m<sup>2</sup> (10,000 ft<sup>2</sup>) and an average width of at least 21.3 m (70 ft).
- c) In a proposed subdivision served or to be served by a municipal water service, but not by a municipal sewer service, each lot intended for residential use must have an area of at least 1,394.0 m<sup>2</sup> (15,000 ft<sup>2</sup>) and a minimum width of 30.5 m (100 ft).
- d) In a proposed subdivision not served or not to be served by municipal water and sewer services, each lot intended for residential use must have an area of at least 1,858.0 m<sup>2</sup> (20,000 ft<sup>2</sup>) and a minimum width of 30.5 m (100 ft).
- e) Irregular (i.e. pie-shaped) lots under c and d above must have a minimum average lot width of 30.5 m (100 ft).
- f) The minimum lot size for a duplex is 604.0 m<sup>2</sup> (6,500 ft<sup>2</sup>) and a minimum width of 15.2 m (50 ft). Separate water and sewer services must be provided to both lots subdivided for a side-by-side duplex.

#### **10.14.5 Setbacks**

- a) Front yard: 6.0 m (20 ft)
- b) Side yard: Where there is developed rear access to the lot: 2.44 m (8 ft) (unless approved Alberta Safety Code fire rating are met to allow wall or respective building materials to reduce distance); if there is no developed rear access to the lot, one side yard must be a minimum of 4.0 m (13 ft). (*amended by Bylaw 2019/44*)
- c) Rear yard: 10.0 m (33 ft), 6.0 m (20 ft) for garages, 1.0 m (3 ft) for accessory buildings.

The Development Officer may require that a building be located on a larger lot to protect the subdivision potential of the lot where portions of the lot may be re-subdivided at a later date to create smaller lots or to provide roads, lanes and/or public utility lots.

#### **10.14.6 Site Coverage**

The area of land covered by all buildings must not exceed 40% of the area of the lot on which the buildings are situated.

#### **10.14.7 Building Height**

- a) The maximum building height of all buildings shall be 10.0 m (33 ft).
- b) The maximum accessory building height shall be no more than 4.5 m (15 ft).

#### **10.14.8 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.14.9 Sewage and Wastewater**

Sewage and wastewater systems are authorized as outlined in Section 3.12.1(g), Recreational Units.

#### **10.14.10 Utility Hookups**

Utility hookups are authorized as outlined in Section 3.12.1(h), Recreational Units.

#### **10.14.11 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.15 Urban Commercial District (UC)**

### **10.15.1 Purpose**

The purpose of the Urban Commercial District (UC) is to allow for the subdivision and/or development of commercial uses in hamlets which can now or may, in the future, be tied into full municipal services.

### **10.15.2 Permitted Uses**

- a) Retail Store
- b) Personal Service
- c) Business Service
- d) Buildings and uses accessory to the above

### **10.15.3 Discretionary Uses**

- a) Retail Liquor Store
- b) Hotel
- c) Casino
- d) Restaurant
- e) Service Station
- f) Farm Supply and Services Dealer
- g) Recreational Units Dealer/ Off-highway Vehicle Dealer or Storage
- h) Warehouse
- i) Bulk Fuel Dealer
- j) Public or Quasi-Public Use
- k) Public Utility
- l) Dwelling, Detached
- m) Dwelling, Modular – New
- n) Dwelling, Modular – Used
- o) Dwelling, Moved-In
- p) Dwelling, Mobile – New
- q) Secondary Suite

- r) Veterinary Clinic
- s) Vehicle Lease (*amended by Bylaw 2019/44*)
- t) Vehicle Sales, Motor
- u) Day Care
- v) Cannabis Storage and Distribution Facility (*amended by Bylaw 2018/55*)
- w) Cannabis Accessory Store (*amended by Bylaw 2018/55*)
- x) Market Garden (*amended by Bylaw 2019/55*)
- y) Motel (*amended by Bylaw 2022/66*)
- z) Buildings and uses accessory to the above

#### **10.15.4 Parcel Size**

- a) The minimum parcel size for a lot with municipal water and sewer service is 464.5 m<sup>2</sup> (5,000 ft<sup>2</sup>).
- b) The minimum parcel size for all other lots is 929.0 m<sup>2</sup> (10,000 ft<sup>2</sup>).

#### **10.15.5 Setbacks**

For Permitted uses and Retail Liquor Stores:

- a) Front yard: no setback required
- b) Side yard: 2.44 m (8 ft) (unless approved Alberta Safety Code fire rating are met to allow wall or respective building materials to reduce distance. (*amended by Bylaw 2019/44*))
- c) Rear yard: 5.0 m (16 ft)

For all other discretionary uses:

- d) Front yard: 10.0 m (33 ft)
- e) Side yard: 3.0 m (10 ft)
- f) Rear yard: 5.0 m (16 ft)

#### **10.15.6 Parking and Loading**

The off-street parking spaces and/or off-street loading bays shall be required in accordance with Section 9.14. A parking plan must be submitted with a development permit including visitor, employee vehicle inventory and resident vehicles.

#### **10.15.7 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.15.8 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

#### **10.15.9 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.15.10 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

**10.16 Urban Industrial District (UI)**

**10.16.1 Purpose**

The purpose of the Urban Industrial District (UI) is to allow for the subdivision and/or development of industrial uses in hamlets which can now or may, in the future, be tied into full municipal services. Industrial uses must not unduly impact negatively on adjacent landowners and uses.

**10.16.2 Discretionary Uses**

- a) Manufacturing and/or Processing Plant (*amended by Bylaw 2019/44*)
- b) Resource Processing Operation
- c) Public Utility
- d) Cannabis Production Facility (*amended by Bylaw 2018/55*)
- e) Cannabis Storage and Distribution Facility (*amended by Bylaw 2018/55*)
- f) Buildings and uses accessory to the above

**10.16.3 Parcel Size**

The minimum parcel size is 1,858.0 m<sup>2</sup> (20,000 square ft) with a minimum width of 33 m (100 ft) or, as required by Council or the Development Officer.

**10.16.4 Setbacks**

- a) Front yard: see Section 9.10.1 except for internal subdivision road. The front yard setback from an internal subdivision road must be 15.0 m (50 ft)
- b) Side yard: 15.0 m (50 ft)
- c) Rear yard: 15.0 m (50 ft)

**10.16.5 Parking and Loading**

The off-street parking spaces and/or off-street loading bays shall be required in accordance with Section 9.14.

**10.16.6 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

**10.16.7 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

**10.16.8 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

### **10.16.9 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.17 Highway Interchange Commercial District (HIC)**

### **10.17.1 Purpose**

The purpose of this district is to provide sites for businesses requiring easy access to Highway 2 as they serve the travelling public or a regional market. As supported by Commercial and Industrial Development in the Highway 2 Corridor Policy 61.1.12, land will only be classified for this use:

- a) with the consent of Alberta Transportation; and
- b) where, in Council 's opinion, the loss of farm land and the possible interference with farming operations fall within acceptable limits; and
- c) after an Area Structure Plan has been adopted by Bylaw, 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.

### **10.17.2 Permitted Uses**

- a) Hotels
- b) Campgrounds
- c) Service Station
- d) Convenience Stores – operated as part of gas stations
- e) Restaurants
- f) Farm Supply and Services Dealer
- g) General Contractor
- h) Oilfield Service Businesses
- i) Warehouse
- j) Recreational Unit/Off-highway Vehicle Dealer or Storage
- k) Public Utility
- l) Motel (*amended by Bylaw 2022/66*)
- m) Buildings and uses accessory to the above

### **10.17.3 Discretionary Uses**

- a) Retail Liquor Store
- b) Cannabis Production Facility (*amended by Bylaw 2018/55*)
- c) Cannabis Storage and Distribution Facility (*amended by Bylaw 2018/55*)

- d) Cannabis Accessory Store (*amended by Bylaw 2018/55*)
- e) Buildings and uses accessory to the above

#### **10.17.4 Parcel size**

The minimum size of parcel shall be determined by the Development Authority bearing in mind the need for parking, building setbacks, fire separation and wastewater disposal.

#### **10.17.5 Parking**

Parking and loading must be accommodated on-site and will not be permitted on adjacent roads. See Section 9.14.

#### **10.17.6 Setbacks**

Buildings shall be set back from roads by the distances set out in Section 9.10.1 and Figure 2 or such greater distance as may be required by the Roadside Development Permit issued by Alberta Transportation.

#### **10.17.7 Aesthetic Standards**

Landscaping, screening, and building treatment shall be as required by the Development Officer.

#### **10.17.8 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, building cladding and separation and other measures designed to minimize the risk of fire starting or spreading.

## **10.18 Industrial District (IN)**

### **10.18.1 Purpose**

The purpose of the Industrial District (IN) is to allow for the development of industrial land uses in the County where there is a minimal impact on the social and physical environment.

### **10.18.2 Permitted Uses**

- a) Agriculture, Extensive
- b) Buildings and uses accessory to the above

### **10.18.3 Discretionary Uses**

- a) Warehouse
- b) Manufacturing and Processing Operation
- c) Resource Processing Operation
- d) Auto Wrecking Yard
- e) Other uses deemed to be industrial in nature by the Development Officer which may include but are not limited to the following external impacts: noise, dust, emissions, large traffic volumes, truck traffic, hazardous goods, unusual operating hours.
- f) Public Utility
- g) Abattoir
- h) Veterinary Clinic
- i) Bulk Fuel Dealer
- j) Grain Elevator, Terminal or Handling Facility
- k) Cannabis Production Facility (*amended by Bylaw 2018/55*)
- l) Cannabis Storage and Distribution Facility (*amended by Bylaw 2018/55*)
- m) Service Station (*amended by Bylaw 2021/73*)
- n) Restaurant (*amended by Bylaw 2021/73*)
- o) Convenience Store (*amended by Bylaw 2021/73*)
- p) Buildings and uses accessory to the above (*amended by Bylaw 2021/73*)

#### **10.18.4 Parcel Size**

Dependent on the level of servicing and site standards related to the proposed use.

#### **10.18.5 Setbacks**

- a) Front yard: 40.0 m (131 ft)
- b) Side yard: 20.0 m (66 ft)
- c) Rear yard: 20.0 m (66 ft)

#### **10.18.6 Special Provisions**

The developer may also be asked to provide information on location, industry type, building size, workforce, demand for water and proposed source, demand for emergency services, production of effluent and method of treatment, transportation routes to be used, ancillary services required (roads, rail spurs, pipelines) and any additional information which the Development Officer deems necessary to make a decision.

#### **10.18.7 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.18.8 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

#### **10.18.9 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.18.10 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.19 Institutional District (IS)**

### **10.19.1 Purpose**

The purpose of the Institutional District (IS) is to provide land for uses serving the educational, health, social and other needs of the general public.

### **10.19.2 Permitted Uses**

- a) Agriculture, Extensive
- b) Public Park
- c) Buildings and uses accessory to the above

### **10.19.3 Discretionary Uses**

- a) Community Hall
- b) Place of Worship
- c) Manse
- d) Campground - if accessory to b) Place of Worship
- e) Recreational, Extensive - if accessory to b) Place of Worship
- f) Cemetery
- g) Public or Quasi-Public Use
- h) Public Utility
- i) Buildings and uses accessory to the above

### **10.19.4 Parcel size**

Dependent on the level of servicing and site standards related to the proposed use.

### **10.19.5 Setbacks**

- a) Front yard: see Section 9.10.1 and (d) below.
- b) Side yard: 5.0 m (16 ft)
- c) Rear yard: 10.0 m (33 ft)
- d) No development can be located within 6.0 m (20 ft) of a road or the property line of a reserve parcel.

### **10.19.6 Environmental Protection Measures**

- a) The developer must discuss proposals for land clearance with the Development Officer who may, in the development permit, stipulate areas which may be

cleared and areas which are to be left in their natural state in conjunction with Section 9.3.

- b) The developer must provide information on density levels for such uses as a campground, along with information on water supply and sewage disposal.
- c) No trees or vegetation shall be cleared from within 50.0 m (164 ft) of the edge of a water feature except to provide physical access to the water feature and only to a maximum width of 3.0 m (10 ft).

#### **10.19.7 Special Provisions**

Density of development is at the discretion of Council and/or the Development Officer, having considered local road capacity, ground water supply, proposed sewage treatment, availability of emergency services and effects on adjacent land uses.

#### **10.19.8 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.19.9 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

#### **10.19.10 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.19.11 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.20 Urban Fringe District (UF)**

### **10.20.1 Purpose**

The purpose of the Urban Fringe District (UF) is to manage lands surrounding hamlets and towns so that they can be converted to urban uses. Subdivision and development, which will act as a barrier to this urban growth, is not allowed.

### **10.20.2 Permitted Uses**

- a) Agriculture, Extensive
- b) Buildings and uses accessory to the above

### **10.20.3 Discretionary Uses**

- a) Dwelling Detached
- b) Dwelling, Modular – New
- c) Dwelling, Modular – Used
- d) Dwelling, Moved-in
- e) Dwelling, Mobile – New
- f) Secondary Suite
- g) Intensive Livestock Operations - situated within 400.0 m (1312 ft) from any land not classified as Agricultural or Severed Agricultural
- h) Agriculture, Intensive
- i) Tree Farm
- j) Bed and Breakfast
- k) Kennel
- l) Public Utility
- m) Public Park
- n) RV/OHV Storage
- o) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- p) Offsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- q) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- r) Onsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- s) Onsite Home Occupation (Type 3) (*amended by Bylaw 2019/55*)

- t) Market Garden (*amended by Bylaw 2019/55*)
- u) Buildings and uses accessory to the above

#### **10.20.4 Setbacks**

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 m (16 ft)
- c) Rear yard: 10.0 m (33 ft)

#### **10.20.5 Subdivision and Development Standards**

The Subdivision Authority or the Development Officer may apply standards found elsewhere in this Bylaw in making a decision on a subdivision or development permit application.

#### **10.20.6 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.20.7 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

#### **10.20.8 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.20.9 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.21 Recreational District (R)**

### **10.21.1 Purpose**

The purpose of the Recreational District (R) is to allow low-impact and/or intensive recreational developments.

### **10.21.2 Discretionary Uses**

- a) Subject to Section 10.21.5, a Detached, Mobile (new or used), Modular (new or used) or Moved-in Dwelling, or a maximum of one Recreational Units Use (one unit) unless approved in greater numbers in a Recreational Unit Park or Campground land use.
- b) Golf Course
- c) Recreational Units Park
- d) Campground
- e) Public or Quasi-Public Use
- f) Race Track
- g) Public Utility
- h) Drive-In Theatre
- i) Recreational Extensive Use
- j) Recreational Commercial Use
- k) Rural Event Facility (*amended by Bylaw 2019/44*)
- l) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- m) Motel (*amended by Bylaw 2022/66*)
- n) Buildings and uses accessory to the above

### **10.21.3 Parcel Size**

Dependent on the level of servicing and site standards related to the proposed use.

### **10.21.4 Setbacks**

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 m (16 ft)
- c) Rear yard: 10.0 m (33 ft)

#### **10.21.5 Residential Use**

A detached, mobile, modular or moved-in dwelling may be permitted as a discretionary use subordinate to the primary recreational use only by on-site management and/or custodial staff.

#### **10.21.6 Environmental Protection Measures**

- a) The developer must discuss proposals for land clearance with the Development Officer who may, in a development permit, stipulate areas which may be cleared and areas which are to be left in their natural state in conjunction with Section 9.3.
- b) The developer must provide information on density levels for such uses as campgrounds, along with information on water supply and sewage disposal. The number of sites allowed will be determined by the available water supply and adequacy of the proposed sewer system, and according to design criteria acceptable to the County.
- c) Recreational developments will be required to meet any regulations as required by Alberta Health or the Crossroads Regional Health Authority.

#### **10.21.7 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.21.8 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

#### **10.21.9 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.21.10 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.22 Watershed Protection District (WP)**

### **10.22.1 Purpose**

The purpose of the Watershed Protection District (WP) is to reduce flooding, improve water quality, and maintain wildlife habitat by encouraging the maintenance of natural vegetation adjacent to watercourses and in important watershed areas.

### **10.22.2 Permitted Uses**

- a) Agriculture, Extensive - subject to the restrictions on land clearance set out in Section 10.21.6.
- b) Dwelling, Detached
- c) Dwelling, Modular – New
- d) Dwelling, Mobile – New
- e) Buildings and uses accessory to the above

### **10.22.3 Discretionary Uses**

- a) Intensive Livestock Operation
- b) Bed and Breakfast
- c) Recreational, Extensive
- d) Public Utility
- e) Dwelling, Modular – Used
- f) Dwelling, Mobile – Used
- g) Dwelling, Moved-in
- h) Secondary Suite
- i) Greenhouse
- j) Veterinary Clinic
- k) Recreational Units Use (greater than 32.0 ha (80 ac), where no dwelling exists – maximum 3 year permit. If the landowner wishes the use to continue, they must re-apply for the use prior to the expiry of the permit).
- l) Apiary (*amended by Bylaw 2019/44*)
- m) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- n) Offsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- o) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)

- p) Onsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- q) Onsite Home Occupation (Type 3) (*amended by Bylaw 2019/55*)
- r) Market Garden (*amended by Bylaw 2019/55*)
- s) Kennel (*amended by Bylaw 2020/63*)
- t) Buildings and uses accessory to the above

#### **10.22.4 Number of dwellings on a lot**

No more than one dwelling shall be placed on a lot, except where a development permit has been issued under Section 9.8.

#### **10.22.5 Lot Sizes**

- a) Land which is cleared and in production may be subdivided under the rules set out for the Agricultural district.
- b) One existing yard site may be subdivided out of a complete quarter section under the rules set out for the Agricultural and Rural Residential districts.
- c) Land which is:
  - i. at least 80% covered by mature trees; or
  - ii. at least 80% historically wetland which is incapable of supporting a crop or tame hay,

may be subdivided into lots with a minimum size of 8.0 ha (20 ac) provided that each lot has a suitable building site as defined by Section 9.12.

#### **10.22.6 Setbacks**

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 m (16 ft)
- c) Rear yard: 10.0 m (33 ft)
- d) No development shall be located within 50 m (164 ft) of a boundary of a creek, stream or ravine.

#### **10.22.7 Maintenance of Natural Vegetation**

When a lot is created under section 10.22.5 (c):

- a) no more than 20% of its natural vegetation shall be cleared or removed, and
- b) the Subdivision Authority may require, as a condition of subdivision approval, that a restrictive covenant, conservation easement, or similar agreement be registered on the title to enforce the restrictions on clearance of natural vegetation.

#### **10.22.8 Building Height**

- a) The maximum height of the principal buildings shall be 10.0 m (33 ft).
- b) The maximum height of an accessory building shall be 7.9 m (26 ft) (*amended by Bylaw 2020/63*)

#### **10.22.9 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.22.10 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

#### **10.22.11 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.22.12 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.23 Rural Conservation District (RCV)**

### **10.23.1 Purpose**

The purpose of Rural Conservation District (RCV) is to preserve existing tree and vegetation cover in the County. The district may be implemented next to significant rivers, streams and lakes, but excluding those lakes classed as Type 3 in the Municipal Development Plan. At Council's discretion, the district may also be implemented in other parts of the County where Council is of the opinion that there is an environmental benefit in doing so and where the greater public interest is served.

### **10.23.2 Permitted Uses**

- a) Dwelling, Detached.
- b) Dwelling, Mobile – New
- c) Dwelling, Modular – New
- d) Buildings and uses accessory to the above

### **10.23.3 Discretionary Uses**

- a) Dwelling, Modular – Used
- b) Dwelling, Moved-in
- c) Secondary Suite
- d) Bed and Breakfast
- e) Public Utility
- f) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- g) Buildings and uses accessory to the above

### **10.23.4 Parcel Size and Site Standards**

- a) The minimum parcel size is 4.0 ha (10 ac).
- b) Council may not consider an application for subdivision under this district unless proposed lots are designed to include a minimum of 60% tree covered land.

### **10.23.5 Setbacks**

- a) No development can be located within 6.0 m (20 ft) of the property line or 50.0 m (164 ft) from a boundary of a water feature, whichever is greater, and as shown in the General Regulations.
- b) Front yard: see Section 9.10.1
- c) Side yard: 5.0 m (16 ft)

- d) Rear yard: 10.0 m (33 ft)

#### **10.23.6 Environmental Protection Measures**

- a) See Section 9.3.
- b) No more than 40% of the area in a Rural Conservation parcel can be cleared of its natural vegetation.
- c) No trees or vegetation can be cleared from within 50.0 m (164 ft) of the edge of a water feature except to provide physical access to the water feature and only to a maximum of 10% of the frontage.

#### **10.23.7 Building Height**

- a) The maximum building height of all buildings shall be 10.0 m (33 ft).
- b) The maximum height of an accessory building shall be 7.9 m (26 ft).

*(Section 10.23.7 amended by Bylaw 2020/63)*

#### **10.23.8 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.23.9 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

#### **10.23.10 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.23.11 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.24 Wizard Lake Watershed District (WLW)**

### **10.24.1 Purpose**

The purpose of this district is to preserve existing tree and vegetation cover around Wizard Lake. The Wizard Lake Watershed District may be applied to land indicated on the map entitled Wizard Lake Management Plan – Plan Area in the Wizard Lake Management Plan.

### **10.24.2 Permitted Uses**

- a) Dwelling, Detached
- b) Dwelling, Mobile – New
- c) Dwelling, Modular – New
- d) Buildings and uses accessory to the above

### **10.24.3 Discretionary Uses**

- a) Dwelling, Mobile – Used
- b) Dwelling, Modular – Used
- c) Dwelling, Moved – in
- d) Secondary Suite
- e) Bed and Breakfast
- f) Recreational, Extensive
- g) Public Utility
- h) Veterinary Clinic
- i) Guest Cabin
- j) Apiary (*amended by Bylaw 2019/44*)
- k) Recreational Units Use (where no dwelling exists – maximum 3-year permit. If the landowner wants the use to continue, they may reapply for the use prior to the expiry of the development permit)
- l) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- m) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- n) Buildings and uses accessory to the above

#### **10.24.4 Parcel Size**

- a) On tree covered land which is within 400.0 m (1312 ft) of Wizard Lake, or which has a view of the lake, the minimum parcel size is 2.0 ha (5 ac).
- b) On tree covered land other than that described in (a) above, the minimum parcel size is 5.0 ha (12 ac).
- c) On land seeded to permanent grass, the minimum parcel size is 16.0 ha (40 ac).
- d) On land seeded to annual crops, the minimum parcel size is 32.0 ha (80 ac).
- e) Where land is traversed by creeks, ravines, or other obstacles, the minimum lot size may be varied so that the obstacles are conformable with parcel boundaries.

#### **10.24.5 Density of Development**

The number of lots that may be created on a quarter section of land is the lesser of:

- a) the number of families whose water needs can be met on a sustainable basis from the underlying aquifer, where that aquifer has been tested by a professional engineer using methods acceptable to Alberta Environmental Protection, or
- b) the number allowed under Section 10.23.4, or
- c) twenty-four (24).

#### **10.24.6 Setbacks**

- a) No part of any residential parcel shall be located closer than 50.0 m (154 ft) to the lake shore, or to the top of the lake bank, whichever is greater.
- b) All buildings shall be set back at least 6.0 m (20 ft) from the property line, or 50.0 m (154 ft) from any water feature, whichever is greater, and as shown in the General Regulations.
- c) In addition to the setbacks noted in (b) above, all buildings shall be set backs from property lines as follows:
  - i. Front yard: see Section 9.10.1
  - ii. Side yard: 5.0 m (16 ft)
  - iii. Rear yard: 10.0 m (33 ft)

#### **10.24.7 Environmental Protection Measures**

- a) See Section 9.3.
- b) On parcels of land less than 32.0 ha (80 ac) in size, no more than 20% of the parcel shall be cleared of its tree cover and other natural vegetation.

- c) No trees or vegetation shall be cleared from within 50.0 m (164 ft) of the edge of a water feature except to provide physical access to the water feature and only to a maximum of width of 3.0 m (10 ft).
- d) Steeply sloping banks, ravines, water recharge areas and land underlain by coal mines will be taken into municipal or environmental reserve when land is subdivided. Alternatively, an environmental reserve easement may be registered to protect tree cover.

#### **10.24.8 Building Height**

- a) The maximum building height of all principal buildings shall be 10.0 m (33 ft).
- b) The maximum height of an accessory building shall be 7.9 m (26 ft). (*amended by Bylaw 2020/63*)

#### **10.24.9 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

#### **10.24.10 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

#### **10.24.11 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.24.12 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## **10.25 Agricultural/Intermunicipal Development Plan District (A/ID)**

### **10.25.1 Purpose**

The purpose of the Agricultural/Intermunicipal Development Plan District (A/ID) is to manage lands surrounding the City of Wetaskiwin, as defined in the City/County Intermunicipal Development Plan (IDP), so that they can be converted to urban uses at urban densities. Subdivision and development, which will act as a barrier to the future growth of the City, is not allowed.

### **10.25.2 Permitted Uses**

- a) Agriculture, Extensive
- b) Dwelling, Modular – New
- c) Buildings and uses accessory to the above

### **10.25.3 Discretionary Uses**

- a) Dwelling, Detached
- b) Dwelling, Mobile – New
- c) Dwelling, Moved-in
- d) Dwelling, Modular – Used
- e) Secondary Suite
- f) Intensive Livestock Operation - in operation on or before October 13, 1998
- g) Intensive Livestock Operation - outside of 3.2 km of the City boundary
- h) Tree Farm
- i) Bed and Breakfast
- j) Public Utility
- k) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- l) Offsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- m) Onsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- n) Onsite Home Occupation (Type 2) (*amended by Bylaw 2019/55*)
- o) Buildings and uses accessory to the above

### **10.25.4 Setbacks**

Notwithstanding Section 9.10.1, setbacks from future arterial roads are to be measured from the future widened rights of way.

### **10.25.5 Subdivision and Development Standards**

- a) All new farm buildings require development permits.
- b) In the event that subdivision and/or development approvals are issued with respect to land that is likely to be annexed by the City, the required infrastructure is to be developed to the City's standards.
- c) The Subdivision Authority or the Development Officer may apply standards found elsewhere in this Bylaw or any other statutory document in making a decision on a subdivision or development permit application.

### **10.25.6 Intensive Livestock Operations**

- a) Intensive livestock uses which existed and were in operation on October 13, 1998 are "grand-fathered" and may continue to operate indefinitely. This status is not affected by a change of ownership.
- b) Intensive livestock uses which existed and were in operation on October 13, 1998 may continue to operate, expand, or convert to other intensive livestock uses, subject to the AOPA and this Bylaw.
- c) No new intensive livestock operations are allowed within 3.2 km (2 miles) of the City boundary within the City/County Intermunicipal Development Plan area.
- d) A development permit is required for the spreading of animal manure.

### **10.25.7 Roads**

- a) Proposed subdivisions and developments must be evaluated in relation to future arterial roads, as shown on Map 4 of the IDP.
- b) Development is prohibited where it will interfere with or impede the development of future arterial roads.
- c) Future road rights-of-way will need to be widened to a 24.0 m or 30.0 m (78 ft to 98 ft) standard. Road widening acquisitions must be negotiated with affected landowners or, where appropriate, acquired by dedication through the subdivision process.

### **10.25.8 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

### **10.25.9 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

### **10.25.10 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

### **10.25.11 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

## 10.26 Environmental Reserve District (ER)

### 10.26.1 Purpose

The purpose of the Environment Reserve District (ER) is to allow for the dedication and existence of environmental reserves in accordance with Section 664 of the *Municipal Government Act* as defined below.

### 10.26.2 Definition

(1.1) A subdivision authority may require land to be provided as environmental reserve only for one or more of the following purposes:

(a) to preserve the natural features of land referred to in subsection (1)(a), (b) or (c) where, in the opinion of the subdivision authority, those features should be preserved;

(b) to prevent pollution of the land or of the bed and shore of an adjacent body of water;

(c) to ensure public access to and beside the bed and shore of a body of water lying on or adjacent to the land;

(d) to prevent development of the land where, in the opinion of the subdivision authority, the natural features of the land would present a significant risk of personal injury or property damage occurring during development or use of the land.

(1.2) For the purposes of subsection (1.1) (b) and (c), “bed and shore” means the natural bed and shore as determined under the Surveys Act.

(2) If the owner of a parcel of land that is the subject of a proposed subdivision and the municipality agree that any or all of the land that is to be taken as environmental reserve is instead to be the subject of an environmental reserve easement for the protection and enhancement of the environment, an easement may be registered against the land in favour of the municipality at a land titles office.

(3) The environmental reserve easement

(a) must identify which part of the parcel of land the easement applies to,

(b) must require that land that is subject to the easement remain in a natural state as if it were owned by the municipality, whether or not the municipality has an interest in land that would be benefitted by the easement,

(c) runs with the land on any disposition of the land,

(d) constitutes an interest in land in the municipality, and

(e) may be enforced by the municipality.

(4) An environmental reserve easement does not lapse by reason only of

(a) non-enforcement of it,

(b) the use of the land that is the subject of the easement for a purpose that is inconsistent with the purposes of the easement, or

(c) a change in the use of land that surrounds or is adjacent to the land that is the subject of the easement.

(5) When an easement is presented for registration under

subsection (2), the Registrar must endorse a memorandum of the environmental reserve easement on any certificate of title relating to the land.

(6) Despite section 48(4) of the Land Titles Act, an easement registered under subsection (2) may be removed only pursuant to section 658(3.1).

(7) An environmental reserve easement is deemed to be a condition or covenant for the purposes of section 48(4) and (6) of the Land Titles Act.

(8) Subject to subsection (7), this section applies despite section 48 of the Land Titles Act.

(9) A caveat registered under this section prior to April 30, 1998 is deemed to be an environmental reserve easement registered under this section.

*(Section 10.26.2 was amended by Bylaw 2019/44)*

### **10.26.3 Permitted and Discretionary Uses**

Only those land uses as defined in the definition above are allowed and no development in any kind or form of land use will be allowed unless such use is consistent with the definition as prescribed in writing under this Bylaw.

### **10.26.4 Enforcement**

Offenses and fines are outlined in Section 5, Contravention.

## **10.27 Municipal Reserve District (MR)**

### **10.27.1 Purpose**

The purpose of the Municipal Reserve District (MR) is to allow for the dedication and existence of Municipal Reserves in accordance with Section 665 and 666 of the *Municipal Government Act* as defined below.

### **10.27.2 Definition**

A Council may by Bylaw require that a parcel of land or part of a parcel of land that it owns or that is in the process of acquiring be designated as municipal reserve. Also, subject to Section 663, a subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel of land as municipal reserve.

### **10.27.3 Permitted and Discretionary Uses**

No development in any kind or form of land use will be allowed unless such use is consistent with the *Municipal Government Act* and as prescribed in writing under this Land Use Bylaw.

### **10.27.4 Enforcement**

Offenses and fines are outlined in Section 5, Contravention

## **10.28 Municipal School Reserves District (MS)**

### **10.28.1 Purpose**

The purpose of the Municipal and School Reserve are to allow for the dedication and existence of Municipal and School Reserves in accordance with Section 666 of the *Municipal Government Act* as defined below.

### **10.28.2 Definition**

Subject to Section 663, a subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel of land as municipal reserve, school reserve or municipal and school reserve.

### **10.28.3 Permitted and Discretionary Uses**

No development in any kind or form of land use will be allowed unless such use is consistent with the *Municipal Government Act* and as prescribed in writing under this Land Use Bylaw.

### **10.28.4 Enforcement**

Offenses and fines are outlined in Section 5, Contravention.

## **10.29 Conservation Reserve (Environmental) (CR-E)**

### **10.29.1 Purpose**

The purpose of the Conservation (Environmental) Reserve are to allow for the dedication and existence of Conservation (Environmental) Reserves in accordance with Section 664.2(1) of the *Municipal Government Act* as defined below.

### **10.29.2 Definition**

Subject to Section 664.2

(1) a subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision to provide part of that parcel of land to the municipality as conservation reserve if

- a) in the opinion of the subdivision authority, the land has environmentally significant features,
- b) the land is not land that could be required to be provided as environmental reserve,
- c) the purpose of taking the conservation reserve is to enable the municipality to protect and conserve the land, and
- d) the taking of the land as conservation reserve is consistent with the municipality's municipal development plan and area structure plan.

(2) Within 30 days after the Registrar issues a new certificate of title under Section 665(2) for a conservation reserve, the municipality must pay compensation to the landowner in an amount equal to the market value of the land at the time the application for subdivision approval was received by the subdivision authority.

(3) If the municipality and the landowner disagree on the market value of the land, the matter must be determined by the Land Compensation Board.

## **10.30 Direct Control District (DC)**

### **10.30.1 Purpose**

Pursuant to Section 641 of the Act, Council may exercise direct control over the use and development of land and buildings within a given area of the County.

### **10.30.2 Control of Use and Development**

Council may regulate and control the use or development of land or buildings in the district as it sees fit. Council may issue a development permit or may delegate this responsibility to the Development Officer to exercise pursuant to Council 's directions.

### **10.30.3 Designation of Direct Control Districts**

In accordance with Section 641(4) of the *Municipal Government Act* 2000 Chapter M-26 (MGA), if a decision with respect to a development permit application in respect of a direct control district:

- a) is made by a Council, there is no appeal to the subdivision and development appeal board; or
- b) is made by a development authority, the appeal is limited to whether the development authority followed the directions of Council , and if the subdivision and development appeal board finds that the development authority did not follow the directions it may, in accordance with the directions, substitute its decision for the development authority's decision.

## **10.31 Recreational Resort Holdings District - Cavallo Ridge Resort (RRH-CRR)**

### **10.31.1 Purpose**

The purpose of the RRH-CRR district is to allow the development of individually owned recreational holdings within the Cavallo Ridge Resort subdivision within the S ½ -25 – 45 – 1 W5M. It recognizes the desire to allow for mixed Residential/Recreational uses. Commercial activities are also allowed where they are compatible with residential use.

### **10.31.2 Permitted Uses**

- a) Recreational Units Use or single detached modular dwelling (maximum length of 16.8m (55 ft)), limited to one per lot
- b) Recreational Extensive (*amended by Bylaw 2019/44*)
- c) Public parks
- d) Public utility installations
- e) Buildings and uses accessory to the above

### **10.31.3 Discretionary Uses**

- a) Dwelling, Mobile – New (to a maximum length of 16.8 m (55 ft.))
- b) Bed and breakfast (*amended by Bylaw 2019/44*)
- c) Golf courses, as defined in Section 1.2
- d) Show homes
- e) Day Care
- f) Offsite Home Occupation (Type 1) (*amended by Bylaw 2019/55*)
- g) Buildings and uses accessory to the above (*amended by Bylaw 2019/44*)

### **10.31.4 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units. As Recreational Units Use is a Permitted use, Short Term Camping and Recreational Units Storage are not allowed in this district.

### **10.31.5 Lot sizes**

- a) In a proposed subdivision served or proposed to be served by a municipal water system and a municipal sewer system, each lot intended for residential use must have an area of at least 416 m<sup>2</sup> (4,477 ft<sup>2</sup>) and a mean width of at least 12.8 m (42 ft).

- b) In addition to the sizes set out above, an irregular or pie shaped lot shall have a road frontage of at least 7.69 m (25.2 ft).
- c) The lot size requirements set out above may be over-ridden by other standards set out in an area structure plan following input from health and environmental agencies.

#### **10.31.6 Setbacks**

- a) No development can be located within 6 m (19.6 ft.) of a road, the shore of a water feature as defined by Section 3 of the Public Lands Act, or the property line of a reserve parcel.
- b) No development can be located within 2.44 m (8 ft) of any other property line unless approved Alberta Safety Codes fire ratings are met to allow wall or respective building materials to reduce distance. *(amended by Bylaw 2019/44)*. Such distance shall not be reduced to less than 1.5 m (5 ft). *(amended by Bylaw 2019/55)*
- c) Lots directly adjacent to the golf course will have a rear yard setback no less than 6 m (19.6 ft).
- d) In the RRH-CRR district, rear yard and side yard setbacks cannot be relaxed by the Development Officer.

#### **10.31.7 Height Restriction**

- a) The principal dwelling shall be a maximum of one (1) story AND not more than 6.7 m (22 ft.) above grade at any point.
- b) Unattached accessory building(s) shall be restricted in height to a maximum of 3.7 m (12 ft.) above grade at its highest point and shall not exceed the height of the principal dwelling/RV unit.

#### **10.31.8 Site Coverage**

The area of land covered by all buildings must not exceed 40% of the area of the lot on which the buildings are situated.

#### **10.31.9 Wastewater**

The collection, treatment, and disposal of wastewater (sewage) must be addressed in any subdivision or development application, and a system acceptable to the development officer must be specified in an agreement under this Land Use Bylaw or the Act.

#### **10.31.10 Means of registration**

A development under RRH-CRR zoning shall be registered as a subdivision and not as a condominium or bare land condominium.

#### **10.31.11 Third party restrictions on land use**

When making a decision on an application for a development permit, the development officer is not bound any restrictive covenants, architectural guidelines, or similar restrictions registered on the title of a lot.

#### **10.31.12 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12.1(g), Recreational Units.

#### **10.31.13 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

#### **10.31.14 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

*(Section 10.31 amended by Bylaws 2018/29, 2022/66)*

## **10.32 Agricultural Small Holding (ASH)**

### **10.32.1 Purpose**

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

### **10.32.2 Prerequisite Information Supporting the Proposed District**

- a) Lots proposed on good agricultural land for viable commercial agricultural operations shall only be approved if the following prerequisites are present:  
If required under policy, an Area Structure Plan;
- b) Demonstrated compatibility between the proposed land use and existing land uses;
- c) On existing developed sites that are above the limits described in Section 10.32.2 d), there shall be no additional building development over or removal of the viable agricultural land; and
- d) Proposed parcels shall have a maximum of 20% up to a maximum of 5 ac of development that will include buildings or other non-productive agricultural land; and
- e) Agricultural, Extensive (Permitted) and Agricultural, Intensive Discretionary Land Uses, are limited to the percentage and acreage provisions specified in 10.32.2, d) and must remain within the area designated under 10.3.2 d) and
- f) Any fragmentation of the remainder of the good agricultural quarter shall not be allowed unless further consideration is provided under existing policies or bylaws, including those provisions under Section 10.32.5 and 10.32.7 in this District.

### **10.32.3 Permitted Uses**

- a) Agriculture, Extensive
- b) Dwelling, Detached
- c) Dwelling, Mobile – New
- d) Dwelling, Modular – New
- e) Dwelling, Moved-in-New
- f) Buildings and uses accessory to the above

### **10.32.4 Discretionary Uses**

- a) Dwelling, Communal
- b) Dwelling, Moved-in- Used
- c) Dwelling, Mobile – Used

- d) Dwelling, Modular – Used
- e) Secondary Suite
- f) Agricultural, Intensive
- g) Tree Farm
- h) Bed and Breakfast
- i) Industry Work Camp
- j) Kennel
- k) Public Utility
- l) Public or Quasi-Public Use
- m) Resource Processing Operation
- n) Abattoir
- o) Greenhouse
- p) Veterinary Clinic
- q) Apiary
- r) Offsite Home Occupation (Type 1)
- s) Onsite Home Occupation (Type 1)
- t) Market Garden
- u) Buildings and uses accessory to the above

#### **10.32.5 Lot size**

The minimum and maximum lot size shall respectively be between 4.05 ha (10 ac) to 32.4 ha (80 ac).

#### **10.32.6 Setbacks**

- a) Front yard: see Section 9.10.1
- b) Side yard: 5.0 m (16 ft)
- c) Rear yard: 10.0 m (33 ft)

#### **10.32.7 Animal Units**

Animal Units shall be limited to 0.44 units per ac to a maximum of 5 ac and must remain within the designated development area as outlined in Section 10.32.2.

#### **10.32.8 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

### **10.32.9 Sewage and Wastewater**

Sewage and wastewater systems are required as outlined in Section 3.12 (g), Recreational Units.

### **10.32.10 Utility Hookups**

Utility hookups are required as outlined in Section 3.12.1(h), Recreational Units.

### **10.32.11 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

*(Section 10.23 was added with Bylaw 2020/63)*

## **10.33 Direct Control District – Plan 7922894 Lot C**

### **10.33.1 Purpose**

The purpose of this Direct Control District is to allow for rural residential uses and the secondary storage of a limited amount of oilfield construction vehicles and equipment on Lot C Plan 78922894, SE 13-46-23-W4.

### **10.33.2 Permitted Uses**

The Development Officer shall consider and decide upon development permit applications for the following permitted uses:

- a) Dwelling, Detached
- b) Dwelling, Mobile – New
- c) Dwelling, Modular – New
- d) Buildings and uses accessory to the above

### **10.33.3 Discretionary Uses**

Council shall consider and decide upon development permit applications for the following discretionary uses:

- a) Dwelling, Mobile - Used
- b) Dwelling, Modular - Used
- c) Dwelling, Moved-in
- d) Dwelling, Secondary Suite
- e) Storage Facility
- f) Buildings and uses accessory to the above

### **10.33.4 Setbacks**

- a) Dwellings and residential accessory buildings
  - i) Front Yard: see Section 9.10.1
  - ii) Side Yard: 5.0 m (16 ft)
  - iii) Rear Yard: 10.0 m (33 ft)
- b) Storage Facility including oilfield construction vehicles and equipment, and accessory buildings and uses thereto
  - i) Front Yard: see Section 9.10.1
  - ii) Side Yard: 10.0 m (33 ft)
  - iii) Rear Yard: 10.0 m (33 ft)

### **10.33.5 Height**

- a) The maximum building height of all buildings shall be 10.0 m (33 ft)
- b) The maximum height of any items in the Storage Facility shall not exceed 6.0 m (19.7 ft)

### **10.33.6 Recreational Units**

Recreational Units may be authorized as outlined in Section 3.12, Recreational Units.

### **10.33.7 Enforcement**

Offences and fines are outlined in Section 5, Contravention.

*(Section 10.33 was added with Bylaw 2023/13)*

## Appendix A: Animal Units

If a livestock operation is the size\* listed in the regulations under AOPA, it is a confined feeding operation which requires approval from the NRCB, and no municipal approval is required. If the operation is smaller than the size listed below, it is an intensive livestock operation, and a development permit may be required.

At the date this Bylaw was passed, the figures in the AOPA regulations were as listed below.

Threshold Levels

**Schedule 1 from AOPA: Animal Units**

Category of Livestock	Type of Livestock	Factor to be used to determine the animal units
Beef	Cows/Finishers (900+ lbs)	1.1
	Feeders (450 – 900 lbs)	2
	Feeder Calves (< 550 lbs)	3.6
Dairy  (*count lactating cows only to calculate animal units)	Free Stall – Lactating Cows with all associated dries, heifers, and calves*	0.5
	Free Stall – Lactating with Dry Cows only*	0.6
	Free Stall – Lactating cows only	0.7
	Tie Stall – Lactating cows only	0.7
	Loose Housing – Lactating cows only	0.7
	Dry cow	1
	Replacements – Bred Heifers (Breeding to calving)	1.15
	Replacements – Growing Heifers (350 lbs to breeding)	1.9
	Calves (< 350 lbs)	5
Swine  (*count sows only to calculate animal units)	Farrow to finish*	0.56
	Farrow to wean*	1.5
	Farrow only*	1.9
	Feeders/Boars	5
	Growers/Roasters	8.5
	Weaners	18.2

Category of Livestock	Type of Livestock	Factor to be used to determine the animal units
Poultry	Chicken – Breeders	100
	Chicken – Layer–Liquid (includes associated pullets)	125
	Chicken – Layers (Belt Cage)	150
	Chicken – Layers (Deep Pit)	150
	Chicken – Pullets/Broilers	500
	Turkeys – Toms/Breeders	50
	Turkey – Hens (light)	75
	Turkey – Broilers	100
	Ducks	100
	Geese	50
Horses	PMU	1
	Feeders > 750 lbs	1
	Foals < 750 lbs	3.3
	Mules	1
	Donkeys	1.5
Sheep	Ewes/rams	5
	Ewes with Lambs	4
	Lambs	21
	Feeders	10
Goats	Meat/Milk (per Ewe)	6
	Nannies/Billies	10
	Feeders	13
Bison	Bison	1
Cervid	Elk	1.7
	Deer	5
Wild Boar	Feeders	6
	Sow (farrowing)	1.25

AR 257/2001 Sched. 1;90/2004;193/2006Jurisdiction over Livestock Operations

\*size- refers to the number of Animal Units listed Under Schedule 1 from AOPA Animal Units

## Appendix B: Jurisdiction over Livestock Operations

## Schedule 2 from AOPA:

### Threshold Levels

If the size\* is more than what is listed in the table below you will be need to contact the NRCB to require the proper permits from the NRCB.

Category of Livestock	Type of Livestock	Column 2	Column 3
		Number of Animals (registration)	Number of Animals (approvals)
Beef	Cows/Finishers (900+ lbs)	150 – 349	350+
	Feeders (450 – 900 lbs)	200 – 499	500+
	Feeder Calves (< 550 lbs)	360 – 899	900+
Dairy  (*count lactating cows only)	Lactating cows*  (Lactating cows only – associated Dries, Heifers, and Calves are not counted)	50 – 199	200+
Swine  (*count sows only)	Farrow to finish*	30 – 249	250+
	Farrow to wean*	50 – 999	1000+
	Farrow only*	60 – 1249	1250+
	Feeders/Boars	500 – 3299	3300+
	Roasters	500 – 5999	6000+
	Weaners	500 – 8999	9000+
Poultry	Chicken – Breeders	1000 – 15999	16000+
	Chicken – Layer (includes associated pullets)	5000 – 29999	30000+
	Chicken – Pullets/Broilers	2000 – 59999	60000+
	Turkeys – Toms/Breeders	1000 – 29999	30000+

	Turkey – Hens (light)	1000 – 29999	30000+
	Turkey – Broiler	1000 – 29999	30000+
	Ducks	1000 – 29999	30000+
	Geese	1000 – 29999	30000+
Horses	PMU	100 – 399	400+
	Feeders > 750 lbs	100 – 299	300+
	Foals < 750 lbs	350 – 999	1000+
	Mules	100 – 299	300+
	Donkeys	150 – 449	500+
Sheep	Ewes/rams	300 – 1999	2000+
	Ewes with Lambs	200 – 1999	2000+
	Lambs	1000 – 4999	5000+
	Feeders	500 – 2499	2500+
Goats	Meat/Milk	200 – 1999	2000+
	Nannies/Billies	400 – 2999	3000+
	Feeders	500 – 4999	5000+
Bison	Bison	150 – 349	350+
Cervid	Elk	150 – 399	400+
	Deer	200 – 999	1000+
Wild Boar	Feeders	100 – 299	300+
	Sow (farrowing)	50 – 99	100+

- When Dairy Replacement Heifers are housed away from the dairy treat as Beef – Feeders.
- When Dairy calves are housed away from the dairy treat as Beef – Feeder Calves

AR 257/2001 Sched. 2;90/2004;193/200

\*size- refers to the number of Animal Units listed Under Schedule 1 from AOPA Animal Units

## **Appendix C:** Setbacks from the Subdivision and Development Regulations (*amended by Bylaw 2022/66*)

## **Appendix D:** Non-Conforming Use and Non-Conforming Buildings

## Non-conforming Use and Non-Conforming Buildings

From the *Municipal Government Amendment Act, 2000* Chapter M-26 as amended.

**643(1)** If a development permit has been issued on or before the day on which a land use Bylaw or a land use amendment Bylaw comes into force in a municipality and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the Bylaw.

**(2)** A non-conforming use of land or a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use Bylaw then in effect.

**(3)** A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.

**(4)** A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.

**(5)** A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except

a) to make it a conforming building,

b) for routine maintenance of the building, if the development authority considers it necessary, or

c) in accordance with a land use Bylaw that provides minor variance powers to the development authority for the purposes of this section.

**(6)** If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use Bylaw.

**(7)** The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

**Appendix E:** Development Appeal (*amended by Bylaw 2022/66*)

## **Appendix F:** Subdivision Appeal (*amended by Bylaw 2022/66*)

## Appendix G: Land Use Districts Maps

NOTE: For most up to date Land Use District Maps please contact the County of Wetaskiwin No.10 at (780)352-3321 or [wpermits@county10.ca](mailto:wpermits@county10.ca)

## Appendix H: Recreational Unit Matrix

RUU/RUSTC/RUS are all subject to setbacks outlined in property in all districts

\* Subject to existing approved dwelling

<b>AGRICULTURAL (AG-10.1)</b>	
<b>Recreational Unit Use (RUU) (Section 3.12 of Land Use Bylaw 2017/48)</b>	
RUU > 80 Ac (With 3-year \$ 500 permit) No Dwelling Required	1 Recreational Unit allowed
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12.)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>Severed Agricultural (SA-10.2)</b>	
<b>Recreational Unit Use (RUU) (Section 3.12)</b>	
RUU >80 ac (with 3-year \$500 Permit) No Dwelling Required	1 Recreational Unit allowed
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>Agricultural Hobby Farm (AHF-10.3)</b>	
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>Rural Residential (RR-10.4)</b>	
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12.)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>Country Residential (CR-10.5)</b>	
<b>Recreational Unit Use (RUU) (Section 3.12 (e))</b>	
Limited RUU when a permit for a Dwelling has been applied for	1 Recreational Unit allowed
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 * Recreational Units allowed
RUSTC >1 ac to <20 ac	1 * Recreational Units allowed
RUSTC 20 ac or more	3 * Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>Restricted Country Residential (RCR-10.6)</b>	
<b>Recreational Unit Use (RUU) (Section 3.12 (e))</b>	
Limited RUU when a permit for a Dwelling has been applied for	1 Recreational Unit allowed
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 * Recreational Units allowed
RUSTC >1 ac to <20 ac	1 * Recreational Units allowed
RUSTC 20 ac or more	3 * Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>LAKESHORE RESIDENTIAL (LR-10.7)</b>	
<b>Recreational Unit Use (RUU) (Section 3.12 of Land Use Bylaw 2017/48)</b>	
RUU (With 3- year \$500 permit)	1 Recreational Unit allowed
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12.)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Units allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit Allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>LAKESHORE MIXED USE (LM-10.8)</b>	
<b>Recreational Unit Use (RUU) (Section 3.12)</b>	
RUU (When dwelling does NOT exist)	0 Recreational Units allowed
RUU (With 3-year \$ 500 permit)	0 Recreational Units allowed
RUU Use (Permitted \$100 permit)	0 Recreational Units allowed
RUU >80 ac (with 3-year \$500 Permit)	0 Recreational Units allowed
RUU < 1 ac	0 Recreational Units allowed
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>RECREATIONAL RESORT HOLDINGS (RRH-10.9)</b>	
<b>Recreational Unit Use (RUU) (Section 3.12)</b>	
RUU Use (Permitted \$100 permit) (No Dwelling is permitted with RUU)	1 Recreational Unit allowed
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	3 Recreational Units allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>Mixed Recreational Residential (MRR -10.10)</b>	
<b>Recreational Unit Use (RUU) (Section 3.12 of Land Use Bylaw 2017/48)</b>	
RUU Use (Permitted \$100 permit) (No Dwelling is permitted with RUU)	1 Recreational Unit allowed
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12.)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	2 Recreational Units allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit Allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>MOBILE HOME (MH-10.11)</b>
<b>All Recreational Unit Use, Short Term Camping, and Storage is not permitted within this district.</b>

<b>HIGH DENSITY RURAL RESIDENTIAL (HDR- 10.12)</b>	
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>RURAL COMMERCIAL (RC-10.13)</b>	
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>URBAN RESIDENTIAL (UR-10.14)</b>	
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>URBAN COMMERCAL (UC-10.15)</b>	
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>URBAN INDUSTRIAL (UI-10.16)</b>	
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>HIGHWAY INTERCHANGE COMMERCIAL DISTRICT (HIC 10-17)</b>
<b>All Recreational Unit Use, Short Term Camping, and Storage is not permitted within this district.</b>

<b>INDUSTRIAL (IN-10.18)</b>	
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>INSTITUTIONAL (IS-10.19)</b>	
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12.)</b>	
RUSTC < 1 ac	20 Recreational Units allowed
RUSTC >1 ac to <20 ac	20 Recreational Units allowed
RUSTC 20 ac or more	30 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>URBAN FRINGE (UF-10.20)</b>	
<b>Recreational Unit Use (RUU) (Section 3.12)</b>	
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>RECREATIONAL (R-10.21)</b>	
<b>Recreational Unit Use (RUU) (Section 3.12)</b>	
RUU Use (Permitted \$100 permit) (No Dwelling is permitted with RUU)	1 Recreational Unit allowed
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>WATERSHED PROTECTION (WP-10.22)</b>	
<b>Recreational Unit Use (RUU) (Section 3.12 of Land Use Bylaw 2017/48)</b>	
RUU >80 ac (with 3-year \$500 Permit) (with no approved permitted Dwelling)	1 Recreational Unit allowed
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12.)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>RURAL CONSERVATION (RCV-10.23)</b>	
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

<b>WIZARD LAKE WATERSHED (WLW-10.24)</b>	
<b>Recreational Unit Use (RUU) (Section 3.12)</b>	
RUU (With 3-year \$ 500 permit) (With no approved Dwelling)	1 Recreational Unit allowed
RUU >80 ac (with 3-year \$500 Permit)	1 Recreational Unit allowed
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

## AGRICULTURAL/INTERMUNICIPAL DEVELOPMENT PLAN (A/ID-10.25)

<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

## DIRECT CONTROL (DC-10.30)

**Any Recreational Unit Use, Short Term Camping, Storage would need to be approved by Council**

## RECREATIONAL RESORT HOLDINGS DISTRICT- CAVALLO RIDGE RESORT (RRH-CRR-10.31)

<b>Recreational Unit Use (RUU) (Section 3.12 of Land Use Bylaw 2017/48)</b>	
RUU Use (Permitted \$100 permit)	1 Recreational Unit allowed
RUU < 1 ac	1 Recreational Unit allowed
<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12.)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	3 Recreational Units allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

## AGRICULTURAL SMALL HOLDINGS (ASH-10.32)

<b>Recreational Unit Short Term Camping (RUSTC) (Section 3.12)</b>	
RUSTC < 1 ac	1 Recreational Unit allowed
RUSTC >1 ac to <20 ac	1 Recreational Unit allowed
RUSTC 20 ac or more	3 Recreational Units allowed
<b>Recreational Unit Storage (RUS) (RUS Definition)</b>	
RUS < 5 ac	1 Recreational Unit allowed
RUS 5 ac to 9.99 ac	2 Recreational Units allowed
RUS 10 ac or more	3 Recreational Units allowed

Appendix I: Slope Index

## APPENDIX I: SLOPE INDEXES

SLOPE OR INCLINATION CAN BE EXPRESSED IN THREE WAYS:

- 1) AS A RATIO OF THE RUN TO THE RISE (EXAMPLE 4:1)
- 2) AS AN ANGLE EXPRESSED IN DEGREES (EXAMPLE 14°)
- 3) AS A PERCENTAGE CALLED "GRADE" (EXAMPLE 25%)

