

COUNTY OF BARRHEAD NO. 11 PROVINCE OF ALBERTA BY-LAW NO. 5-2010 Land Use By-Law

A By-Law of the County of Barrhead No. 11, in the Province of Alberta, pursuant to the provisions of the Municipal Government Act, for the purpose of enacting a new Land Use By-Law.

The Council of the County of Barrhead No. 11, in the Province of Alberta, duly assembled, enacts as follows:

- 1. This By-Law may be cited as the "County of Barrhead No. 11 Land Use By-Law".
- 2. The written text, maps and charts annexed hereto as Schedule "A" be adopted as the County of Barrhead No. 11 Land Use By-Law.
- 3. The invalidity of any section, clause, sentence, or provision of this bylaw shall not affect the validity of any other part of this bylaw which can be given effect with such invalid part or parts.
- 4. By-Law No. 3-2004 and amendments thereto are repealed.
- 5. This By-Law shall come into full force and upon third and final reading thereof.

First Reading Given the 3rd day of August, 2010.

Second Reading Given the 17th day of August, 2010.

Third and Final Reading Given the 17th day of August, 2010.

Reeve Seal County Manager

Advertised in the Barrhead Leader on June 22, 2010, and June 29, 2010.

Public Hearing Held: July 6, 2010.



COUNTY OF BARRHEAD NO. 11

LAND USE BYLAW

BYLAW NO. 5-2010



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COUNTY OF BARRHEAD LAND USE BYLAW

Pursuant to the Municipal Government Act, R.S.A. 2000, as amended, (hereafter referred to as the Act) the Council of the County of Barrhead, duly assembled, hereby enacts as follows:

PART 1 - GENERAL ADMINISTRATIVE PROCEDURES

SECTION 1.1 TITLE

This Bylaw is entitled "County of Barrhead Land Use Bylaw".

SECTION 1.2 PURPOSE

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

- (1) to divide the County of Barrhead into districts;
- (2) to prescribe and regulate for each district the purpose for which land and buildings may be used;
- (3) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (4) to prescribe a procedure to notify owners of land likely to be affected by the issuance of a development permit;
- (5) to establish the number of dwelling units permitted on a parcel of land; and
- (6) to follow adopted statutory plans, regional plans, the Act, the Subdivision and Development Regulation, the Land Stewardship Act, and other applicable Provincial and Federal Legislation.

SECTION 1.3 DEFINITIONS

(1) In this Bylaw:

"ABANDONED FARMSTEAD" - means a farmyard which was once established and which contains two (2) or more of the following: an abandoned residence, a developed potable water source, an established sewage collection system, an existing shelterbelt or any other features which would indicate a previous developed farmstead;

"**ACT**" - means the Municipal Government Act and amendments thereto, and the regulations passed pursuant thereto;

"ACCESSORY BUILDING" - means a building separate and subordinate to the principal building (in the opinion of the Development Authority), the use of which is incidental to that of the principal building and is located on the same parcel of land;

"ACCESSORY USE" - means a use customarily incidental and subordinate to the principal use or building (in the opinion of the Development Authority), and which is located on the same parcel of land with such principal use or building;

"ADJACENT LAND" - means land or a portion of land that is contiguous to the parcel of land that is subject to a development application and/or subdivision application and includes land or a portion of land that would be contiguous if not for a public roadway, primary highway, river or stream, or reserve lot (see Figures 1 and 2);

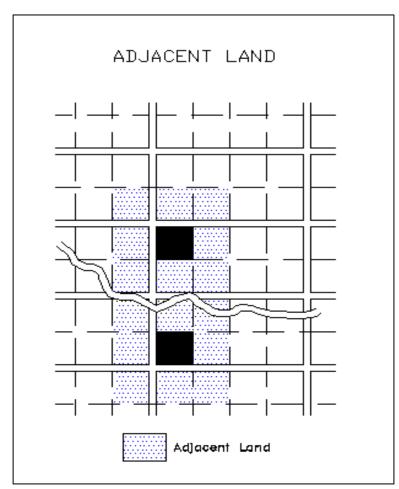


FIGURE 1: ADJACENT LAND - AGRICULTURAL EXAMPLE

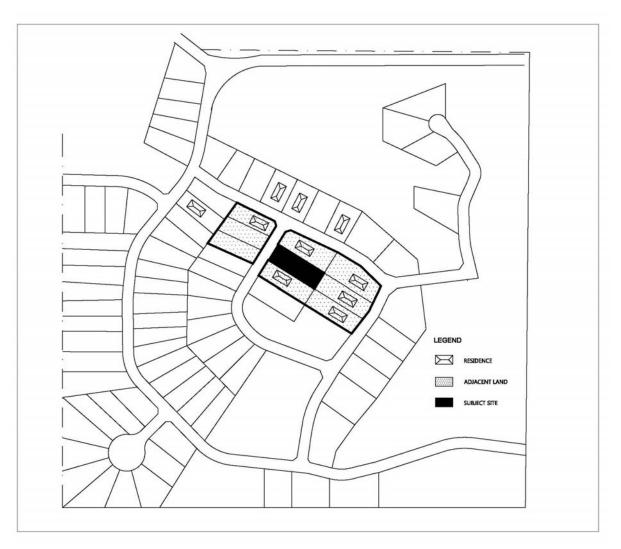


FIGURE 2: ADJACENT LAND - MULTI-LOT COUNTRY RESIDENTIAL EXAMPLE

"ADULT ENTERTAINMENT" means an establishment which provides live entertainment for its patrons, which includes the display of nudity;

"ADULT USE" means any of the following: Adult Bookstore, Adult Motion Picture Theater, Adult Paraphernalia Store, Adult Video Store, and Live Nudity Establishment or any other business or establishment characterized by an emphasis depicting, describing or related to sexual conduct or excitement. For the purposes of this definition an adult use is any use or combination of uses which either have greater than twenty-five percent (25%) of the subject establishment's inventory stock; or twenty-five percent (25%) of the subject premise's gross floor area, or 200 sq f, whichever is greater devoted to materials for sale or rent distinguished by or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement; "**AGRICULTURAL OPERATION**" means an agricultural operation as defined in the Agricultural Operations Practices Act;

"AGRICULTURAL SUPPORT SERVICES" - means development providing products or services directly related to the agricultural industry. Without restricting the generality of the foregoing, this shall include such facilities as: livestock auction marts, grain elevators, feed mills, bulk fertilizer distribution plants, bulk agricultural chemical distribution plants, bulk fuel plants, farm implement dealerships, and crop spraying;

"ANIMAL SERVICES FACILITY" - means development for the purposes of treatment of animals and includes retail sales of associated products. This may include such uses as veterinary clinics, impounding and quarantining facilities, but does not include the sale of animals;

"AMUSEMENT AND ENTERTAINMENT SERVICES" - means those developments, having a room, area or building used indoors or outdoors for purposes of providing entertainment and amusement to patrons on a commercial fee for admission/service basis. Typical uses and facilities would include go-cart tracks, miniature golf establishments, carnivals (variety of shows, games and amusement rides), circuses, table or electronic games establishments, amusement theme parks and drive-in motion picture theatres;

"APIARY" - means a place where beehives are kept. For the purposes of this Bylaw the location of the apiary will be determined by the beehives rather than by the legal boundary of the parcel of land accommodating the hives;

"AUCTIONEERING FACILITY" means development intended for the use of auctioning livestock, goods and equipment including the temporary storage of such livestock, goods and equipment, but does not include flea markets;

"AUTOMOBILE SERVICE CENTRE" - means a development or portion of a large retail establishment used exclusively for the repair and maintenance of passenger vehicles and other single-axle vehicles and excludes the sale or other distribution of petroleum products such as gasoline, propane, diesel and other fuels;

"BASIC CAMPGROUND" - means an area used for a range of overnight accommodation, from tenting to un-serviced trailer sites, including accessory facilities that support the use, such as administration offices, laundry facilities, washrooms, support recreational facilities, but not including the use of mobile homes, trailers or other forms of moveable shelter on a permanent year-round basis;

"BED AND BREAKFAST OPERATION" - means a minor and ancillary/subordinate commercial use of a residence where accommodation, with or without meals, is provided for remuneration to members of the public for periods of fourteen (14) days or less in 4 or fewer guest rooms; "BEHIND THE METER" - means a generating system producing power for use on a grid-connected property, but which system may or may not be capable of sending power back into the utility grid.

"BOARDER OR LODGER" - means an individual residing in a dwelling unit along with another individual or other individuals, who is (are) the principal occupant(s) of the dwelling unit and to whom the boarder or lodger is not related by blood or marriage, where accommodation and meals are provided for compensation to the principal occupant(s) pursuant to an agreement or arrangement;

"BOARDING OR LODGING HOME" - means a building (other than a hotel or motel) containing not more than fifteen sleeping rooms where meals or lodging for four or more persons are provided for compensation pursuant to previous arrangements or agreement;

"**BUILDING**" - includes anything constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or road;

"**BUILDING HEIGHT**" - means the vertical distance between building grade and the highest point of a building; excluding an elevator housing, a mechanical skylight, ventilating fan, chimney, steeple, fire wall, parapet wall, flagpole or similar device not structurally essential to the building;

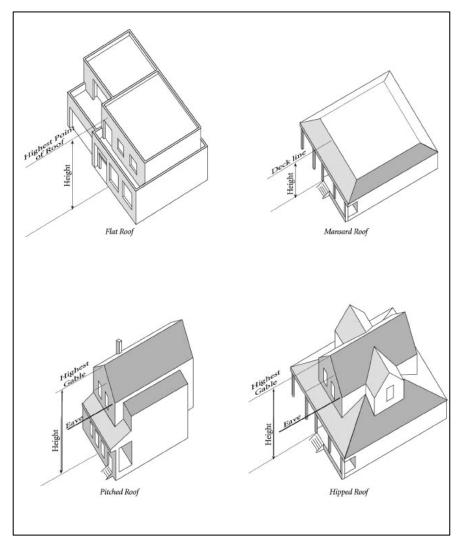


FIGURE 3: EXAMPLES OF HEIGHT MEASUREMENTS FOR DIFFERENT ROOF TYPES

"CANOPY" - means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun;

"CARPORT" - means a roofed structure used for storing or parking of not more than two private vehicles which has not less than 40% of its total perimeter open and unobstructed;

"CAR WASH" - means a building used for the purpose of washing motor vehicles;

"CARETAKER'S RESIDENCE" - means a residence that is secondary or ancillary to a principal industrial, commercial, or recreational use on the lot, and is used for the purpose of providing living accommodation for the individual who is primarily responsible for the maintenance and security of that lot;

"CHILD CARE FACILITY" - means an establishment licensed by the regional Child

and Family Services Authority intended to provide care, educational services and supervision for seven (7) or more children for a period less than 24 hours at a time. This use includes group day care centres, out-of-school centres, nursery or play schools, and drop-in centres;

"CLUSTERED FARM DWELLINGS" - means one or more duplexes or multiplefamily dwellings which are located on a farm unit of at least 320 acres (127.5 hectares) in size where the dwellings shall be occupied by persons who are employed full time (for at least six (6) months of each year) in agriculture or intensive agriculture and where all of the dwellings are constructed or located on the same farmstead site.

"COMMERCIAL USES" - means both general commercial uses and highway commercial uses;

"COMMUNICATION TOWER FACILITY" - means a structure that is intended for transmitting or receiving television, radio, internet or telephone communications;

"COMMUNITY RECREATION SERVICES" - means development for recreational, social or multi-purpose uses primarily intended for local community purposes. Typical facilities would include community halls and community centers operated by a local residents' organization;

"**CONFINED FEEDING OPERATION**" - means a confined feeding operation as defined in the Agricultural Operation Practices Act;

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

"COUNCIL" - means the Council of the County of Barrhead;

"COUNTRY RESIDENTIAL" - means the use of land for residential purposes in a rural area.

"COUNTRY RESIDENTIAL PARCEL" - means:

- i) the rural subdivision of an undeveloped parcel from a quarter-section or river lot for residential purposes, or
- ii) the second or additional rural subdivision of a parcel from a quartersection or river lot for residential purposes;

"DAY HOME" - means a provincially licensed child care facility operated from a

dwelling or a foster home supplying supervision of a maximum of six (6) children under the age of eleven (11) years including any resident children. A day home shall supply an outside play space that is both fenced and gated, and shall meet all fire regulations and health regulations;

"**DENSITY**" - means a quantitative measure of the average number of persons, families or dwelling units per unit of area;

"DEVELOPER" - means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;

"DEVELOPMENT" – means:

- (a) an excavation or stockpile and the creation of either;
- (b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them;
- (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;
- (d) 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 intensity of use of the land or building; and
- (e) the placement of an already constructed or a partially constructed building on a parcel of land;

"DEVELOPMENT AUTHORITY" means a Development Authority established pursuant to the Act and may include one or more of the following; a Designated Officer, a Municipal Planning Commission, an Intermunicipal Planning Commission, or any other person or organization that has been authorized by bylaw to exercise development powers on behalf of the Municipality;

"DEVELOPMENT OFFICER" - means a person(s) appointed by the Development Authority to be responsible for receiving, considering, and recommending a decision on applications for development and such other duties as specified under the Land Use Bylaw;

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

"**DISCRETIONARY USE**" - means a use of land or buildings provided for in this Bylaw, for which a development permit <u>may or may not</u> be issued by the Municipal Planning Commission with or without conditions upon an application having been made;

"**DRINKING ESTABLISHMENT**" - means a development possessing a Class A Minors Prohibited liquor license, where the sale and consumption of liquor on site are open to the public and where liquor is the primary source of business;

"**DUPLEX**" - means a dwelling containing two dwelling units and either sharing one common wall in the case of side-by-side units, or having the dwelling area of one located above the dwelling area of the other in the case of vertical units, each with a private entry;

"**DWELLING**" means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level. This definition shall include single detached dwellings, manufactured homes, modular homes, duplexes, row housing and apartments;

"DWELLING UNIT" - means a complete building or self-contained portion of a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;

"**EATING ESTABLISHMENT**" - means a development whose premises are open to the public and where food, rather than alcohol, is the primary source of business.

"ENVIRONMENTAL RESERVE" - means an environmental reserve as determined in accordance with the Act which is land designated as environmental reserve on a plan of subdivision;

"ENVIRONMENTAL RESERVE EASEMENT" - means an environmental reserve easement as determined in accordance with the Act;

"EXTENSIVE AGRICULTURE DEVELOPMENT" - means the use of land or buildings, including the first dwelling and other structures related to an agricultural operation, but not including intensive agriculture, or a confined feeding operation or manure storage facility if the confined feeding operation or the manure storage facility is the subject of an approval, registration or authorization under Part 2 of the Agricultural Operations and Practices Act;

"FARM BUILDING" - means improvements used in connection with the raising or production of crops, livestock or poultry and situated on land used in connection with such farming operations;

"FARMSTEAD" - means the dwelling and other improvements used in connection with extensive or intensive agriculture or a confined feeding operation, situated on a parcel of land used in connection with such farming operations. A farmstead's dwelling may be a one family dwelling or a manufactured home unit;

"FARMSTEAD SEPARATION" - means a parcel of land that has been or which may be subdivided by virtue of their being a farmstead within that parcel;

"FENCE" - means a physical barrier constructed to prevent visual intrusions, unauthorized access, or provide sound abatement;

"FLOODPLAIN" - means the area of land bordering a water course or water body that would be inundated by 1 in 100 year flood event as determined by Alberta Environment in consultation with the County of Barrhead;

"FLOOR AREA" - means the total of the floor areas of every room and passageway contained in a building, but not including the floor areas of basements, attached garages, sheds, open porches, decks or breezeways;

"FOUNDATION" - means the lower portion of a building, usually concrete or masonry, and includes the footings that transfer the weight of and loads on a building to the ground;

"FRAGMENTED PARCEL" - means a parcel of land that is separated from the balance of the remainder of the parcel of land by a natural barrier such as a river, a permanent or naturally-occurring water body, a railroad, or a road, but not an undeveloped road on a Road Plan, or a barrier to the crossing of cultivation equipment created by substantial topography, such as a ravine, gulley or small (possibly intermittent) watercourse. The determination that such a topographic barrier is a fragmenting feature for the purpose of subdivision shall be at the sole discretion of the Subdivision Authority.

"**FRONT LINE**" - means the boundary line of a parcel of land lying adjacent to a highway or road. In the case of a corner lot, the shorter of the boundary lines adjacent to the highways or roads shall be considered the front line;

"**FRONT YARD**" - means a yard extending across the full width of a parcel of land from the front line to the leading wall of the main building situated on the parcel of land. In the case of a curved front line, the front yard will also form a curve;

"GARAGE" - means an accessory building or part of the principal building, designed and used primarily for the storage of non-commercial motor vehicles;

"GENERAL COMMERCIAL RETAIL SERVICES" - means development used for the retail rental or sale of groceries, beverages, household good, furniture, appliances, hardware, lumber, printed matter, secondhand/used household goods (and related repair and refurbishing activities), personal care items, automotive parts and accessories, stationary, office equipment and similar goods. Manufacturing and wholesale uses or establishments where the primary product for sale or distribution is liquor are not included in this use class); "GENERAL INDUSTRIAL USE" - means the following development and such similar uses as the manufacturing, processing, assembling, cleaning, repairing, servicing, testing, storage, warehousing, distribution or transshipment of materials, finished goods, products or equipment;

"GUEST RANCH" – means is a tourist destination that allows visitors to experience a taste of the cowboy way of life by providing opportunities for horseback riding and other outdoor activities;

"GOVERNMENT SERVICES" - means development providing municipal, provincial or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property. Typical facilities would include police stations, fire stations, courthouses, postal distribution offices, municipal offices, social service offices, manpower and employment offices, and airport terminals;

"GROUP HOME" - means a development consisting of the use of a dwelling as a facility which is authorized, licensed or certified by a public authority to provide room and board for foster children or disabled persons, or for persons with physical, mental, social, or behavioral problems and which may be for the personal rehabilitation of its residents either through self-help or professional care, guidance or supervision. The residential character of the development shall be primary with the occupants living together as a single housekeeping group and using cooking facilities shared in common. This does not include drug or alcohol addiction treatment centres. Group homes provide a home-like settings where four (4) or more people (up to 10) receive accommodation, personal care and social and recreational supports¹;

"GUEST HOUSE" – means a separate and subordinate accessory building that does not meet the definition of a dwelling and contains one or two of the following; bedrooms and washroom facilities or kitchen; to the discretion of the development officer.

"HEAVY INDUSTRIAL USES" - means activities involved in the processing, fabrication, storage, transportation, distribution or wholesaling of heavy industrial goods which, in the sole opinion of the Development Authority, may emit a significant level of noise, smoke, dust, odour, vibration, etc., and which may not be compatible with the surrounding land use. Heavy industrial uses shall not include heavy petrochemical industrial uses;

"HEAVY PETROCHEMICAL INDUSTRIAL USES" - means activities involved in the processing and manufacturing of petrochemicals, including oil and gas refining, which, in the sole opinion of the Development Authority, may emit a significant level

¹ July 15, 2008. "Government of Alberta Backgrounder: Supportive Living Facilities". Retrieved on 29 May, 2009. From: Government of Alberta via: http://alberta.ca/home/NewsFrame.cfm?ReleaseID =/acn/200807/2401027680C5A-EFB3-6BDE-C9E13FBDF6BB44B7.html.

of noise, smoke, dust, odour, vibration, etc., and which may not be compatible with the surrounding land use;

"HEAVY VEHICLE" - means any vehicle, with or without a load, that exceeds a maximum gross vehicle weight rating of Class 3 or higher as designated by the Canadian Transportation Equipment Association (4536 kg or 10,000 lbs.), or a bus with a designated seating capacity of more than 10. Heavy vehicles do not include recreational vehicles;

"HIGHER CAPABILITY AGRICULTURAL LAND" - means a quarter section consisting of at least 50 ac. (20.23 ha.) of land having a farmland assessment productivity rating equal to or greater than 41%; or, if no rating is available, at least 60% of its land area rated and Canada Land Inventory (C.L.I.) classes 1-3 soil capability for agriculture;

"HIGHWAY" - means a highway or proposed highway that is designated as a highway pursuant to the Public Highways Development Act;

"HOME OCCUPATION, MAJOR" - means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling or accessory building by at least one permanent resident of said dwelling, and which increases traffic circulation in the neighbourhood in which it is located. A major home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for in **Section 7.7** of this Bylaw. For the purposes of clarification this definition includes such uses as storage of equipment, trucks and related vehicles, trucking operations, construction equipment storage and other similar uses. A major home occupation does not include adult entertainment services, day homes, bed and breakfast operations, dating or escort services, or animal services;

"HOME OCCUPATION, MINOR" - means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling or accessory building by at least one permanent resident of said dwelling, and which does not increase traffic circulation in the neighbourhood in which it is located. A minor home occupation does not change the character of the dwelling in which it is located or have any exterior evidence of secondary use other than a small sign as provided for **Section 7.7** of this Bylaw. A minor home occupation does not include adult entertainment services, or dating or escort services;

"**HOTEL**" - means an establishment providing sleeping accommodations with all rooms having direct access provided by having to pass through a common hallway and through the main lobby of the building;

"INTENSIVE AGRICULTURE USE" - means a commercial agricultural operation other than a confined feeding operation which, due to the nature of the operation, requires smaller tracts of land. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, market gardens, apiaries, tree farms and specialty crops;

"INTERNAL SUBDIVISION ROAD" - means a public roadway providing access to lots within a registered multi-parcel subdivision and which is not designated as a Township or Range Road;

"KENNEL" - see "Small Animal Breeding & Boarding Services";

"LANDFILL" - means a landfill as defined in the Waste Control Regulation (AR 192/96);

"LAKESHORE FRONT YARD" - means the yard extending across the full width of the lake-front lot and situated between the lot line closest to the lake and the front wall of the principal building;

"LANDSCAPING" - means to preserve or change the natural features of a site by adding lawns, trees, shrubs, ornamental plantings, fencing, walks, driveways or other structures and materials as used in modern landscape architecture;

"LIQUOR SALES/DISTRIBUTION SERVICES" - means development used principally for the wholesale or retail sale or distribution to the public of any and all types of alcoholic spirits or beverages as defined by the Alberta Liquor Control Act;

"LIVESTOCK" - means livestock as defined in the Agricultural Operation Practices Act;

"LOT" - means

- (a) a quarter section;
- (b) a river lot or settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a Land Titles Office;
- (c) 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
- (d) 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;

"MAIN BUILDING" - means a building in which is conducted the main or principle use of the parcel of land on which it is erected;

"MANUFACTURED HOME" - means a dwelling that is designed to be transported on its own wheels or by other means, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year round use as a single dwelling unit. This definition shall not include a dwelling that would be considered to be a single detached dwelling or a modular home if the roof pitch were equal to or greater than 1:4, if the depth of eaves were equal to or greater than 30.4 cm (1.0 ft.), or if the ratio of depth vs. width (or width vs. depth) were less than 3:1. If the roof pitch is less than 1:4, if the eaves is less than 30.4 cm (1.0 ft.), or if the ratio noted above is more than 3:1, the building shall be considered to be a manufactured home;

"MANUFACTURED HOME, DOUBLEWIDE" - means a manufactured home that consists of two sections separately towed to their destination but designed to be joined together on-site into one complete dwelling unit;

"MANUFACTURED HOME, SINGLEWIDE" - means a manufactured home that is towed to its destination in a single load and consists of one complete dwelling unit;

"MANUFACTURED HOME PARK" - means any lot on which three (3) or more occupied manufactured home units are harboured or are allowed to be harboured without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such manufactured home park, which complies with relevant government regulations governing manufactured home parks;

"MANUFACTURED HOME SUBDIVISION" - means a parcel of land subdivided by a registered plan containing lots for manufactured homes on a freehold or leasable tenure;

"MAY" - is an operative word meaning a choice is available with no particular direction or guidance intended;

"MODULAR HOME" - means a dwelling, that is designed to be transported to the building site in pieces and assembled on-site on top of a site-constructed basement or foundation but does not include a dwelling that would be considered to be a manufactured home. An RTM ("ready to move") is an example of modular housing;

"MOTEL" - means an establishment providing sleeping accommodations with a majority of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building;

"**MULTI-UNIT DWELLING**" - means a dwelling containing more than two dwelling units, such as row housing or apartments;

"**MULTI-PARCEL RESIDENTIAL SUBDIVISION**" - means a subdivision of land for residential use where the residential parcel density on a quarter-section after subdivision will be greater than four (4);

"**MUNICIPAL DEVELOPMENT PLAN**" - means the County of Barrhead Municipal Development Plan;

"**MUNICIPAL PLANNING COMMISSION**" - means a Commission established by Bylaw Pursuant to the Act to serve as the Development Authority;

"MUNICIPALITY" - means the County of Barrhead;

"NATURAL RESOURCE EXTRACTION/PROCESSING" - means development for the on-site removal, extraction and primary processing of raw materials found on or under the site or accessible from the site. Typical resources and raw materials would include oil and gas, peat, sand, silt and gravel, shale, clay, marl, limestone, gypsum, other minerals (precious or semi precious), and coal. Typical facilities or uses would include gravel pits (and associated crushing operations), asphaltic processing, sand pits, clay or marl pits, peat extraction, stripping of topsoil;

"NON-CONFORMING BUILDING" - means a building:

- (a) that is lawfully constructed or lawfully under construction at the date a Land Use Bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective, and
- (b) that on the date the Land Use Bylaw becomes effective does not, or when constructed will not, comply with the Land Use Bylaw;

"NON-CONFORMING USE" - means a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction at the date a Land Use Bylaw affecting the land or building becomes effective; and
- (b) that on the date the Land Use Bylaw becomes effective does not, or in the case of a building under construction will not, comply with the Land Use Bylaw;

"NUISANCE" - means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses;

"OBNOXIOUS" - means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, may, in the opinion of the Development Authority, create noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become a nuisance, or which adversely affects the amenities of the neighbourhood, or which may interfere with the normal enjoyment of any land or building;

"OFFENSIVE" OR "OBJECTIONABLE" - means, when used with reference to a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise; vibration; smoke; dust or other

particulate matter; odour; toxic or non-toxic matter; radiation; fire or explosion hazard; heat; humidity; glare; or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or become hazardous or injurious as regards health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land, building or structure;

"**OFF-GRID**" - refers to a stand-alone generating system not connected to or in any way dependent on the utility grid;

"**PARCEL**" - means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a Land Titles Office;

"PARCEL AREA" - means the total area of a parcel;

"PARCEL, CORNER" - means a parcel at the intersection of two abutting streets;

"PARCEL, INTERIOR" - means a parcel which is bounded by only one street;

"**PARCEL WIDTH**" - means the average distance between the side boundaries of a parcel;

"PARK MODEL" - means a temporary or recreational unit. There are two types of park models which are recognized by the Industry. They are:

(a) **Park Model Trailer 102** is a unit designed to be towed by a heavy-duty tow vehicle (auto, van, pick-up truck, etc.) but is of restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 m (8.5 ft.). These units are designed for infrequent towing, and are **not** fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode it must be connected to the local utilities.

This style of recreational vehicle is built on a single chassis mounted on wheels. It usually has one or more slide-outs, but when in set-up mode the gross trailer area does not exceed 37.2 sq. m



(400 sq. ft.). It conforms to the **CSA Z-240** Standards.

FIGURE 4: EXAMPLE OF A PARK MODEL TRAILER 102

(b) **Park Model Recreational Unit** is built on a single chassis mounted on wheels, which may be removed and returned to the factory. The unit is designed to facilitate occasional relocation, with living quarters for a temporary residence or seasonal use, and must be connected to those utilities necessary for the operation of installed fixtures and appliances.

It has a gross floor area, including lofts, not exceeding 50 sq. m (approximately 540 sq. ft.) in the set-up mode and has a width greater than 2.6 m (8.5 ft.) in the transit mode.

Park Model units always require a special tow vehicle and a special permit to move on the road as the width of the unit is greater than 2.6 m (8.5 ft.). It conforms to the **CSA Z-241** Standards for RVs.

FIGURE 5: EXAMPLE OF A PARK MODEL RECREATIONAL MODEL



"PARKING SPACE" - means an area set aside for the parking of one (1) vehicle;

"**PATIO**" - means the paved, wooden or hard-surfaced area adjoining a house, no more than 0.6 m (2 ft.) above grade, used for outdoor living;

"**PERMITTED USE**" - means the use of land or a building provided for in the Land Use Bylaw for which a development permit must be issued, with or without conditions, by the Development Officer or Municipal Planning Commission upon application having been made to the Development Officer provided the use of land or buildings complies with all applicable provisions of this Bylaw;

"PLACE OF WORSHIP" - means the development owned by a religious organization used for worship and related religious, philanthropic, or social activities including rectories, manses, and accessory buildings. Typical uses include the following and similar uses as churches, chapels, mosques, temples, synagogues, parish halls, convents, cemetaries and monasteries;

"PRINCIPAL BUILDING OR USE" - means a building or use, which, in the opinion of the Development Officer:

- (a) occupies the major or central portion of a parcel,
- (b) is the chief or main building or use among one or more buildings on the parcel, or
- (c) constitutes by reason of its use the primary purpose for which the parcel is used.

There shall be no more than one principal building or use on each parcel unless otherwise specifically permitted in this Bylaw;

"PUBLIC OR QUASI-PUBLIC USE" - means a use which is for the purposes of public administration and services, and shall also include uses for the purposes of public assembly, instruction, culture, enlightenment, community activities, provision of utilities and also includes cemeteries and public utilities, as defined in the Act; **"PUBLIC UTILITY"** - means the right-of-way for one or more of the following: sanitary and stormwater sewerage, telecommunications systems (excluding telecommunications towers), water works systems, irrigation systems, systems for the distribution of gas, whether natural or artificial, systems for the distribution of artificial light or electric power and heating systems;

"PUBLIC UTILITY BUILDING" - means a building to house a public utility, its offices or equipment;

"**REAR LINE**" - means the boundary line of a parcel of land lying opposite to the front line of the parcel and/or farthest from a highway or road. If there is more than one (1) front line, the lot line opposite the shorter front line shall be the rear line for the purposes of this definition;

"RECREATIONAL RESORT" - means a recreational commercial development that includes residential recreational dwellings or structures which are intended for the commercial use rather than for the private or exclusive use of the developer or owner. This type of development includes cabin style short rental accommodations. Semi-serviced campgrounds are not considered recreational resorts;

"RECREATIONAL USE" - means a recreational development conducted on a unified basis on a single site where the prime reason for location is to take advantage of natural physical features including the availability of large areas of land to provide day-to-day sporting and athletic facilities and the structures incidental thereto. Typical facilities may include agricultural tourism, eco tourism, golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, Scout/Guide camps, religious outdoor retreat camps, parks, community halls, drop-in centres, and similar uses, and may include a refreshment stand incidental to the primary use;

"RECREATIONAL VEHICLE" - means a vehicular type unit primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motive power or is mounted or drawn by another vehicle. The base entities are travel trailer, camping trailer, truck camper, and motor home. Park models are not considered Recreational Vehicles for the purposes of this bylaw;

"**RECREATIONAL VEHICLE CAMPGROUND**" - means a development consisting of sites for the location of more than three (3) recreational vehicles;

"REGISTERED OWNER" – means:

- (a) in the case of land owned by the Crown in Right of Alberta or the Crown in Right of Canada, the Minister of the Crown having the administration of the land, or
- (b) in the case of any other land:

- i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title, or
- ii) in the absence of a person described in paragraph (b)(i) above, the person registered under the Land Titles Act as the owner of the fee simple estate in the land;

"**RELOCATED BUILDINGS**" - means a building that has been used for a similar use or different use in another location and is then moved to a new site for re-use. Dwellings and accessory buildings may be considered relocated buildings;

"RURAL COMMERCIAL" – means business establishments located in a rural setting to retail or service goods destined for the immediately surrounding rural area. Notwithstanding the generality of the forgoing rural commercial uses may include: convenience retail services, minor agricultural sales and service. As well as bulk fuel, chemical and fertilizer sales;

"RURAL INDUSTRIES" - means those industrial uses which are better suited to a rural rather than an urban environment because they:

- (a) require relatively large areas of land, do not require urban services, and may provide services to the rural area; or
- (b) are potentially hazardous or emit high levels of noise, dust, odour, vibration, etc. However, this shall not include business establishments engaged in servicing, repairing or retailing goods to the general public;

"SCHOOL" - means any building or part thereof which is designed, constructed or used for public education or instruction in any branch of knowledge;

"SEA CANS" - means pre-built metal containers and structures originally designed and/or constructed for the purpose of cargo storage;



FIGURE 6: EXAMPLE OF A SEA CAN

"SECONDARY COMMERCIAL" - means a general commercial use, which is subordinate in nature to the main use of parcel. A secondary commercial use is not limited to uses, which are similar to the main use of the parcel and may include; business establishments engaged in servicing, repairing or retailing goods to the general public. Liquor sales and distribution as well as eating establishments are not considered secondary commercial uses;

"SEMI-SERVICED CAMPGROUNDS" - means campground facilities that provide a higher level of services than basic camping areas. Examples of these services include: sewage, potable water and/or electrical hook-ups at each campsite or stall. Recreational resorts are not considered semi-services campgrounds.

"SERVICE STATION" - means an establishment used for the sale of gasoline, propane or other automotive fuels and may include as an accessory use the sale of lubricating oils or other automotive fluids or accessories for motor vehicles, servicing and minor repair of motor vehicles, and a towing service dispatch point. This use does not include the following or similar uses, specialty motor repair shops, and motor vehicle repair establishments which do not include retail sale of automotive fuels;

"SETBACK" - means the minimum horizontal distance that the nearest exterior wall of a development, or a specified portion of it, must be set back from a parcel boundary/property line;

"SHALL" - is an operative word, which means the action is obligatory;

"SHORELINE" - means the land covered by water for such a period of time that it no longer features the natural vegetation or marks a distinct boundary from the water environment and the soil of the water body and the vegetation of the surrounding land;

"SHOULD" - means that in order to achieve local goals and objectives it is strongly advised that action be taken;

"SIGNS" - means anything that serves to indicate the presence or the existence of something, including, but not limited to a lettered board, a structure, or a trademark, displayed, erected or otherwise developed and used or serving to identify, advertise, or give direction;

"SINGLE FAMILY DWELLING" - means a dwelling consisting of one (1) dwelling unit, other than a manufactured home or a relocated building;

"SMALL ANIMAL BREEDING AND BOARDING SERVICES" - means development used for the breeding, boarding, caring or training of small animals normally considered household pets. Typical facilities include kennels, pet boarding and pet training establishments; "SOLAR ENERGY COLLECTION SYSTEM" - refers to a device, or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, mechanical, chemical or electrical energy and that contributes significantly to a structure's energy supply;

"STRUCTURE" - means anything constructed or erected on the ground, or attached to something on the ground, and includes all buildings;

"SUBDIVISION AUTHORITY" - means a Subdivision Authority established pursuant to the Act. Council has been authorized by Bylaw to exercise Subdivision Authority powers on behalf of the Municipality;

"SUBDIVISION AND DEVELOPMENT APPEAL BOARD" - means a board appointed pursuant to Section 627 of the Act to hear and decide upon appeals regarding subdivision and development applications as well as appeals of orders made pursuant to Section 24 of this Bylaw;

"SUMMER RESORT COTTAGE" – any building, structure, manufactured home or mobile home, or part thereof, used and occupied for human habitation or intended to be so used solely for a seasonal vacation purpose.

"SURVAILANCE SUITES" – means a portable dwelling unit forming part of a development and used solely to accommodate a person(s) related as a family, or an employee whose official function is to provide surveillance for the maintenance and safety of the development;

"**TEMPORARY**" – means, when used in relation to a land use or development, either a use or development which, if it is approved by the Development Authority, may be approved for a specific period of time; and, when used in relation to a period of time, means the period of time for which development will have been approved by the development authority;

"TOTAL SYSTEM HEIGHT" - means the height of a WECS turbine from ground level to the tip of the rotor at its highest point.

"**TRANSFER STATION**" - means a permanent collection and transportation facility used to deposit solid waste collected off-site into larger transfer vehicles for transport to a solid waste handling facility. Transfer stations may also include recycling facilities;

"TURBINE" - refers to the parts of a WECS system including the rotor, generator, and tail;

"UNSUBDIVIDED QUARTER SECTION" - means a quarter section that has had no lands removed from it other than for road or railroad purposes;

"WAREHOUSE" - means a structure used for the storage and distribution of raw materials, processed or manufactured goods, and establishments providing servicing for those purposes;

"WIND ENERGY CONVERSION SYSTEM, LARGE" - means one or more buildings designed to convert wind energy into mechanical or electrical energy and which has a rated capacity equal to or greater than 300 kW;

"WIND ENERGY CONVERSION SYSTEM, SMALL" - refers to a wind energy conversion system (WECS) consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale;

"WIND TURBINE TOWER" - refers to the guyed or freestanding structure that supports a wind turbine generator;

"WIND TURBINE TOWER HEIGHT" - means the height above grade of the fixed portion of the wind turbine tower, excluding the wind turbine and rotor; "WORK CAMP" - means a temporary residential complex used to house camp workers for a contracting firm or project on a temporary basis of more than thirty (30) days and less then one (1) year. The camp is usually made up of a number of manufactured units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities;

"WORK CAMP – SHORT TERM" - means a residential complex used to house camp workers by various contracting firms on a temporary basis, and without restricting the generality of the above, the camp is usually made up of a number of manufactured units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time. For the purposes of this definition temporary means for a period of up to four (4) months in total duration either consecutively or non-consecutively;

"YARD, FRONT" - means that portion of the parcel extending across the full width of the parcel from the front property boundary line of the parcel to the front wall. In the case of lake front lots, the front yard shall also include the area between the lake shore property line (or, if the front property line is not a fixed point, the standard mean high water mark as defined by Alberta Environmental Protection) and the wall of a building facing the lake (see Figure 7);

"YARD, REAR" – means that portion of a parcel extending across the full width of the parcel from the rear wall of a building situated on the parcel, to the rear property boundary line of the parcel (see Figure 7);

"YARD, SIDE" – means that portion of a parcel extending from the front wall of a main building situated on a parcel, to the rear of a building, and lying between the

side property boundary line of the parcel and the side wall of the main building (see Figure 7); and

"ZERO SIDE YARD" - means a case in which a development is permitted to be built on the side parcel line, with no required side yard setback on the side to which the development is located.

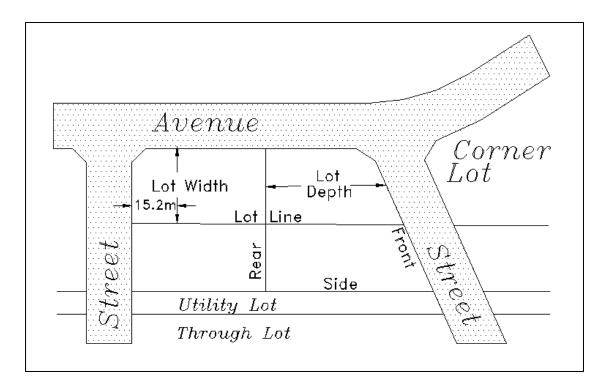
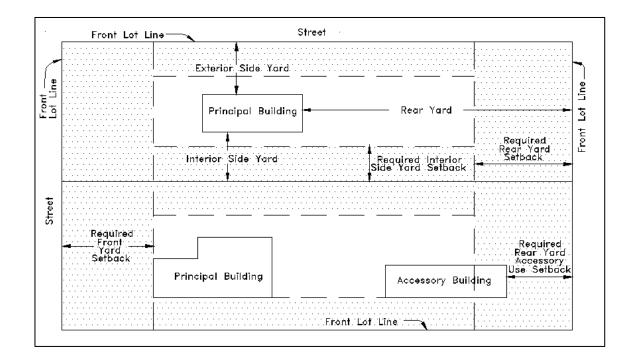


FIGURE 7: YARD DEFINITIONS AND SETBACK EXAMPLES



Note: building setbacks are measured from the wall of the structure rather than from the eaves.

(2) Municipal Government Act Interpretation:

Notwithstanding the meanings above, the Act takes precedence in a case of dispute on the meanings of all words or clauses.

SECTION 1.4 OTHER LEGISLATIVE AND BYLAW REQUIREMENTS

- (1) This Bylaw and any amendment thereto shall be enacted in conformance with any statutory plan as adopted or amended by the County of Barrhead.
- (2) Notwithstanding that a development permit may not be required by this Bylaw in certain, specified instances, nothing in this Bylaw relieves a person or corporation of their duty or obligation to comply with the provisions and requirements of this Bylaw, or to obtain any other permit, license or other authorization required by any Bylaw of the County of Barrhead, or Acts of the Province of Alberta or any regulation pursuant to said Acts.
- (3) Compliance with the provisions and requirements of this Bylaw does not exempt any person or corporation from complying with any easement, covenant, agreement or contract affecting the development.

SECTION 1.5 ESTABLISHMENT OF FORMS

For the purpose of administering the provisions of the Land Use Bylaw, the Council may, by resolution, authorize the preparation and use of such forms and notices, as it may deem necessary. Forms provided in appendices within this Bylaw are not adopted as part of the Bylaw and are for information purposes only.

SECTION 1.6 DEVELOPMENT AUTHORITY

- (1) The Development Authority for the municipality is hereby established.
- (2) The Development Authority shall be:
 - (a) the Development Authority Officer; and/or
 - (b) the Municipal Planning Commission.

SECTION 1.7 DEVELOPMENT AUTHORITY OFFICER

- (1) The position of designated officer for the limited purpose of exercising the powers, duties and functions of a Development Authority Officer is hereby established.
- (2) The Development Authority Officer shall be appointed by resolution of the Council.
- (3) The powers, duties and functions of the Development Authority Officer shall be those described in this Bylaw.

- (4) The Development Authority Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by the Development Authority or by the Development Authority Officer.
- (5) The Development Authority Officer shall:
 - (a) keep and maintain for inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto and ensure that copies are available at a reasonable charge; and
 - (b) make available for inspection by the public during all reasonable hours, a register of all applications for development permits, including the decisions thereon.
- (6) In addition to his/her other duties, the Development Authority Officer shall be a designated officer for the purposes of inspection, remedy, enforcement, or action pursuant to Section 542 of the Act.
- (7) In addition, the Development Authority Officer may have other duties as directed by Council.

SECTION 1.8 SUBDIVISION OFFICER

- (1) The Subdivision Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; keep a register of all applications for subdivision, including the decisions thereon and the reasons therefore.
- (2) For the purposes of right of entry, the Subdivision Officer is hereby declared to be an authorized person of Council.

SECTION 1.9 SUBDIVISION AUTHORITY

(1) Pursuant to Section 623 of the Act, the County Council shall serve as Subdivision Authority.

SECTION 1.10 MUNICIPAL PLANNING COMMISSION

The Municipal Planning Commission (MPC) established by Bylaw and any amendments thereto, shall perform such duties as are specified in this Bylaw.

- (1) The MPC shall decide upon all Development Permit applications referred to it by the Development Officer.
- (2) The MPC may:

- (a) provide recommendations for subdivision proposals to the Subdivision Authority; and
- (b) perform such other duties as described or implied in this Bylaw or as may be assigned to it by Council.

SECTION 1.11 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- (1) The Subdivision and Development Appeal Board shall be established by separate bylaw.
- (2) The Subdivision and Development Appeal Board shall carry out the duties and responsibilities that are given to it through the Bylaw establishing the Board and pursuant to the Act, R.S.A., 2000.

SECTION 2.1 CONTROL OF DEVELOPMENT

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

SECTION 2.2 PERMIT FEE

Pursuant to Section 630.1 of the Act, RSA 2000, all fees and charges under and pursuant to this Bylaw, and any amendments thereto, shall be as established by Resolution of Council.

SECTION 2.3 DEVELOPMENT NOT REQUIRING A PERMIT

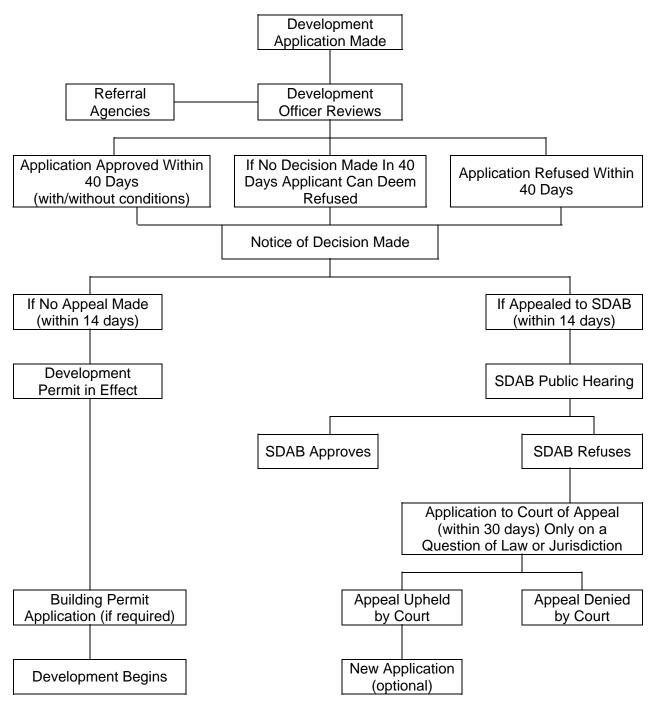
- (1) The following development shall not require a development permit but shall otherwise comply with all other provisions of this Bylaw. If there is any doubt as to whether or not a development permit is required, the Development Officer or Municipal Planning Commission shall require a development permit if:
 - the carrying out of works of maintenance or repair to any building provided that such works do not include structural alterations or major works of renovation, as determined by the Development Officer or Municipal Planning Commission;
 - (b) the completion of a building which was lawfully under construction at the date of the first publication of the official notice required by Section 692 of the Act, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of the first publication of the official notice;
 - (c) the use of any such building as is referred to in **Section 2.3** where a permit is not required for the purpose for which construction was commenced;
 - (d) a temporary building, the sole purpose of which is incidental to the erection or alteration of a building or development, for which a permit has been issued under this Bylaw, provided that the temporary building shall be removed within one (1) year of the commencement of construction or upon completion of the building or development where it is completed in a period of less than one (1) year; or Short Term Workcamp housing as defined in this bylaw. Sea Cans as defined by this bylaw shall not be considered temporary buildings;

- (e) the construction, maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;
- (f) the following extensive agricultural uses shall not require a development permit so long as they are located a minimum of 30 m (98.4 ft) from a property line, and 30 m (98.4 ft) from the edge of a minor two lane highway right-ofway, or 40 m (131.2 ft) from the edge of a major two lane highway right-ofway:
 - (i) the carrying out of agricultural operations on a parcel of 8.1 ha (20 acres) or greater in area;
 - (ii) the construction, renovation, or relocation of buildings for farm use, as defined in the Bylaw, in conjunction with extensive agricultural operations on a parcel of 8.1 ha (20 acres) or greater in area;
 - (iii) a water reservoir or dugout a minimum of 30 m (98.4 ft) from a property line; and
 - (iv) the placement of sea cans for farm use on a parcel of 8.1 ha (20 acres) or greater in area
- (g) intensive agricultural operations on parcel of land over 20 ac (8.08 ha) in size;
- (h) a development permit is not required for television satellite dishes;
- (i) an existing or proposed home occupation, as defined in this Bylaw, but not including an existing or proposed bed and breakfast operation, also as defined in this Bylaw, if the existing or proposed home occupation, in the opinion of the Development Officer, complies with all provisions and requirements of **Section 7.7** of this Land Use Bylaw;
- (j) an existing or proposed day home or child care facility, as defined in this Bylaw, if the existing or proposed day home or child care facility, in the opinion of the Development Officer, complies with the spirit and intent of all relevant provisions and requirements of **Section 7.5** of this Bylaw;
- (k) landscaping, (not including dugouts or artificial water bodies); including the establishment of retaining wall of 1.0 m (3.2.ft) in height or less, where the existing natural surface drainage pattern on or off-site, is not materially altered, except where landscaping forms part of a development which requires a development permit;
- (I) seasonal or holiday decorations;

- (m) up to and including three (3) recreational vehicles (R.V's) per parcel. Provided that the development complies with all other provisions and requirements of this Land Use Bylaw;
- (n) the construction and maintenance of utility services, primary infrastructure and private utilities associated with a principal residential use of land, not including a waste transfer station, regional landfill, communications towers or municipal sewage lagoon;
- (o) the erection, construction, maintenance or alteration of a gate, fence, wall or other structural means of enclosure that is:
 - (i) on parcels less than 0.4 ha (1.0 acre), is no higher than 1.83 m (6.0 ft) on the side and rear yards, and no higher than 1.0 m (3.3 ft) on the front yard;
 - (ii) on parcels greater than 0.4 ha (1 acre) and less than 4.0 ha (10 acres), and is no higher than 1.83 m (6.0 ft); or
 - (iii) on parcels greater than 4.0 ha (10 acres), or larger;
- (p) the keeping of animals permitted in accordance with **Section 6.20** Animal/Bird Regulations;
- (q) the extraction and processing, exclusively by the County of Barrhead or its authorized agents, of sand, gravel, or other earth materials and including asphaltic or concrete mixtures for any County purpose within the County of Barrhead;
- (r) The construction and maintenance of internal road networks, constructed in accordance with current public works standards to the satisfaction of the Development Authority, or County Council, shall not require a development permit;
- (s) market gardens, and nurseries on a parcel greater than 8.1 ha (20.0 acres) in area;
- (t) signs not greater than 3.0 m^2 (32.0 ft^2) in copy area;
- a building or accessory building with a gross floor area of under 18.0 sq. m (193.8 sq. ft.) which is not on a permanent foundation that meets the minimum required yard and setback requirements indicated in this Bylaw, but not including:
 - (i) a wind energy conversion system unless the system is specifically related to only one (1) dugout; and
 - (ii) not including small sea cans;

- (v) an unenclosed patio or deck that:
 - (i) meets the minimum distance requirements outlined in **Section 6.6** of this Bylaw; and
 - (ii) (has a gross floor area under 18.0 sq. m (193.8 sq. ft.);
- (w) development within a basement which does not change or add to the uses within a dwelling; and
- (x) the demolition or removal of any building or structure.





Note: This diagram is not adopted as part of this Bylaw.

SECTION 2.4 APPLICATION FOR DEVELOPMENT PERMIT

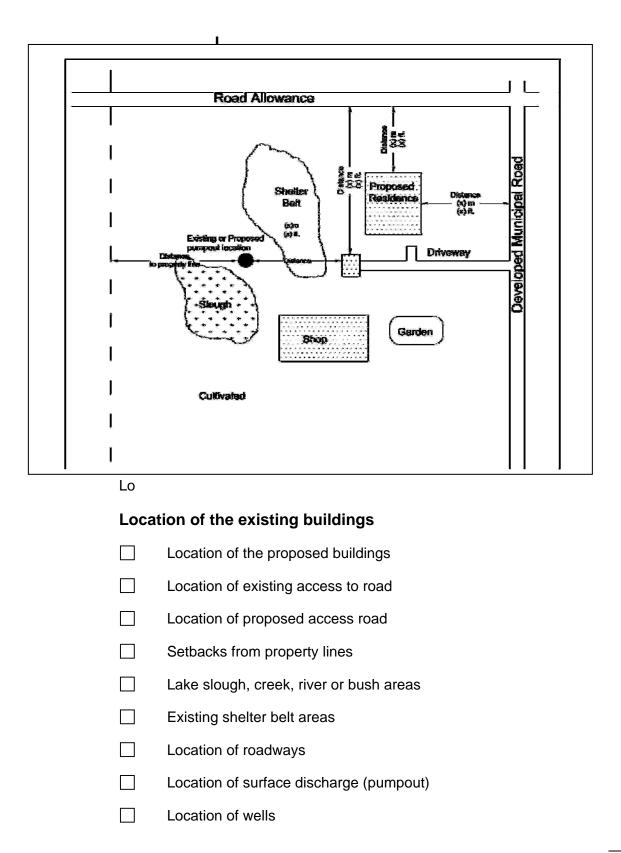
- (1) An application for a development permit shall be made to the Development Authority in writing on the application provided by the County of Barrhead, and shall:
 - (a) be signed by the registered owner or his or her agent where a person other than the owner is authorized by the owner to make application. The correctness of the information supplied shall, when required by the Development Authority, be verified by a Statutory Declaration;
 - (b) state the proposed use or occupancy of all parts of the land and buildings, and such other information as may be required by the Development Authority;
 - (c) be accompanied by an area structure plan or non-statutory plan such as a development concept plan or area outline plan if one is required pursuant to the provisions of this Bylaw or a statutory plan of the County of Barrhead; and
 - (d) at the discretion of the Development Authority, include parcel plans in a scale satisfactory to the Development Authority, showing any or all of the following:
 - (i) north point;
 - (ii) legal description of parcel;
 - (iii) location of principal building and other structures including accessory buildings, garages, carports, fences, driveways, paved areas, and major landscaped areas including buffering and screening areas where provided;
 - (iv) outlines of the roof overhangs on all buildings;
 - (v) front, side and rear yards;
 - (vi) the provision of off-street loading and vehicle parking;
 - (vii) access and egress points to and from the parcel;
 - (viii) the exterior elevations showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed;
 - (ix) location of existing and proposed municipal and/or private sanitary sewer and water services;
 - (x) a parcel grading plan indicating but not limited to indicating the elevations of the parcel at all corners and the grade at all corners of the proposed development as well as the grades of the adjacent streets, lanes and sewers servicing the parcel;
 - (xi) storm drainage plan;

- (xii) the location of existing and proposed municipal and private local improvements as well as an estimation of the installation thereof;
- (xiii) the lowest finished floor elevation in either the basement or main floor in the principal and accessory buildings where applicable;
- (xiv) estimated cost of the project, excluding land prices;
- (xv) be accompanied by a copy of a title search for the subject site; and
- (xvi) any other pertinent information or tests required by the Development Officer respecting the parcel or adjacent lands.
- (2) Each application for a development permit shall be accompanied by a fee, as established by Council.
- (3) In addition to the information requirements indicated in **Section 2.4 (1)** above, each application for industrial development may be requested, at the discretion of the Development Authority, to be accompanied by the following information:
 - (a) type of industry;
 - (b) estimated number of employees;
 - (c) estimated water demand and anticipated source;
 - (d) type of effluent and method of treatment;
 - (e) transportation routes to be used;
 - (f) reason for specific location;
 - (g) means of solid waste disposal;
 - (h) any accessory works required (pipeline, railway spurs, power lines, etc.);
 - (i) anticipated residence location of employees;
 - (j) municipal servicing costs associated with the development;
 - (k) physical suitability of site with respect to soils, slopes and drainage;
 - (I) if a subdivision is involved, the size and number of parcels and proposed phasing (if any);
 - (m) servicing requirements and provisions for meeting them;
 - (n) costs associated with providing new or upgraded municipal services associated with the development; and

- (o) and/or any other information as may be reasonably required by the Development Authority.
- (4) In addition to the information requirements indicated in **Section 2.4 (1)** above, the Development Authority may require for a proposed industrial use the provision of environmental assessment information and a risk assessment to assist the County in assessing the effect of the proposed development in relation to the natural and human environments, and indicate both if and how any negative matters can be mitigated.
- (5) In addition to any or all of the information required under **Section 2.4 (1)** of this Bylaw, each application for a commercial or recreational development may be required, at the discretion of the Development Authority, to be accompanied by the following information:
 - (a) physical suitability of site with respect to soils, slopes and drainage;
 - (b) the size and number of parcels and proposed phasing (if any);
 - (c) servicing requirements and provisions for meeting them;
 - (d) costs associated with providing new or upgraded municipal services associated with the development;
 - (e) the requirements and provisions for employee and customer parking and for site access;
 - (f) a landscaping plan;
 - (g) cross-sections and elevations for each building; and
 - (h) a list of proposed uses.
- (6) In addition to the information requirements indicated in **Section 2.4 (1)** above, where not required to do so by the Province, the proponent of a natural resource extraction industry may be required to submit a reclamation plan.
- (7) In addition to the information requirements indicated in **Section 2.4 (1)** above, an application for a development permit for the excavation, stripping or grading of land that is proposed without any other development on the same land, may include with the application, the following information:
 - (a) location and area of the site where the excavation is to take place;
 - (b) existing land use and vegetation;
 - the type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the site;

- (d) the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;
- (e) identification of potential for outdoor noise and the discharge of substances into the air;
- (f) the condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the site;
- (g) an indication of all municipal servicing costs associated with the development; and
- (h) the proposed haul route, dust control plan and expected hours of operation.
- (8) In addition to the information requirements indicated in **Section 2.4(1)** above, each application for a sign may be accompanied by additional information at the discretion of the Development Authority.
- (9) The Development Authority may require a Real Property Report or a building site certificate relating to the site that is the subject of a development permit application.
- (10) When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may return the application to the applicant for further details. The application so returned shall be deemed to not have been submitted until all required details have been provided.
- (11) The Development Authority may make a decision on an application for a development permit notwithstanding that any information required or requested has not been submitted.

FIGURE 8: SITE PLAN FOR RURAL DEVELOPMENT PERMIT APPLICATIONS



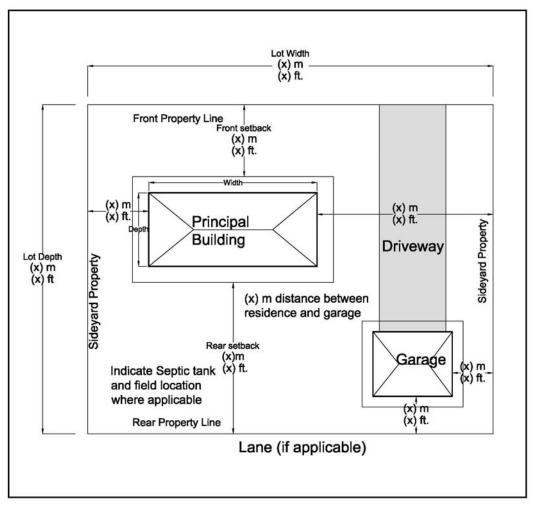


FIGURE 9: SITE PLAN FOR URBAN DEVELOPMENT PERMIT APPLICATIONS

Information Checklist

Please indicate distances, measured from the nearest wall of all existing and proposed structures to:

- property boundary lines.
- other structures (existing and proposed) on the site
- septic field
- water well

* A survey may be required for verification

SECTION 2.5 NON-CONFORMING BUILDINGS AND USES

- (1) A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with this Bylaw.
- (2) 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 thereto or therein.
- (3) 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 upon the lot while the non-conforming use continues.
- (4) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - (a) as may be necessary to make it a conforming building;
 - (b) as the Development Authority considers necessary for the routine maintenance of the building; or
 - (c) in accordance with the powers possessed by the Development Authority pursuant to the Act and **Section 2.7 (3)** of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- (5) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- (6) The land use or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

SECTION 2.6 REFERRAL OF APPLICATIONS

- (1) Historical Resources
 - (a) Historical or archaeological sites identified pursuant to the Alberta Historical Resources Act shall be protected in accordance with Provincial legislation and regulations.
 - (b) In addition to any sites identified in (a) above, an application for a development permit which may impact on any historical or archaeological site identified pursuant to (a) above within the County should be submitted to Alberta Culture for comment prior to a development permit being issued.
- (2) Development permit applications within 305 m (1000 ft.) of the right-of-way of a

highway may, at the discretion of the Development Authority, be referred to Alberta Transportation for comments prior to a development permit being issued.

(3) Adjacent Municipalities

All subdivision proposals and all applications for significant discretionary development permits within 1.6 km (one mile) of adjacent municipalities shall be referred to the adjacent municipality for comment prior to a development permit being issued or a subdivision being approved.

SECTION 2.7 DECISION PROCESS

- (1) Permitted Use Applications
 - (a) Upon receipt of a completed application for a development permit for a permitted use, the Development Authority Officer shall approve, with or without conditions, an application for a permitted use where the proposed development conforms to this Bylaw and <u>may:</u>
 - require a Real Property Report, signed by an Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor stating that the County of Barrhead can utilize the Surveyor's Real Property Report for evaluating the compliance of the proposed or existing development against all land use regulations relating to the use and building(s) that is (are) the subject of the development permit application;
 - (ii) prior to making a decision, refer any application for a permitted use to any municipal department or external agency for comment;
 - (iii) require, as a condition of issuing a development permit, that the applicant enter into an agreement with the County of Barrhead to do any or all of the following:
 - a. to construct or pay for the construction of a road required to give access to the development;
 - b. to construct or pay for the construction of:
 - i. a pedestrian walkway system to serve the development; and/or
 - pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development;

- c. to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
- d. to construct or pay for the construction of:
 - i. off-street or other parking facilities; and
 - ii. loading and unloading facilities;
- e. to pay an off-site levy or redevelopment levy; or
- f. to give security to ensure that the terms of the agreement under this section are carried out;
- (iv) refuse to issue a development permit in the case where satisfactory arrangements have not been made by a developer for a proposed building on any parcel, where it would otherwise be permitted by the Bylaw, for the supply of water, electric power, sewerage and street access, or any of them, including payment of the costs of installing or constructing any such utility by the developer; and/or
- (v) issue a temporary development permit where, in the opinion of the Development Authority Officer, the proposed use is of a temporary nature. When issuing a temporary development permit, the expiry date for the permit shall be clearly indicated on the notice of decision.
- (b) A person to whom a development permit has been issued shall obtain from the appropriate authority, where applicable, permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.
- (c) The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.
- (d) The applicant shall prevent excess soil or debris from being spilled on public streets, lanes and sidewalks, and shall not place soil or any other materials on adjacent parcel without permission in writing from adjacent property owners.
- (e) Sections 2.7(1)(c) and 2.7(1)(d) may be enforced pursuant to PART 5 of this Bylaw. Any costs incurred as a result of neglect to public property may be collected where financial guarantees have been required pursuant to Section 2.4.
- (f) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user or proposed occupant of said building or use demonstrates

that substantial completion, as determined by the Development Authority, has been undertaken.

- (g) Upon receipt of a completed application for a development permit for a permitted use, the Development Authority Officer may refer to the Municipal Planning Commission those applications for development specified in the list of permitted uses that, in the opinion of the Development Authority Officer, should be decided by the Municipal Planning Commission.
- (h) Where development permit applications for permitted uses are referred to the Municipal Planning Commission pursuant to Section 2.7(1)(g), the Municipal Planning Commission shall be subject to the same provisions that apply and are available to the Development Authority Officer as prescribed in Section 2.7(1).
- (2) Discretionary Use Applications
 - (a) Upon receipt of a completed application for a development permit for a discretionary use, the Development Authority shall review the application and refer the application with the Development Officer's recommendations to the Municipal Planning Commission for decision.
 - (b) The Municipal Planning Commission may, prior to making a decision, refer any application for a discretionary use to any municipal department or external agency for comment.
 - (c) The Municipal Planning Commission shall approve, with or without conditions, or refuse the application, giving reasons for the refusal.
 - (d) The Municipal Planning Commission may require, as a condition of issuing a development permit, that:
 - (i) that the applicant enter into an agreement with the County of Barrhead to do any or all of the following:
 - a. to construct or pay for the construction of a road required to give access to the development;
 - b. to construct or pay for the construction of:
 - i. a pedestrian walkway system to serve the development; and/or
 - pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development;

- c. to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
- d. to construct or pay for the construction of:
 - i. off-street or other parking facilities; and
 - ii. loading and unloading facilities;
- e. to pay an off-site levy or redevelopment levy; and/or
- f. to give security to ensure that the terms of the agreement under this section are carried out;
- (ii) the applicant provide a Real Property Report, signed by an Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor can utilize the Surveyor's Real Property Report, relating to the building(s) that is (are) the subject of the development permit application.
- (e) A person to whom a development permit has been issued shall obtain from the appropriate authority, where applicable, permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.
- (f) The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.
- (g) The applicant shall prevent excess soil or debris from being spilled on public streets, lanes and sidewalks, and shall not place soil or any other materials on adjacent parcel without permission in writing from adjacent property owners.
- (h) Sections 2.7(2)(f) and 2.7(2)(g) may be enforced pursuant to PART 5 of this Bylaw. Any costs incurred as a result of neglect to public property may be collected where financial guarantees have been required pursuant to Section 2.7(2).
- (i) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Development Authority, has been undertaken.
- (j) The Municipal Planning Commission may issue a temporary development permit where the Municipal Planning Commission is of the opinion that the discretionary use is of a temporary nature. When issuing a temporary

development permit, the expiry date for the permit shall be clearly indicated on the notice of decision.

- (k) Where any use is proposed which is not specifically shown in any land use district but is, in the opinion of the Municipal Planning Commission, similar in character, intent and purpose to other uses of land and buildings provided by the Bylaw in the land use district in which such use is proposed, the Municipal Planning Commission may, if requested by the applicant, rule that the proposed use is a discretionary use in the land use district in which such use is proposed.
- (I) The Municipal Planning Commission may refuse, or approve with conditions, any development if, in the opinion of the Municipal Planning Commission, the proposed development will detract from the character or appearance of the general development in the area.
- (3) Variance Provisions
 - (a) The Municipal Planning Commission may approve or conditionally approve a discretionary use or a permitted use referred to the Municipal Planning Commission that does not comply with this Bylaw if, in the opinion of the Development Authority Officer or Municipal Planning Commission, as the case may be:
 - (i) the proposed development would not:
 - a. unduly interfere with the amenities of the neighbourhood; or
 - b. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;
 - (ii) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
 - (b) Notwithstanding **Section 2.7(1) and 2.7(2)**, the Development Authority Officer may, in deciding upon an application for a permitted or discretionary use, allow for a total minor variance to a maximum of 10 % (ten percent) of any or all of the following requirements:
 - (i) setback regulations of front, side or rear yards;
 - (ii) height of buildings; or
 - (iii) floor area.
- (4) Additional Provisions

The Development Authority may impose such conditions on the approval of an application that are considered necessary by the Development Authority to:

- (a) uphold the intent and objectives of any statutory plan or land use regulation as adopted or amended from time to time; and
- (b) ensure the orderly and economic development of land within the County of Barrhead.
- (5) Where an application for a use which is neither a permitted nor a discretionary use is received by the Development Authority Officer, the Development Authority Officer may refuse the application stating reasons for the decision or, at the request of the applicant, refer the application to the Municipal Planning Commission for consideration.

SECTION 2.8 NOTICE OF PROPOSED DEVELOPMENT

- (1) Prior to an application being considered for a discretionary use, the Development Authority Officer may require, or the Municipal Planning Commission may direct the Development Authority Officer to require, one or more of the following:
 - (a) that the applicant post a notice conspicuously on the property for which the application has been made or in an area adjacent to the property which would be conspicuous to the public;
 - (b) that the applicant cause a similar notice to be published once in a newspaper circulating in the municipal area, at the expense of the applicant; and/or
 - (c) that the applicant cause a similar notice to be sent by mail to all assessed property owners who, in the opinion of the Development Authority, may be affected, not less than seven (7) days prior to the date of consideration of the application, at the expense of the applicant.
- (2) The notices issued pursuant to **Section 2.8(1)** shall state:
 - (a) the proposed use of the building or parcel;
 - (b) that an application respecting the proposed use will be considered by the Development Authority;
 - (c) that any person who objects to the proposed use of the parcel may deliver to the Development Authority a written statement of their comments indicating:
 - (i) their full name and address for service of any notice to be given to them in respect of the objection; and
 - (ii) the reasons for their objection or support for the proposed use;
 - (d) the date by which comments must be received by the Development Authority; and

- (e) the date, time and place the application will be considered by the Development Authority Officer or Municipal Planning Commission.
- (3) When considering applications for which notices have been served, the Development Authority Officer or Municipal Planning Commission may afford an opportunity to any interested person to make representation on the application and shall take into account any such representations made when giving final consideration to the said application.

SECTION 2.9 NOTICE OF DECISION

- (1) All decisions of the Development Authority on an application for a development permit shall be given in writing to the applicant and a copy shall be sent to the landowner(s) if different from the applicant.
- (2) If an application is refused by the Development Authority, the notice of decision shall contain the reasons for the refusal as part of the approval.
- (3) When a decision on a development permit is made, the Development Authority Officer shall undertake or be directed to undertake by the Municipal Planning Commission, as the case may be, any or all of the following:
 - (a) publish a notice in a newspaper circulating in the municipal area;
 - (b) immediately mail a notice to all assessed property owners who, in the opinion of the Development Authority, may be affected; and/or
 - (c) post a notice conspicuously on the property for which the application has been made or in an area adjacent to the property which would be conspicuous to the public.
- (4) The notices issued pursuant to **Section 2.9(3)** shall indicate:
 - (a) the date a decision on the development permit application was made;
 - (b) the location and use of the parcel in respect of which the application has been made and the decision of either the Development Authority; and
 - (c) An appeal may be made by a person affected by the decision by serving written notice of the appeal to the Subdivision and Development Appeal Board before the effective date of the development permit as determined by the Act.

SECTION 2.10 EFFECTIVE DATE OF PERMIT

(1) A permit granted pursuant to this Part does not come into effect until fifteen (15) days after the date that notice of an order, decision or development permit is received as described in **Section 2.9 (3)** of this Bylaw. For the purposes of this

Bylaw, notice is deemed to be received on the fifth day after the date of the issuance of the order, decision, or permit. For clarification, this means that an order, decision or development permit comes into effect 20 days after the date that notice of an order, decision or development permit. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.

(2) Where an appeal is made pursuant to **Part 3** of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit decided on by that Board.

SECTION 2.11 VALIDITY OF DEVELOPMENT PERMITS

- (1) A development permit is valid unless:
 - (a) it is suspended or cancelled;
 - (b) the development that is the subject of the development permit is not commenced within twelve (12) months from the date of the issuance of the development permit, or not carried out with reasonable diligence; or
 - (c) the development that is the subject of the development permit is not commenced within a shorter time period than that indicated in Section 2.11(b) or not carried out with reasonable diligence, if the Development Authority has specified that the development permit is to remain in effect for less than twelve (12) months.
- (2) The Development Authority may extend the period of time that a development permit is specified to be valid in accordance with **Section 2.11(b)** if, in their opinion, circumstances warrant such a time extension.

SECTION 2.12 DEEMED REFUSALS

(1) Pursuant to Section 684 of the Act, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Authority, as the case may be, is not made within forty (40) days of the completed application being received by the Development Authority Officer unless an agreement to extend the 40-day period herein described is established between the applicant(s) and the Development Authority.

SECTION 2.13 SUBSEQUENT APPLICATIONS

(1) If an application for a development permit is refused by the Development Authority Officer or Municipal Planning Commission, or on an appeal from the Subdivision and Development Appeal Board, another application for development:

- (a) on the same parcel; and
- (b) for the same or similar use;

may not be made for at least six (6) months after the date of the refusal, unless the Municipal Planning Commission agrees to waive the six (6) month period.

SECTION 2.14 SUSPENSION OF CANCELLATION OF DEVELOPMENT PERMITS

- (1) If, after a development permit has been issued, the Development Authority Officer becomes aware that:
 - (a) the application for the development contains a misrepresentation;
 - (b) facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered; or
 - (c) the development permit was issued in error;

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

- (2) If a person fails to comply with a notice under Section 645 of the Act, the Development Authority Officer, Municipal Planning Commission, or Council may suspend or cancel any existing development permit by notice, in writing, to the holder of the permit.
- (3) A person whose development permit is suspended or cancelled under this Section may appeal the decision to the Subdivision and Development Appeal Board.

PART 3 - DEVELOPMENT APPEAL PROCESS

SECTION 3.1 APPEAL PROCEDURE

- (1) An appeal may be made to the Subdivision and Development Appeal Board where a Development Authority:
 - (a) refuses or fails to issue a development permit to a person within forty (40) days of receipt of the application or the extension to this period, or
 - (b) issues a development permit subject to conditions, or
 - (c) issues an order under Part 5 of this Bylaw.
- (2) Notwithstanding subsection 3.1 (1) above, no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted.
- (3) The person applying for the permit or affected by the order, or any other person affected by an order, decision or development permit of a Development Authority may appeal to the Subdivision and Development Appeal Board.
- (4) An appeal shall be made by serving a written notice of appeal, together with reasons for the appeal and the appeal fee as established by resolution of Council, to the Secretary of the Subdivision and Development Appeal Board within fourteen (14) days after:
 - the date notice of the order, decision or permit issued by the Development Authority was received in accordance with Sections 2.8 (1) and 2.8 (2) of this Bylaw; or
 - (b) the forty (40) day period referred to in **subsection (1) (a)** has expired.

SECTION 3.2 APPEAL HEARING

- (1) Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold an appeal hearing respecting the appeal.
- (2) The Secretary to the Subdivision and Development Appeal Board shall give at least five (5) days notice in writing of the appeal hearing to:
 - (a) the appellant;
 - (b) the Development Authority from whose order, decision or development permit the appeal is made;
 - (c) adjacent land owners and any other person who, in the opinion of the Subdivision and Development Appeal Board, are affected by the order,

decision or permit; and

- (d) such other persons as the Subdivision and Development Appeal Board specify.
- (3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:
 - (a) the application for the development permit, the decision and notice of appeal; or,
 - (b) the order of the Development Authority under Part 5 of this Bylaw.
- (4) At the appeal hearing referred to in **subsection (1)**, the Subdivision and Development Appeal Board shall hear:
 - (a) the appellant or any other person acting on his/her behalf;
 - (b) the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;
 - (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his/her behalf; and
 - (d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his/her behalf.

SECTION 3.3 DECISION

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

PART 4 - BYLAW AMENDMENT PROCESS

SECTION 4.1 APPLICATION TO AMEND BYLAW

- (1) Subject to the provisions of the Act a person may apply to have this Bylaw amended, by applying in writing, furnishing reasons in support of the application and paying the required fee.
- (2) Application:

Any person applying to have this Bylaw amended shall apply in writing to the Development Officer, using the application form provided by the County of Barrhead, and request that the Development Officer submit the application to the Council.

(3) <u>Proposed Amendments May Originate From Development Authority:</u>

The Development Authority may, at any time on its own motion, present for the consideration of Council any proposed amendment to this Bylaw, and the proposed amendment shall be accompanied by the report and recommendation of the Municipal Planning Commission and the report and recommendation of the Development Officer.

(4) <u>Amendments Proposed in Council:</u>

Council may, at any time, initiate an amendment to this Bylaw, but prior to first reading of any proposed amendment the proposal shall be referred to the Municipal Planning Commission and to the Development Officer for their reports and recommendations.

(5) <u>Technical Amendments</u>

Proposed bylaw amendments which are deemed not to result in a shift of direction of the Land Use Bylaw, meet the spirit and intent of the Land Use Bylaw, and are of a clerical nature (clarification, typo correction, etc.) may be processed as a technical amendment and not require a formal public hearing at the discretion of Council.

(6) Application Requirements

As part of the application referred to **Section 4.1 (2)**, the applicant must provide the following information:

- (a) an application fee as established by Council for each application;
- (b) a current title search of the land affected or other documents satisfactory to the Development Officer showing the applicant's interest in the said land;

- (c) drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable; and
- (d) any other information deemed necessary by the Development Authority or by Council.

(7) <u>Referral of Applications</u>

- (a) In order to prepare the proposed Bylaw amendment for Council, the Development Officer or the Municipal Planning Commission may refer the application to such agencies as they considers necessary for comment.
- (b) During consideration and deliberation of the proposed Bylaw amendment, Council may refer the application to such agencies as it considers necessary for comment.

(8) Additional Information

Council may request such information as it considers necessary in order to reach a decision on the proposed amendment.

(9) Payment and Undertaking:

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

- (a) pay the County of Barrhead an application fee as set by Resolution of Council;
- (b) undertake in writing on a form provided by the County of Barrhead to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the County of Barrhead may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges;
- (c) provide the Development Authority with all additionally requested information in a reasonable time frame. Additional information may include: an Area Structure Plan or Outline Plan, geophysical or hydrological report, traffic impact assessment, etc;
- (d) sign a certificate authorizing the right of entry by the Development Authority to such lands or buildings as may be required for investigation of the proposed amendment.

(10) <u>Consideration by the County Council</u>:

An application for an amendment to this Bylaw may be referred to the Development Authority for a recommendation. The recommendations of both the Development Authority Officer and the Municipal Planning Commission may be presented to Council prior to Council's decision on the proposed amendment.

(11) Investigation by Development Officer:

Upon receipt of an application to amend the Land Use Bylaw, the Development Officer shall:

- (a) initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment, including circulating the application to such agencies as s/he considers necessary for comment;
- (b) prepare a detailed report for the County Council on the proposed amendment; and
- (c) submit a copy of the report, maps and all material relevant thereto to the County Council.

(12) <u>Preliminary Examination by the Development Authority</u>:

The Development Authority shall:

- (a) examine the proposed amendment for content; and
- (b) advise the applicant that:
 - (i) it is prepared to recommend the amendment to the Council without further investigations;
 - (ii) it is prepared to recommend an alternative amendment either at once or after due investigation; or
 - (iii) it is not prepared to recommend the amendment with reasons provided.

(13) Procedure by Applicant:

Upon receiving the preliminary advice of the Development Authority, the applicant shall advise the Commission if:

- (a) he or she wishes the County Council to proceed with the amendment as submitted by the person, or an alternative amendment proposed by the Municipal Planning Commission; or
- (b) s/he wishes to withdraw his application for an amendment.
- (14) <u>Decision by Council</u>:

As soon as reasonably convenient and regardless of its recommendation, the Development Authority may submit the proposed amendment as originally applied for, or as alternatively chosen by the applicant, as the case may be, to the Council, accompanied by the recommendation of the Municipal Planning Commission, the report of the Development Officer and other relevant material, if any, and the Council shall then consider the proposed amendment.

(15) Council May Direct Repayment:

If it appears that the proposed amendment is one which is applicable to and for the benefit of the County of Barrhead at large, or most of the persons affected in one area, or to the entire district, then the Council may direct that the application fee be returned to the applicant and that the County of Barrhead pay the expense which the applicant has agreed to pay pursuant to the provisions of **Section 4.1 (6)**.

(16) Limit on Frequency of Applications:

Notwithstanding anything in this Section or this Part, a proposed amendment which has been rejected by Council within the previous six (6) months may not be reconsidered unless Council otherwise directs.

- (17) Proposed amendments to this Bylaw are subject to those requirements and procedures set out in the Act regarding enactment of Bylaws.
- (18) Prior to third reading of a proposed amendment, Council may require the applicant to apply for a development permit and negotiate a development agreement for the proposal which initiated said proposed amendment

SECTION 4.2 PUBLIC HEARING

(1) All amendments to this Bylaw shall be made by Council by Bylaw and in conformity with the requirements of the Act regarding the notification and holding of a public hearing.

SECTION 5.1 CONTRAVENTION

- (1) Where a Development Authority finds that a development or use of land or buildings is not in accordance with:
 - (a) the Act or the Regulations; or
 - (b) a development permit or subdivision approval; or
 - (c) the Land Use Bylaw;

the Development Authority may, in accordance with Section 545 of the Act, by notice in writing, order the registered owner, the person in possession of the land or buildings, or the person responsible for the contravention or all or any of them to:

- (i) stop the development or use of the land or buildings in whole or in part as directed by the notice;
- (ii) demolish, remove or replace the development; or
- (iii) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act, the regulations, a development permit, subdivision approval or this Bylaw, as the case may be.
- (2) Where a notice is issued under **Section 5.1 (1)**, the notice shall state the following and any other information considered necessary by the Development Authority:
 - (a) An explanation of the contravention, and a statement indicating under which provisions of this Bylaw or the Act the order is being carried out;
 - (b) The alternatives and processes which the person responsible for the contravention may pursue in order to correct the contravention;
 - (c) A timeframe in which the contravention must be corrected prior to the County of Barrhead pursuing action; and
 - (d) Advise the person of his right to appeal the notice to the Subdivision and Development Appeal Board.

- (3) Where a person fails or refuses to comply with an order directed to him under Section 5.1 (1) or an order of the Subdivision and Development Appeal Board under Section 687 of the Act within the time specified, the Council or a person appointed by it may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- (4) Where the Council or a person appointed by it carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

SECTION 5.2 OFFENSES AND PENALTIES

This Bylaw may be enforced, and the contravention of any provisions contained herein restrained, by the Court of Queen's Bench of Alberta upon action brought by Council, whether or not any penalty has been imposed for the contravention.

- (1) A person who:
 - (a) contravenes any provision of the Act or the regulations under the Act;
 - (b) contravenes this Bylaw;
 - (c) contravenes an order under **Section 5.1** of this Bylaw and/or Section 645 of the Act;
 - (d) contravenes a development permit or subdivision approval or a condition attached thereto; and/or
 - (e) obstructs or hinders any person in the exercise or performance of his powers or duties under this Act, the regulations under the Act or this Bylaw;

is guilty of an offense and is liable to a fine prescribed in Section 566 of the Act.

- (2) If a person is found guilty of an offense under **Section 5.2** of this Bylaw or Section 557 of the Act, the court may, in addition to any other penalty imposed, order the person to comply with:
 - (a) the Act and the regulations under the Act;
 - (b) this Bylaw;
 - (c) an order under **Section 5.1** of this Bylaw and/or Section 545 of the Act; and/or
 - (d) a development permit or subdivision approval or a condition attached to a development permit or subdivision approval.

- (3) If the corrective measures described in a Stop Order issued pursuant to this Part are not completed within the time specified by the Stop Order, the person to whom the Stop Order was issued is guilty of an offence and may be required by the municipality to pay a penalty of up to \$1000.00.
- (4) If a development continues after a Development Permit has been revoked or suspended, the person to whom the Permit was issued or the person continuing the development is guilty of an offence and may be required by the municipality to pay a penalty of up to \$1000.00.
- (5) Any written notice, or order, or decision that is required under any provision of this Bylaw to be provided to any person shall be deemed to have been so provided if it is:
 - (a) delivered personally to the person or their agent it is directed to;
 - (b) mailed by certified mail to the last known address of the person it is directed to; or
 - (c) left with any agent or employee or resident at the last known address of the person to whom it is directed.

PART 6 – GENERAL PROVISIONS

SECTION 6.1 ACCESS AND PARKING Vehicular (1) In all districts, vehicular entrances and exits onto streets shall only be permitted at locations approved by the entrances and Development Authority. exits In all districts, an off-street parking space shall be provided in Minimum number (2) accordance with the requirements for each use as follows or of off-street determined by the Development Officer or Municipal parking stalls Planning Commission. In the case of a use not specified, the number of stalls provided shall be the same as for a similar use as determined by the Development Officer or Municipal Planning Commission.

Use of Building or Site	Minimum Number of Parking Spaces Required
Residential	
Single Detached Dwelling, Modular	2 per dwelling unit
Home, Manufactured Home, Duplex	
Multi-family dwellings of one bedroom	1 per dwelling unit <u>plus</u>
or less per dwelling unit	1 for every four dwelling units for guest parking
Multi-family dwellings of two or more	1.5 per dwelling unit <u>plus</u>
bedrooms per dwelling unit	1 for every four dwelling units for guest parking
Senior citizen self-contained dwelling unit	1 for every two dwelling units
Commercial	
Business, public administration and	1 space for every 40.0 m ² of gross floor area
offices other than medical or dental	
offices/clinics	
Medical and dental offices or clinics	1 space for every 30.0 m ² of gross floor area
Retail/service shops with a gross floor area of 1000.0 m ² or less	1 space for every 45.0 m ² of gross floor area
Retail/service shops with a gross floor	1 space for every 27.0 m ² of gross floor area
area between 1000.00 m ² and 4000.0	
m ²	
Retail/service shops with a gross floor	1 space for every 25.0 m ² of gross floor area
area of more than 4000.0 m ²	
Drive-in restaurants	1 per 4 seating spaces or 1 space of every 2.8
	m ² used by patrons, whichever is deemed to be
	the most applicable standard given the nature or

	the application as determined by the Development Officer or Municipal Planning Commission.
Restaurant (food exclusively taken off	1 space for every 13.0 m ² of gross floor area plus
site for consumption)	1 for each three employees on maximum shift.
Automobile service center	1 space for every 46.0 m^2 of gross floor area.
	Parking for customers and service department
	shall be clearly identified.
Hotels, Motels	1 per sleeping unit and 1 space per 3 employees
	on maximum shift
Industrial	
Light manufacturing plants; warehouse	1 space for every 3 employees on maximum
space; wholesale and storage buildings	shift. These standards may be varied, at the
and yards; public utility buildings;	discretion of the Development Officer or
medium to heavy manufacturing plants,	Municipal Planning Commission, to
mills or shops	accommodate visitors parking spaces, where
	applicable.
Other	
Places of Assembly:	1 per 5 seating spaces or 1 space for every 4.6
Private clubs or lodges, funeral	m ² used by patrons, whichever is deemed to be
homes/chapels, auditoriums, places of	the most applicable standard given the nature or
worship, halls, theatres, cinemas and	the application as determined by the
other amusement or recreational	Development Officer or Municipal Planning
establishments Schools:	Commission. 5 plus 1 per daytime school employee on
Elementary and Junior High School	maximum shift
Public or Private, Senior High School	1 per daytime school employee plus 1 for every 8
which do or do not include an	students. Parking for auditoriums and swimming
auditorium, gymnasium or swimming	pools, as part of the school development, shall be
pool	provided as per above Places of Assembly and
	may be reduced accordingly to accommodate
	joint use and peak use activity.
Post-secondary or adult education	1 per 4 students plus 1 for each staff member on
facilities including universities,	maximum shift.
educational consortiums, and other	
college-type facilities	
Group care facilities, senior citizens	1 space for every 100.0 m ² of gross floor area
lodges and nursing homes	
Daycare facilities	1 space for every 34.0 m ² of gross floor area
	plus 1 per staff member

Special cases for (3) off-street parking

In all districts, if not otherwise provided for, in regulating the facilities for off-street parking, the owner of the land to be developed may, subject to the approval of the Development

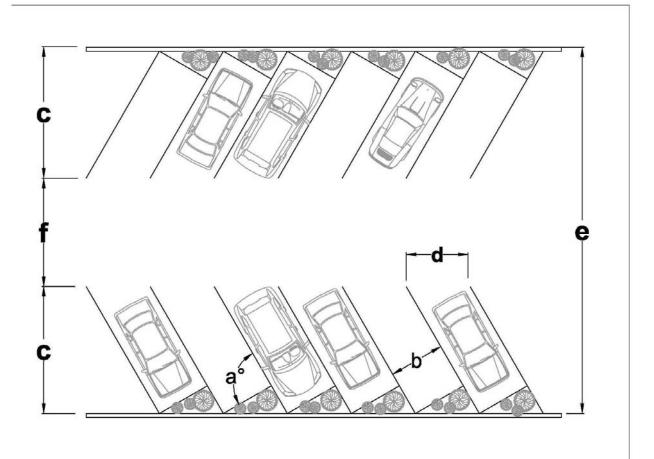
Authority;

- (a) provide the required off-street parking on land other than the one proposed to be developed; or
- (b) in lieu of providing off-street parking, pay the municipality such amount of money on such terms as the Council considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in the district, any money so received by the municipality shall be used only for the development of off-street parking facilities.
- **Development with** (4) Where a development on a parcel falls within more than one use of a building or development, the required number of spaces shall be the sum of the requirements for each of the uses as specified above.
- Minimum Parking(5)The minimum dimensions of maneuvering aisles and parking
stalls shall be in accordance with the following regulations:Dimensions

Minimum Parking Standards

Parking Angle in Degrees	Width of Stall	Depth of Stall Perpendicular to Maneuvering Aisle	Width of Stall Parallel to Maneuvering Aisle	Overall Depth	Width of Maneuvering Aisle (one-way)
а	b	С	d	е	f
0	2.7 m (8.86 ft.)	2.7 m (8.86 ft.)	7.0 m (22.97 ft.)	9.1 m (29.86 ft.)	3.6 m (11.81 ft.)
30	2.7 m (8.86 ft.)	5.2 m (17.06 ft.)	5.5 m (45.87 ft.)	14.0 m (45.93 ft.)	3.6 m (11.81 ft.)
45	2.7 m (8.86 ft.)	5.8 m (19.03 ft.)	4.0 m (13.12 ft.)	15.2 m (49.87 ft.)	3.6 m (11.81 ft.)
60	2.7 m (8.86 ft.)	6.1 m (20.01 ft.)	3.1 m (10.17 ft.)	18.2 m (59.71 ft.)	6.0 m (19.69 ft.)
90	2.7 m (8.86 ft.)	6.1 m (20.01 ft.)	2.7 m (8.86 ft.)	19.5 m (63.98 ft.)	7.3 m (23.95 ft.)

FIGURE 10: MINIMUM PARKING FACILITY DIMENSIONS



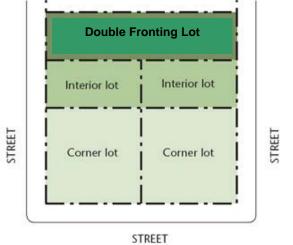
SECTION 6.2 ACCESSORY BUILDINGS AND USES

Accessory

(1) When an accessory building is proposed for use as a

buildings as temporary residences		"temporary residence" prior to construction of the principal residence, and will at some future date be converted back to a proper accessory use (as a garage or storage building), the "temporary residence" accessory building will be treated as a permanent residence and shall comply with the County's minimum residential floor area requirements and the Alberta Building Code requirements for a permanent residence. The County may require of the applicant a letter of undertaking and the posting of a security to ensure conversion of the "temporary residence" into an accessory building.
Accessory buildings on vacant residential lots	(2)	Notwithstanding the definition of an accessory building as prescribed in this Bylaw, accessory buildings in the form of a garage or shed only may be permitted on a discretionary basis on a vacant residential parcel prior to the establishment of the principal residence. The Development Authority shall not approve a Development Permit for an accessory building in this instance unless it is satisfied that the accessory building is designed, sited, constructed, finished and sided in a manner that is visually compatible and harmonious with the residential character of the surrounding parcels and the neighborhood in general.
Structures attached to principal buildings	(3)	Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or a foundation it is to be considered a part of the principal building and shall not be considered as an accessory building.
Accessory buildings on irregularly shaped lots	(4)	Notwithstanding any other part of this Bylaw, the siting of an accessory building on an irregularly shaped parcel shall be at the discretion of the Development Officer or Municipal Planning Commission.

	CORNER AND DOUBLE FRONTING SITES	
SECTION 6.3	CORNER AND DOUBLE FRONTING SITES	
Setbacks for corner lots	(1)	In all land use districts, a site abutting onto two streets or more shall have a front yard setback on each street in accordance with the front yard regulation of this bylaw. Figure 11 provides an example of corner lots and double fronting lots.
Location of buildings on corner lots	(2)	In all cases, the location of buildings on corner sites shall be subject to approval of the Development Officer or Municipal Planning Commission who may, at their discretion, relax one front yard setback requirements taking into account the alignment, location, and orientation of existing adjacent buildings or the permitted setback on adjacent sites where a building does not exist.
Front yard as side yard	(3)	When a lot has more than one front yard line (corner lot), the front yard requirement shall apply to all front yards, but, at the discretion of the Development Officer, one front yard may be considered a side yard.
Preserving sight lines for corner lots	(4)	No structure shall be placed on a corner lot in such a manner that the line of sight at the intersection of the abutting streets would result in a traffic hazard. All structures more than 1.0 meter (3.3 feet) in height shall be no closer than 6.1 meters (20 feet) from the point where the streets intersect.
		1





SECTION 6.4 DESIGN CHARACTER AND APPEARANCE OF BUILDINGS AND **STRUCTURES**

- **Exterior treatment** (1) The quality of exterior treatment and design of all buildings shall be to the satisfaction of the Development Authority. and design
- **Design criteria for** Pursuant to **subsection (1)**, the Development Authority may (2) development consider the following when reviewing development proposals proposals in all districts:
 - (a) the design, character and appearance of all buildings with respect to their compatibility with any other buildings existing in the vicinity;
 - (b) the design of the building must be consistent with the purpose of the land use district in which it is located; and/or
 - (c) the building shall comply with any provisions of any statutory plan which sets out specific guidelines as to the design, character, appearance or building materials to be used within a district or area;
- Solar energy gain (3) The Development Authority shall encourage buildings to be sited and constructed so as to maximize passive solar energy gain.

SECTION 6.5 DEVELOPMENT ADJACENT TO ROADWAYS

- (1) No development permit shall be issued for a development within 30.0 m (98.4 ft) of the boundary of the right-of-way of a highway until a permit under regulations made in accordance with of the Public Highways Development Act, RSA 2000, has been issued by Alberta Transportation.
- **Development** (2) On a parcel of land located adjacent to a local road, no adjacent to local development shall be permitted within 30.0 m (98.4 ft) of the property line as illustrated in Figure 12.
- Development at the On a parcel of land located at the intersection of a minor two (3) lane highway with a local road, no development shall be intersection of permitted within the areas illustrated in Figure 12. minor two lane highways and local
- On a parcel of land located at the intersection of two minor Development at the (4) intersection of two lane highways, no development shall be permitted within

Development

adjacent to

highways

roads

roads

the area illustrated in Figure 12.

minor two lane highways

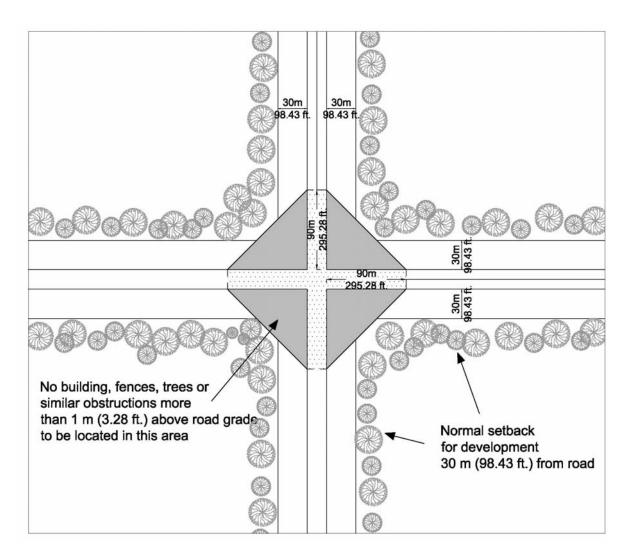


FIGURE 12: LOCATION OF DEVELOPMENT AT THE INTERSECTION OF A MINOR TWO LANE HIGHWAY WITH A LOCAL ROAD

Obstructions to visibility	(5)	No buildings, fences, trees, haystacks or other similar obstructions to visibility shall be permitted at the intersection of two local roads as illustrated in Figure 12.
Development inside a road curve	(6)	On a parcel of land located on the inside of a road curve, no development shall be permitted within the areas illustrated in Figure 13.
Development at the intersection of local	(7)	Where a local road intersects a highway, the Highway Development Control Regulations shall apply to

roads and highways

development adjacent to the highway where it intersects.

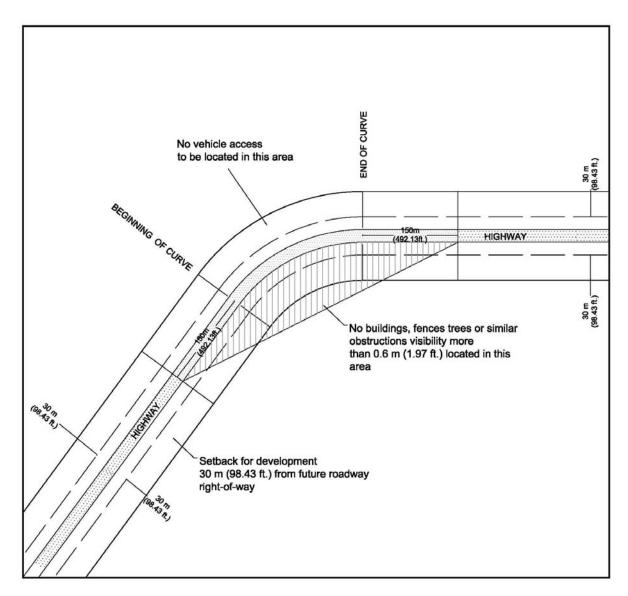


FIGURE 13: LOCATION OF DEVELOPMENT IN THE INSIDE OF A ROAD CURVE

SECTION 6.6 BUILDING SETBACKS AND SETBACKS FROM PROPERTY LINES

The following regulations shall apply to all buildings in all land use districts unless otherwise stated in the respective land use district or at the discretion of the Development Authority.

Adjacent land	(1)	Where a lot is separated from a roadway by a buffer strip, the lot is considered adjacent to the roadway for the purpose of setbacks.
Setback requirement for land adjacent to a municipal road and a highway	(2)	Where an internal subdivision road or service road parallels a municipal road allowance, arterial road, or a highway, the greater setback shall be required.
Setback for land adjacent to municipal service roads	(3)	A municipal service road shall be treated as a municipal road allowance for the purposes of applying setback regulations.
Setback requirements from highways	(4)	All residential and accessory buildings shall be setback a minimum distance of 70 m (230 ft.) from the centre line of a major Highway or 40 m (131 ft). from the property line. If the development is adjacent to a minor highway then all residential and accessory buildings shall be setback a minimum distance of 30 m (98.4 ft.) from the centre line or 30 m (98.4 ft). from the property line (As illustrated in Figure 14 below)

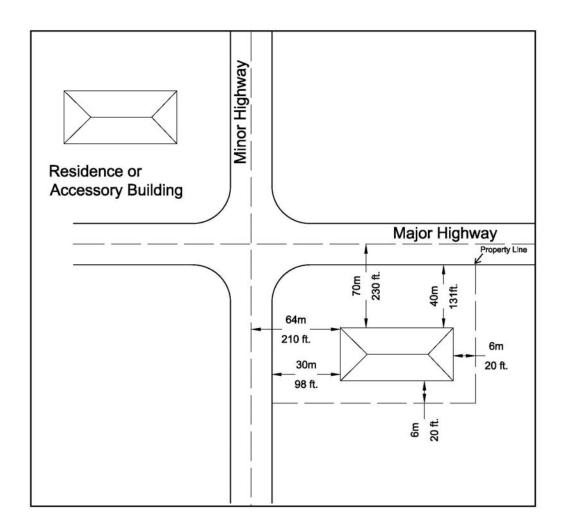


FIGURE 14: SETBACK FOR DWELLINGS AND ACCESSORY BUILDINGS FROM HIGHWAYS

Setback requirements from internal subdivision roads

(5) On Country Residential parcels adjacent to internal subdivision roads all residential and accessory buildings shall be setback a minimum distance of 7.5 m (24 ft.) from the property line of the residential property as illustrated in **Figure 15.**

(6) On Country Residential parcels adjacent to a municipal road allowance all residential and accessory buildings shall be setback a minimum distance of 30 m (98.4 ft.) from the property line of the residential property as illustrated in Figure 15).

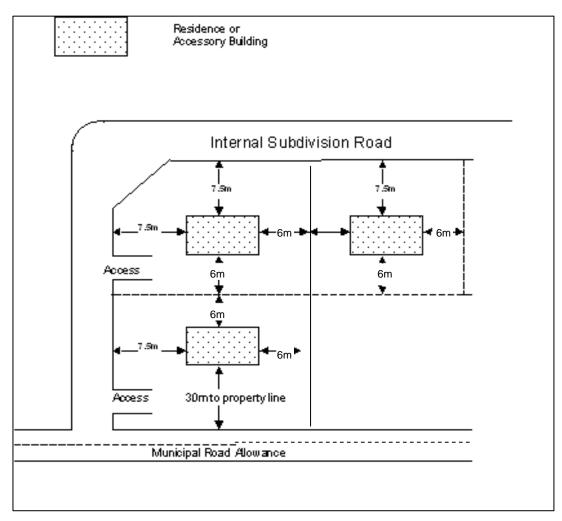


FIGURE 15: RESIDENTIAL AND ACCESSORY BUILDING SETBACKS FROM INTERNAL SUBDIVISION ROADS AND GOVERNMENT ROAD ALLOWANCES

Minimum Separation Distances in the Urban Residential District and for Resort Cottages

- (7) The minimum separation distance between a dwelling and an accessory building in the urban residential district and for resort cottages shall be 2 m (7 ft.).
- (8) The minimum side yard setback for a single family dwelling or an accessory building in the urban residential district and for resort cottages shall be 1.5 m (5 ft.). Figure 16 illustrates front, rear and side yard setbacks for dwellings and accessory buildings.

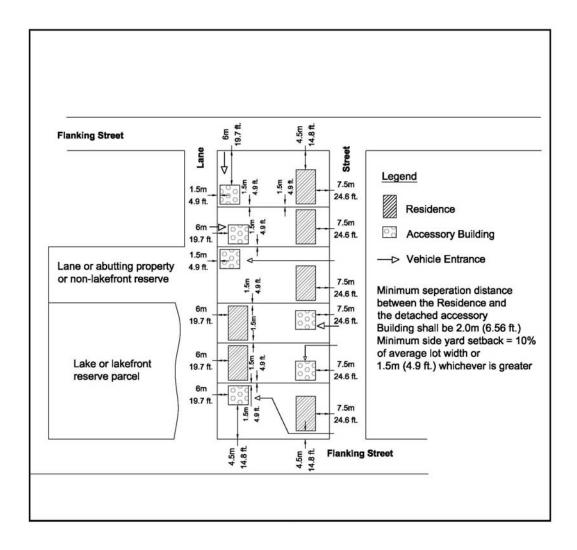


FIGURE 16: RESIDENTIAL AND ACCESSORY BUILDING MINIMUM YARD REGULATIONS FOR THE URBAN RESIDENTIAL AND COUNTRY RESIDENTIAL DISTRICTS

DEVELOPMENT ON OR NEAR SLOPES

with Alberta Environment.

	Develor ment on on near seores		
"Top of bank"	(1)	For the purposes of this Section, "top of bank" is as	
definition		determined by the Development Authority in consultation	

- Setbacks from top (2) Notwithstanding the yard requirements prescribed in the Land Use District, or Statutory Plans, no permanent buildings shall be permitted within 6.1 m (20.0 ft) of the top of the bank of any water body (being a named lake or pond) and no development shall be permitted within 6.1 m (20.0 ft) of the top or bottom of an escarpment, bank or slope where the grade exceeds 15% (fifteen percent).
- **Increased setback** (3) The Development Authority may require a greater setback

SECTION 6.7

requirements		than is prescribed in Section 6.7 (2).
Development on land susceptible to subsidence	(4)	Notwithstanding that a development conforms in all respects with this Bylaw, including Section 6.7 (2) and (3), where the application is for development on lands that are, or may be, subject to subsidence, the Development Authority shall not issue a Development Permit unless the applicant can demonstrate, by means of an engineering report bearing the seal and signature of a professional engineer registered in the Province of Alberta, that preventive engineering and construction measures can be instituted to make the parcel suitable for the proposed development.
Development site and building design	(5)	Further to Section 6.7(4) , the Development Authority may, at its discretion, require that the development site and buildings be designed by a professional engineer registered in the Province of Alberta.
Reduction of setback requirement	(6)	The Development Authority may, at its discretion, reduce the setback requirements established pursuant to Section 6.7 (2) and (3) if the applicant provides satisfactory proof of bank stability for the purposes of the proposed development.

SECTION 6.8

Preservation of environmental features

Land management (2 practices

- ENVIRONMENTAL STANDARDS
 - (1) Development shall not be allowed to detrimentally affect natural features such as ponds, streams, wetlands and forested areas, but shall preserve and incorporate such features into the site design. In addition:
 - (a) development of, or in proximity to, wetland areas shall only be undertaken where:
 - i) it minimizes alterations in the natural flow of water which nourishes the wetlands; and
 - ii) it protects wetland from adverse drudging or in-filling practices, situation or the addition of pesticides, salts or toxic materials.
 - (b) the location of natural features and the site's topography shall be considered in the designing and siting of all physical improvements.

agement (2) Developments must adhere to the following land management practices:

- (a) stripping of vegetation or grading shall be done in a manner which will minimize soil erosion by ensuring that the extent of the disturbed area and the duration of its exposure is minimized, and that all grading work should be designed to blend with the natural contours of the land;
- (b) natural vegetation shall be retained and protected whenever possible;
- (c) natural drainage patterns should not be disturbed and changes to watercourses shall be avoided except where controlled improvements are warranted subject to approval from Alberta Environment; and
- (d) developments shall not adversely affect groundwater resources or increase storm water runoff velocity in a way that water levels on other lands are substantially raised or the danger from flooding increased.

SECTION 6.9 EXISTING SUBSTANDARD LOTS

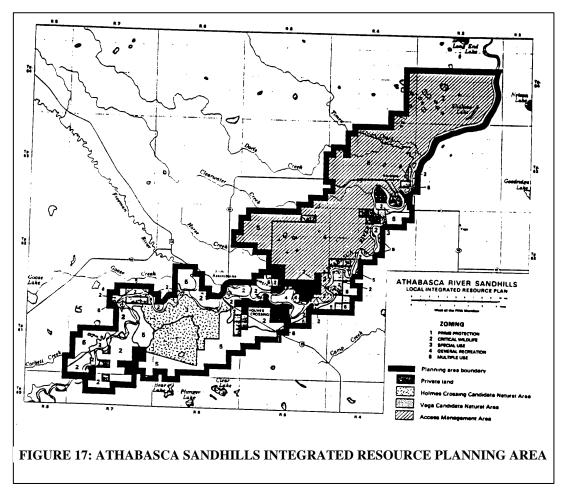
Proposed developments on existing substandard lots may be considered by the Development Authority. In considering any application for Development Permit, the Development Authority shall have consideration for compliance with the Private Sewage Disposal Systems Regulation (AR 229/97), Public Housing Regulations and the Alberta Safety Codes.

SECTION 6.10 HISTORICAL AND ARCHEOLOGICAL SITES

Historical sites or archaeological sites identified pursuant to the Alberta Historical Resources Act, RSA 2000, shall be protected in accordance with the guidelines established by Alberta Culture and Community Spirit.

SECTION 6.11 INTEGRATED RESOURCE PLANNING AREA

The Development Authority and/or Subdivision Authority shall consider the policies of the Athabasca River Sandhills Integrated Resource Plan when evaluating subdivision and development applications within those areas contained within the plan as shown on **Figure 17.**



SECTION 6.12

Reclamation plans as condition of Development Permit approval

NATURAL RESOURCE EXTRACTION/PROCESSING

- (1) A development permit shall not be issued for a sand, gravel, clay, coal, limestone, gypsum, granite, salt or a mineral extraction operation until any necessary reclamation plan and permit/license is approved by the Provincial Government where required.
- (2) The proponent of a natural resource extraction development shall be required to submit a reclamation plan to the County for its ratification and approval, prior to, or as a condition of, a Development Permit approval.
- (3) Where not required to do so by the Province, the proponent of a natural resource extraction industry may, at the discretion of the Development Authority, be required to post with the County security in the form of an irrevocable letter of credit to ensure that reclamation will be completed to the satisfaction of the County's Development Authority.
- (4) A disturbed area shall be reclaimed to:
 - (a) at least its former capability for agriculture or recreation; or
 - (b) any other use, which the Development Authority feels, will be beneficial to the County.
- (5) All stripping, excavation and grading shall be in conformance **Section 6.22**.
- (6) Notwithstanding the permitted and discretionary uses prescribed within the various Land Use Districts within this Bylaw, natural resource extraction/processing uses shall be neither permitted nor discretionary if proposed within a multi-parcel residential subdivision or within 305.0 m (1,000 ft) of the boundary of a multi-parcel residential subdivision. Notwithstanding the aforementioned, extraction only uses and activities (i.e. no washing, crushing, processing, etc.) may be permitted on a discretionary permit basis within 305.0 m (1,000 ft) of the boundary of a multi-parcel residential subdivision.

Conditions of Development Permit approval for a proposed natural

(7) The following may be included by the Development Authority when establishing conditions of development permit approval for a proposed natural resource extraction

natural resource extraction and processing

Restrictions on

Stripping,

excavation, grading

resource extraction		use:	
use		(a)	limitations on the years, months, weeks, days and/or hours of operation;
		(b)	requirements to provide and maintain sufficient dust control to the satisfaction of the County as established in a Road Use Agreement;
		(c)	requirements to provide and maintain onsite dust control measures
		(d)	posting of adequate signage, including company name and emergency phone numbers, to warn of possible site or operational hazards and dangers;
		(e)	requirement to identify and/or number trucks or equipment involved in any hauling aspects for the development;
		(f)	requirement to enter into a development agreement with the County of Barrhead. The development agreement may be registered on the title of the subject site.
		(g)	methods of minimizing noise in relation to the activities of the operation; and/or
		(h)	methods of ensuring buffing of of noise, dust and outdoor storage from adjacent properties.
	(8)	miner only a comp	ction operations, such as sand, gravel and other ral resource workings shall be permitted to proceed after the issuance of proper licenses that indicate liance with the appropriate provincial legislation and ations.
Natural Resource Deposits	(9)	indus depos	County should not allow residential, commercial, or trial development to occur on known commercial sits of sand and gravel or other mineral resources if levelopment will prevent the future extraction of the irce.
Provincial Jurisdiction	(10)	of this devel	cil shall urge the province to comply with the policies s section and the overall intent of the Plan when oping natural resource extraction activities that are pt from control under the Municipal Government Act.

Natural Resource Processing (11) Natural resource processing should be handled as a form of industrial development, and be subject to the appropriate industrial policies of this Bylaw.

SECTION 6.13

NUMBER OF DWELLING UNITS ON A LOT

- One dwelling unit per parcel
- Additional dwelling units on residential parcels
- (1) No person shall construct or locate more than one permanent dwelling unit on a parcel.
 - (2) Notwithstanding Section 6.13 (1), the Development Authority may issue a development permit to a person that would permit the construction or location of more than one dwelling unit on a parcel if the second or additional dwelling unit is a permitted or discretionary use in the district for which the permit is sought and/or it:
 - (a) is contained in a building that, or in buildings each of which, is designed for or divided into two or more dwelling units; and/or
 - (b) is a manufactured home forming part of a manufactured home park; and/or
 - is a building, as defined in the Condominium (c) Property Act, that is the subject of a Condominium Plan to be registered with Alberta Land Titles under that Act.
- Additional dwelling Notwithstanding Section 6.13 (1), in the Agriculture District, (3) the Development Authority may issue a temporary units on development permit for the construction or location of a agricultural parcels second temporary dwelling unit on a parcel for up to three (3) years. At the end of the three (3) period the applicant must apply for an extension of the temporary development permit for an additional three (3) years.
- When determining whether or not to allow an additional **Considerations for** (4) dwelling unit on a parcel, the Municipal Planning Commission shall consider:
 - (a) the suitability of the site for the proposed dwelling;
 - (b) the length of time that the developer requires the proposed building;
 - (c) access to and from the site;
 - the provision of proper water and sewer services; (d)
 - (e) existing and future surrounding land uses;
 - whether the proposed development meets the spirit (f) and intent of the land use district in which the permit

siting of an additional dwelling unit

is sought; and

- (g) the mobility characteristics of the proposed dwelling.
- Family-human(5)The Municipal Planning Commission may take into account
family-human relationships when making decisions on
development permit applications for an additional dwelling
on a parcel.
- Time limit on
additional
dwellings(6)The Municipal Planning Commission may attach as a
condition of approval, a time period after which the
additional dwelling must be removed from the subject
property.
- Registration of a
caveat(7)The Municipal Planning Commission may, as a condition of
approval, register a caveat related to the proposed
development and its future removal from the property to the
certificate of title for the subject property.
- Type of additional
dwelling unit(8)The Municipal Planning Commission may require that the
second dwelling unit be a manufactured home in order that
is readily removable upon the termination of a permit for the
use of a second dwelling.

SECTION 6.14 POTENTIAL FLOOD HAZARD AREAS

- Development on
land subject to(1)Development on lands which may be subject to flooding
may be discouraged, especially on lands which are within
the 1:100 year flood-plain, as determined by Alberta
Environment and the County of Barrhead.
- **Development on a** (2) Any Development Permit issued for development within the 1:100 year flood-plain may have as a condition of approval, a restrictive covenant registered against the title of the subject property related to the approved development.
- Conditions for
development on
land subject to
flooding(3)In reviewing a Development Permit application for a
development on a site which may be subject to flooding or
that is located in a designated flood-plain, the Development
Authority may consider flood damage reduction measures
and may approve the proposed development subject to any
or all of the following:
 - the usage of piles, posts, or piers to raise the development above the identified flood level;
 - (ii) "wet flood-proofing" standards which allow basements to be flooded without significant damage

to the structure;

- (iii) other flood damage reduction measures as approved by Canada Mortgage and Housing Corporation:
- (iv) diking of the watercourse;
- (v) increased development setbacks from the watercourse:
- (vi) specification of specific development locations and/or orientations:
- the usage of back-flow prevention valves (stop (vii) valves);
- any other flood measures deemed necessary by the (viii) **Development Officer:**
- (ix) a certificate from a qualified professional engineer certifying that the design for the proposed development was undertaken with full knowledge of the potential for flooding on the subject property; and
- comments and recommendations from Alberta (x) Environment.

PROTECTION FROM EXPOSURE HAZARDS

- The location of any anhydrous ammonia or liquefied Location of AAG (1) petroleum gas (AAG or LPG) storage tank with a water and LPG storage capacity exceeding 9000 litres (1979.8 imperial gallons) shall be in accordance with the requirements of the Development Authority but in no case shall be less than a minimum distance of 120.0 m (393.7 ft) from assembly, institutional, mercantile or residential building.
 - (2) AAG or LPG containers shall be located in accordance with regulations under the Alberta Fire Code and/or Safety Codes Act.
- (3) Flammable liquids storage tanks at bulk plants, service **Regulations for** stations, or for personal use in a residential area shall be flammable liquids located in accordance with regulations under the Alberta storage tanks Fire Code and/or Safety Codes Act.

Setbacks from (4) Setbacks from pipelines or other utility corridors shall be as required by the Development Officer, or Municipal Planning pipelines and

SECTION 6.15

Regulations for

AAG and LPG

storage tanks

tanks

utility corridors Commission, and the appropriate provincial regulations or Acts.

SECTION 6.16 SANITARY FACILITIES

(1) All buildings erected, placed or moved into districts established by the Bylaw, to be used for a dwelling unit, commercial or industrial purpose shall be provided with sanitary facilities to the satisfaction of the appropriate regulatory authority.

SECTION 6.17 SIGN REGULATIONS

- Signage adjacent(1)Development approvals for signage adjacent to highwaysto highwaysshall be subject to the approval of Alberta Transportation
and the County of Barrhead.
- Development (2) No signs or advertising structures of a commercial, directional or informative nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for the same has been approved and a Development Permit has been issued.
- Advertising signs (3) Advertising signs shall be approved on a discretionary basis within the AG"A", AP, C/I, HC and UNR land use districts as identified in Part 8 of this Bylaw.
- **Considerations for** (4) In considering a development permit application for signs, the Development Authority may consider such factors as location of the proposed sign, distance from roadway, size (copy area), height, degree of illumination, and any other matters deemed relevant to the Development Authority.
- Signs resembling(5)No sign or advertisement shall resemble or conflict with a
traffic signsprohibitedtraffic sign, nor shall it present a traffic hazard.
- **Condition of signs** (6) All signs shall be kept in a safe, clean and tidy condition and may be required to be renovated or removed where not maintained.

SECTION 6.18 Screening for outdoor storage	BUFF (1)	FERING The Development Authority may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses.		
SECTION 6.19	OBJE	CTS PROHIBITED OR RESTRICTED IN YARDS		
Objects restricted on lots less than 15 ac. in size	(1)	No person shall keep or allow any heavy vehicle in any Country Residential (CR) or Urban Residential (UR) or County Residential Restricted (CRR) District unless a development permit for that use is issued by the Development Authority. Such permits will only be issued if, in the opinion of the Development Authority, such development will not unduly interfere with the amenities of the area in which the development is located, or materially negatively interfere with or affect the use, enjoyment or value of neighbouring lots.		
Retention and planting of trees	(2)	The Development Authority, in considering an application, may impose conditions requiring the retention of trees, or additional planting of such a type and extent that is considered necessary on any permission for development.		
Setbacks from water bodies	(3)	A minimum buffer strip of 25.0 m (82.0 ft) shall be preserved from the top of bank of any permanent river. No structures of any kind shall be permitted within this setback. The Development Authority may require the developer to provide a soil analysis, additional setback or other similar matters where site circumstances may warrant the same.		
	(4)	Notwithstanding Section 6.19(3) , development setbacks from permanent natural water bodies shall be at the discretion of the Development Authority.		
Shelter belts	(5)	The location of any shelter belts shall be determined by the Development Authority.		

ANIMAL/BIRD REGULATIONS

- (1) (a) On any agricultural or non-residential parcel in any Land Use District, no more than three (3) adult dogs shall be allowed unless a permit for a small animal breeding and boarding operation has been granted pursuant to Section 66 of this Bylaw.
 - (b) On any residential parcel in any non-agricultural Land Use District, no more than four (4) household pets, not to include more than two (2) dogs shall be allowed unless a permit for a small animal breeding and boarding operation has been granted pursuant to of this Bylaw.
 - (c) On residential parcels, in non-agricultural land use districts, and including the Statutory Plan Districts (Inter-municipal Development Plan, Area Structure Plan and Area Redevelopment Plan Areas) 0.81 hectares (2.0 acres) in size or larger, additional animal units shall be allowed in accordance with following:

Residential Parcel Size	Allowable Number of Animal Units	
0.81 - 1.21 hectares 1.22 - 1.61 hectares 1.62 - 2.02 hectares 2.03 - 2.42 hectares 2.43 - 4.04 hectares 4.05 hectares or greater	(2.0 - 2.99 acres) (3.0 - 3.99 acres) (4.0 - 4.99 acres) (5.0 - 5.99 acres) (6.0 - 9.99 acres) (10.0 acres or greater)	1 2 3 4 5 5*

* Plus - the number of animal units permitted for that portion of the parcel in excess of 4.05 hectares (10.0 acres).

Example: 5.26 hectares (13.0 acres) = 5+2=7 total animal units.

The keeping of animals not in accordance with Section
 6.20(1) shall only be allowed upon issuance of a development permit approval, in those circumstances considered exceptional or unique by the Municipal Planning Commission.

- 3. For the purposes of this Section, "one animal unit" means the following:
 - (a) 1 horse, donkey, mule or ass (over one year old);
 - (b) 2 colts up to one year old;
 - (c) 1 llama, alpaca;
 - (d) 2 ostrich, emu, or other ratite;
 - (e) 1 cow or steer (over one year old);
 - (f) 2 calves up to one year old;
 - (g) 3 pigs;
 - (h) 15 chickens;
 - (i) 10 ducks, turkeys, pheasants, geese or other similar fowl;
 - (j) 3 sheep or goats; or
 - (k) 20 rabbits or other similar rodents.

SECTION 6.21 SMALL ANIMAL BREEDING AND BOARDING

- 1. A small animal breeding and boarding facility which is to be located closer than 305.0 m (1,000 ft) from a residence which is not related to the proposed development shall be considered a discretionary use notwithstanding the use provisions contained within this Bylaw.
- 2. No small animal breeding or boarding facility for dogs shall be permitted on multi-parcel country residential or urban lots less than five 2.02 hectares (5.0) acres in area.
- 3. Pens, rooms, exercise runs and holding stalls may be required to be soundproofed to the satisfaction of the Development Authority.
- 4. All facilities applications may be referred to the local Health Authority or animal control agency.

- 5. No facility or exterior exercise runs that are used to accommodate the animals may be located within 6.1 m (20.0 ft) of any property line of the parcel on which the facility is to be sited adjacent to a residential development or property.
- 6. All exterior exercise areas (runs) may be required to be enclosed with a fence acceptable to the Development Authority.
- 7. All dog facilities, including buildings and exterior exercise areas, may be required to be sited to the satisfaction of the Development Authority.
- 8. The Development Authority may regulate the hours that dogs are allowed outdoors.
- 9. The Development Authority may regulate the number of animals based on size and type of animals, size of parcel and proximity to other residences. Pups under six (6) months shall not be included in the number.

SECTION 6.22 STRIPPING, FILLING, EXCAVATION AND GRADING

The regulations contained within this Section are intended to apply primarily to those situations where site stripping, filling, excavation, grading and/or re-contouring (including construction of artificial water bodies and dugouts) is proposed:

- independent of, or prior to, other development on the same parcel or site; or (a)
- (b) as part of a resource extraction use on the same parcel or site.

Specific developme- (1) A development permit application for site stripping, filling, nt permit application excavation, grading and/or re-contouring (including requirements for construction of artificial water bodies and dugouts) shall include the following information: stripping, filling, excavation and (a) location and area of the site on which the grading

- development is proposed;
- (b) existing land use and vegetation;
- (c) type of excavation, stripping or grading proposed, showing dimensions of the operation or the area of the land and depth to which the topsoil is to be removed, and the effect on existing drainage patterns;

		(d)	location on the lot where the excavation, stripping or grading is to be made on the lot; and
		(e)	condition in which the excavation, stripping or grading is to be left when the operation is complete (including submission of site grading or re- contouring plans if required by the Development Authority) or the use of the area from which the topsoil is removed.
Topsoil conservation	(2)	leveli befor	e, in the process of development, areas require ng, filling or grading, the topsoil shall be removed e work commences, stockpiled and replaced following ompletion of the work.
Artificial water bodies	(3)	bodie devel respo fence shall and th arisin	lopments involving the construction of artificial water s or dugouts may require as a condition of opment approval, that it shall be the sole insibility of the developer to ensure that such signs, s and boarding area put in place as the developer consider necessary to protect the public generally ne residents of the area in particular from any danger g as a result of the construction or installation of the ial water body or dugout on the developer's property.
Permit for topsoil removal	(4)	contir shall of the adver Autho to the	mit is required before the commencement or nuation of the removal of top soil and such permits only be granted where it is shown to the satisfaction e Development Authority that the land will not be rely affected by removal. The Development ority may refer any application for removal of top soil e Soil Conservation Officer acting under the Soil ervation Act, RSA 2000, for approval.
SECTION 6.23	WILD	DLAND	/URBAN INTERFACE DEVELOPMENT
Wild land developments	(1)	when	evelopment Authority shall consider the following reviewing proposed wild land developments located as of potential fire hazard:
		(a)	the provision of adequate water supplies for fire fighting purposes;
		(b)	the use of fire resistant building methods;
		(C)	the installation of spark arresters on all chimneys;
		(d)	the accessibility of the site for evaluation and the $\frac{1}{8}$

delivery of emergency services;

- (e) the provision of a fire guard around multi-parcel country residential developments; and
- (f) the removal of trees, shrubs and fire fuels adjacent to individual developments and the continued maintenance of fuels reduced zone.
- Input regarding
wild land(2)The Development Authority shall obtain input from the
Alberta Forest Service and the local fire fighting service in
evaluating wild land development and subdivision
applications.

County of Barrhead Land Use Bylaw Bylaw 5-2010

SECTION 7.1 APIARIES

Notwithstanding the permitted and discretionary uses prescribed within the various land use districts within this Bylaw, no apiary shall be approved within 200.0 m (656.2 ft) of a residence or within 305.0 m (1,000 ft) of a school.

SECTION 7.2 BASIC CAMPING AREAS

Basic camping areas provide sites for overnight camping without the provision of electrical or water hookups.

Design Standards:

Site design standards	(1)	Development of roads, facilities and campsites should occupy no more than one-half of the proposed site, leaving a minimum of one-half in its natural state (or landscaping one-half to the satisfaction of the Development Authority).
Disturbance to natural areas	(2)	Campgrounds shall be designed and landscaped to minimize disturbance to the natural environment and to protect heavy use areas from damage.
Provision of site amenities	(3)	A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the campground. Exact numbers shall be at the discretion of the Development Authority.
Potable water supply	(4)	An adequate potable water supply approved by the Regional Health Authority should be provided to accommodate the drinking and washing needs of the users.
Swimming and boat launch	(5)	If boat launching and swimming facilities are not provided then alternate locations should be indicated by a map or sign.
Screening and/or fencing	(6)	Where the camping area directly adjoins a residential or cottage development adequate screening or fencing, to the satisfaction of the Development Authority, shall be provided between the uses.

Waste Management Standards:

Waste disposal systems	(7)	Waste disposal systems shall be provided in accordance with appropriate regulatory authority standards to the satisfaction of the Development Authority. Sealed pump ou tanks are the desired method of waste management.		
Site maintenance	(8)	Provision should be made for regular maintenance of the site. Regular garbage collection and sewage removal services should be provided.		
Waste water	(9)	Provisions shall be made for the disposal of waste water from washing and bathing facilities.		
Dumping stations	(10)	A dumping station for grey and black water wastes from self-contained facilities in recreational vehicles shall be provided.		
SECTION 7.3 B	ED AN	ID BREAKFAST OPERATIONS		
General Provisions:				
Development permits	(1)	Persons wishing to operate a bed and breakfast operation shall be required to apply for a Development Permit from the County of Barrhead.		
Exterior modification	(2)	Minimal exterior modification to the structure or grounds may be made only if the changes are compatible with the area or neighborhood.		
Guest rooms	(3)	No more than four (4) guest rooms shall be allowed in a bed and breakfast home.		
Maximum stay	(4)	In order to ensure that bed and breakfast homes operate as transient accommodation rather than as a rooming house, the maximum length of stay of a guest at one particular establishment shall not exceed fourteen (14) consecutive days.		
Subordinate use	(5)	The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner occupied residence.		
Compliance with regulations	(6)	The bed and breakfast operation shall comply with all applicable heath regulations and any other municipal or provincial regulation.		

SECTION 7.4

Application Requirements

SECTION 7.5

development

permit is required

When a

CLUSTERED FARM DWELLINGS

- (1) All development permit applications for clustered farm dwellings must be accompanied by a business plan. The Development Authority will consider the business plan in the review of the development permit application.
- (2) Clustered farm dwellings shall be required to demonstrate, to the satisfaction of the Development Authority that the proposed water and sewer facilities meet current provincial requirements and standards.

DAY HOMES AND CHILD CARE FACILITIES

- (1) If in the opinion of the Development Authority, the proposed development complies in spirit and intent with subsections
 (3) and (4) then no development permit will be required for the development.
- (2) Day homes and child care facilities that do not comply in spirit and intent with **subsections (3) and (4)** are required to apply for a development permit.
- **Considerations for** (3) In considering a day home or child care facility, the day home or child Development Authority shall, among other factors, consider if the development would be suitable for the parcel taking care facility into account the size of the parcel required given the intended use, appropriate yard setbacks in relation to adjacent land uses, potential traffic generation, proximity to parks, open space or recreation areas, isolation of the proposed parcel from residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of neighbouring parcels, and consistency with other development in the surrounding area/land use districts in terms of nature and intensity of use.
- Number of children (4) In the case of a child care facility, the Municipal Planning Commission shall establish the maximum number of children for whom care may be provided, having regard for Provincial regulations, the nature of the facility, the density of the district in which it is located, and potential impacts on the uses in the vicinity of the development.

SECTION 7.6

DAY USE, PICNIC AREAS

Design Standards:

Provision of site amenities	(1)	A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the site. Exact numbers shall be at the discretion of the Development Officer.		
Disturbance to natural areas	(2)	The facility shall be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage.		
Screening and/or fencing	(3)	Where the day use area directly adjoins a residential development, adequate screening or fencing, to the satisfaction of the Development Officer, may be provided between the uses.		
Separation of uses	(4)	Parking areas and boat launch access roads should be physically separated from the rest of the day use or picnic areas.		
Waste Management	Standa	<u>rds</u> :		
Waste disposal systems	(5)	Waste disposal systems shall be provided in accordance with appropriate regulatory authority standards to the satisfaction of the Development Authority.		
Site maintenance	(6)	Provision should be made for regular maintenance of the site. Regular garbage collection and sewage removal services should be provided.		
SECTION 7.7	HON	ME OCCUPATIONS		
Development permits	(1)	A development permit shall not be required for major or minor home occupations that conform to all of the provisions and requirements in this land use bylaw.		
	(2).	Major and minor home occupations that do not conform to all of the provisions and requirements in this land use bylaw require a development permit. Approval of the development permit will be at the sole discretion of the Development Authority.		
Requirements for home occupations	(3)	All home occupations shall comply with the following requirements:		
		(a) No offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable		

beyond the boundary of the lot on which the home occupation is located shall be produced by the home occupation.

- (b) In the Country Residential (CR) District, Country Residential Restricted (CRR) District and Urban Residential Districts, no more than two (2) commercial vehicles, up to the size of a tandem truck and to be used in conjunction with the home occupation, shall be parked or maintained on the site. The parking space of the commercial vehicles shall be on the subject site and located either within a garage or adequately screened and sited behind the main building to the satisfaction of the Development Authority
- (c) In the Agricultural (A) District, not more than four (4) commercial vehicles, each with one (1) accessory trailer, to be used in conjunction with the home occupation, shall be parked or maintained on the site.
- (4) If a development permit application is required then, each application for a home occupation shall be accompanied by a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.
- (5) When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.
- (6) Home occupations shall not involve:
 - (a) activities that use or store hazardous material in quantities exceeding those found in a normal household; or
 - (b) any use that would, in the opinion of the development authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
- (7) All home occupations will conform to current provincial regulations including but not limited to building and fire codes and health and safety codes regulations.

Minor home occupations	(8)	In addition to the requirements of Section 7.7(3) , a minor home occupation shall comply with the following regulations:		
		(a)	A minor home occupation shall not occupy more than 30% of the gross floor area of the principal dwelling or an accessory building.	
		(b)	Except in the Agricultural (A) District, there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the minor home occupation allowed on the site. Storage related to the minor home occupation shall be allowed in either the dwelling or accessory buildings.	
		(c)	Up to two (2) business visits per day are allowed within a 24 hour period.	
		(d)	Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.	
		(e)	A minor home occupation shall not employ any person on-site other than the occupants of the dwelling.	
Major home occupations	(9)	home	dition to the requirements of Section 7.7(3) , a major occupation shall comply with the following ations:	
		(a)	The number of non-resident employees working on- site shall not exceed two (2) on-site.	
		(b)	Up to eight (8) business visits per day are allowed in the Agricultural (A) District. In all other Districts, up to four (4) business visits per within a 24 hour period are allowed.	
		(c)	Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as along as such alterations comply with this Bylaw and the Alberta Safety Codes Act and the regulations made there under.	
Time limits	(10)	or lor the ol	mit issued for a home occupation is valid for one year oger as determined by the Development Authority. It is bligation of the developer to seek renewal of a opment permit prior to the expiry of the time period for	

Stop orders	(11)	which the initial permit was issued. The Development Authority shall consider the renewal on its merits.A stop order may be issued at any time if, in the opinion of the Development Authority, the operator of the home occupation has violated any provisions of this Bylaw or conditions of the approval of the development permit.		
SECTION 7.8 L	IQUOF	SALE	S/DISTRIBUTION SERVICES	
Restrictions on liquor sales/distribution	(1)	presc Bylaw propc exclu	thstanding the permitted and discretionary uses ribed within the various Land Use Districts within this v, liquor sales/distribution services may be refused if osed within a multi-parcel subdivision (hamlets ded) or within 305.0 m (1,000 ft) of the boundary of a of site.	
Considerations for liquor sales/distribution	(2)	applic	aluating the appropriateness of a Development Permit cation for liquor sales/distribution services, the lopment Authority shall consider such factors as:	
		(a)	compatibility of proposed use with adjacent and neighbouring land uses;	
		(b)	impact of proposed use on existing traffic volumes and patterns of flow;	
		(c)	appropriate vehicle parking and site access/egress requirements; and	
		(d)	appropriate site security requirements including, but not limited to, fencing and lighting.	
SECTION 7.9	N	IANUF	ACTURED HOMES	
Accessory structures	(1)		cessory structures, such as patios, porches, additions kirting shall be:	
		(a)	designed and erected so as to harmonize with the manufactured home;	
		(b)	considered as part of the main building; and	
		(c)	erected only after obtaining a development permit.	
External skirting	(2)		nufactured home unit shall be skirted from the floor of the ground level and such skirting shall harmonize	

		with th	e external finish of the manufactured home.
Floor area of additions	(3)	The floor area of porches and additions shall be proportionate to the floor area of the manufactured home unit and this relationship shall be determined by the Development Officer.	
Storage	(4)	For the purpose of storage, any furniture, domestic equipment or seasonally used equipment shall be stored in adequate covered storage or screening either individually on the lot or communally which shall conform to the building, fire, electrical and plumbing standards.	
Aesthetic considerations	(5)) The following regulations also apply to manufactured uses located in residential subdivisions and manufact home subdivisions:	
		(a)	The hitch and wheels are to be removed from the manufactured home.
		(b)	All manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached by means of bolting or otherwise to the foundation or base.
		(c)	The property is to be grassed and landscaped within one (1) year of the date of issue of the Development Permit.

SECTION 7.10 MANUFACTURED HOME PARKS

- (1) The following regulations also apply to manufactured home parks:
 - (a) In a manufactured home park, the manufactured home shall be located 7.5 m (24.6 ft) from a boundary of a street and 4.5 m (14.8 ft) from adjacent parcels. The set-back strip shall be landscaped and/or fenced to the satisfaction of the Development Authority and according to established policy;
 - (b) All roads in a manufactured home park shall be constructed to County standards and specifications according to established policy. Minimum right-of-way width shall be as per policy;
 - (c) All parks shall be provided with safe, convenient, allseason pedestrian access of at least 1.0 m (3.3 ft) in width for intended use between individual manufactured homes the park street and all community facilities provided for park residents;
 - (d) Visitor parking space shall be provided at a ratio of at least one space for every two manufactured homes units and shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc;
 - (e) The design of manufactured home parks shall be to the satisfaction of the Development Officer;
 - (f) All municipal utilities shall be provided underground to lots in a manufactured home park;

- (g) In a manufactured home park, 5% of the gross site area shall be devoted to recreational use, or recreational space shall be provided at the ratio of at least 9.5 m² (102.3 ft²) per manufactured home space. This recreation space shall be placed in locations convenient to all park residents, free from traffic hazards, shall not be included in areas designated as buffer strips and shall be clearly defined;
- (h) All areas of a manufactured home park not occupied by manufactured homes and their additions, internal roads, footpaths, driveways, permanent buildings and any other developed facilities, shall be fully landscaped to the satisfaction of the Development Officer. Screen fences or walls shall be erected where deemed necessary by the Development Authority around laundry yards, refuse collection points and playgrounds;

No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well being of the park residents and for the management and maintenance of the park;

- Manufactured home park facilities shall be arranged to create a homelike atmosphere. This objective is achieved by variations in street pattern, block shapes and location of mobile home stands;
- Each manufactured home stall shall be clearly marked-off by means of stakes, countersunk steel posts, fences, curbs or hedges;
- (k) Street lighting in a manufactured home park shall be to the same standard as that in a conventional residential neighborhood;
- (I) Only one main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a manufactured home park unless the Development Authority is of the opinion that a further and similar sign shall be allowed under exceptional circumstances involving the layout, location and size of the park in relation to the surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority;

- (m) Directional signs within the manufactured home park must be integrated in design and appearance, and kept in scale with the immediate surroundings and constructed of durable material;
- (n) manufactured homes shall be separated from each other by at least 6.0 m (19.7 ft) side-to-side and 3.0 m (9.8 ft) from either front or rear stall line provided further that any porch or addition to the mobile home is regarded as part of the manufactured home for the purpose of spacing. Notwithstanding the above, the minimum side yard requirements shall be 3.0 m (9.8 ft);
- (o) The minimum park area shall be 2.0 hectares (4.9 acres);
- (p) The maximum permissible density for a manufactured home park shall be twenty mobile home spaces per gross developable hectare of the areas actually being developed at each stage of the development; and
- (q) The minimum size for a manufactured home lot shall be 370.0 m^2 (3,982.8 ft²).

SECTION 7.11 MOTELS/HOTELS

A person applying to develop a site as a motel/hotel, where permitted under this Bylaw, shall comply with the following special provisions:

Interpretation:

For the purpose of this subsection, a rentable unit means a separate unit on a motel/hotel site used or intended to be used for the dwelling accommodations of one or more persons.

	Minimum Site Area/Unit	Yards	Parking on Site	Minimum Floor Area/Unit
One Storey	140.0 m ² (1,507.0 ft ²)	Front yard 7.5 m (24.6 ft) Side yard 3.0 m (9.8 ft)	1 per Sleeping	26.0 m ² (279.9 ft ²)
		Rear yard 3.0 m (9.8 ft)	Unit and 1 per 3 employees on maximum shift	
Two Storey	93.0 m ² (1,001.1 ft ²)	Same as above	Same as above	Same as above

(1) Site Requirements for Motels/Hotels:

Space Between Buildings	(2)	Except in cases of rentable units and any other buildings where connected by continuous roof to form a shelter for motor vehicles, not less than 3.6 m (11.8 ft) of clear and unoccupied surface space shall be provided between each rentable unit and any other building on the site.	
Driveways	(3)	Each rentable unit shall face onto or abut a driveway no less than 6.0 m (19.7 ft) in width and shall have unobstructed access thereto.	
Entrances and Exits	(4)	Not more than one motor vehicle entrance and one motor vehicle exit to a street, each a minimum width of 7.5 m (24.6 ft) measured at its minimum dimensions shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted, not less than 9.0 m (29.5 ft) in width.	
Maintenance of Site and Buildings and Business	(5)		wner, tenant, operator or person in charge of a motel at all times:
		(a)	maintain the site, landscaping and the buildings, structures, and improvements thereon in a clean, tidy and attractive condition and free from all rubbish and debris;
		(b)	maintain garbage disposal to the satisfaction of the Development Authority; and
		(c)	maintain an appropriate fence where required around the site.

SECTION 7.12 RECREATIONAL RESORTS

For the purposes of this section recreational resorts or resort cottages are considered structures that are not to be used for the private or exclusive use of the developer or owner. Private recreational cottages are not addressed in this section.

Design Standards:

Development on site	(1)	The development of roads, facilities and resort cottages should occupy no more than two-thirds of the proposed site, leaving a minimum of one-third in its natural state (or landscaping one-third to the satisfaction of the Development Authority).	
Disturbance to natural areas	(2)	The site should be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage.	

Development site	(3)	The development site shall be well drained and located in areas free of standing water.	
Safety Codes Act	(4)	Developments must be of at least minimum standards according to the Alberta Safety Codes Act.	
Minimum facilities	(5)	Minimum facilities shall include individual electrical outlets and water supplies, toilets, showers, refuse containers and cooking facilities.	
Additional facilities	(6)	Other facilities should include individual water and/or sewe connections, laundry, picnic tables, on-site parking, grocer and recreation building.	
Lighting provision	(7)	Adequate lighting shall be provided at entrances and public areas.	
Play area provision	(8)	An activity or play area should be provided.	
Boat launch/swim facilities	(9)	If boat launching and swimming facilities are not provided, alternative locations should be indicated on a map or sign.	
Screening and/or fencing	(10)	Where the recreational resort directly adjoins a residential or cottage development adequate screening or fencing, to the satisfaction of the Development Authority, shall be provided between the uses.	
Waste Management Standards			
Waste disposal systems	(11)	Waste disposal systems shall be provided in accordance with Alberta Labour and Alberta Environment standards and to the satisfaction of the Development Authority.	
Site maintenance	(12)	Provision should be made for regular maintenance of the site. Regular garbage collection and sewage removal services should be provided.	
Waste water disposal	(13)	Provision shall be made for the disposal of waste water from washing and bathing facilities.	
Dumping station	(14)	A dumping station for grey and black water wastes from self-contained facilities in recreational vehicles shall be provided.	

SECTION 7.13 RESIDENCES NEAR CONFINED FEEDING OPERATIONS

Confined feeding operations and manure facilities for which an approval or a registration is required pursuant to the Agricultural Operations Practices Act are not regulated by this bylaw. Please refer to the Agricultural Operations Practices Act and the Regulations under the Agricultural Operations Practices Act for regulations.

SECTION 7.14 SEMI-SERVICED CAMPGROUNDS

Semi-serviced campgrounds provide a higher level of services than basic camping areas. Examples of these services include electrical and water hook-ups as well as individual sealed pump-out tanks on the campsites.

Design Standards

Development on site	(1)	Development of roads, facilities and campsites should occupy no more than two-thirds of the proposed site, leaving a minimum of one-third in its natural state (or landscaping one-third to the satisfaction of the Development Authority).
Disturbance to natural areas	(2)	Campgrounds should be designed and landscaped to minimize disturbance to the natural environment and to protect heavy use areas from damage.
Screening and/or fencing	(3)	Where the campground directly adjoins a residential or cottage development adequate screening or fencing, to the satisfaction of the Development Authority, shall be provided between the uses.
Provision of site amenities	(4)	A sufficient number of picnic tables, fire pits and garbage cans should be provided to accommodate the design capacity of the campground. Exact numbers shall be at the discretion of the Development Authority.
Potable water	(5)	An adequate potable water supply shall be provided to accommodate the drinking and washing needs of the users.
Hook-ups	(6)	A portion of the campsites should be serviced by electrical, water or sewage disposal hookups.
Boat launch/swim facilities	(7)	If boat launching and swimming facilities are not provided, alternative locations should be indicated on a map or sign.

Waste Management Standards

Waste disposal systems	(8)	Waste disposal systems shall be provided in accordance with Alberta Labor and Alberta Environment standards to the satisfaction of the Development Authority.	
Site maintenance	(9)	Provision should be made for regular maintenance of the site. Regular garbage collection and sewage removal services should be provided.	
Waste water disposal	(10)	Provision shall be made for the disposal of waste water from washing and bathing facilities.	
Dumping Station	(11)	A dumping station for grey and black water wastes from self-contained facilities in recreational vehicles shall be provided.	
SECTION 7.15	SER		STATIONS
Location	(1)	Servio	ce or gas stations shall be located in such a manner
		(a)	No entrance or exit thereto for motor vehicles within 60.0 m (196.9 ft) of an entrance to or exit from a fire hall, public or private school, playground, library, church, hospital, children's or old people's home or other similar public or quasi-public institutions;
		(b)	No part of a service station or gas station building or of any pump or other accessory shall be within 6.0 m (19.7 ft) of a side or rear property line;
		(c)	Service stations shall have a front yard of not less than 12.0 m (39.4 ft) and no gasoline pump shall be located closer than 6.0 m (19.7 ft) to the front property line; and
		(d)	Storage tanks shall be set back from adjacent buildings and lot lines in accordance with applicable Provincial Legislation.
Site Area and Coverage	(2)	(a)	The minimum site areas shall be 740.0 m ² (7965.6 ft ²) and the maximum building coverage shall be 25% of the site area. For service stations including car wash, the minimum site area shall be 1110.0 m ² (11948.3 ft ²).
		(b)	Where a service station forms part of a shopping

centre or auto dealership development, the minimum site area and maximum building coverage may be varied at the discretion of the Development Authority or Municipal Planning Commission.

- Site and Building(3)(a)All parts of the site to which vehicles may have
access shall be hard surfaced and drained to the
satisfaction of the Development Authority or
Municipal Planning Commission.
 - (b) No activity may be carried on which constitutes a nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.
 - (c) The site of the buildings shall be maintained in a clean and tidy condition and free from all rubbish and debris.

LARGE WIND ENERGY CONVERSION SYSTEMS

- (1) Prior to making a decision on an application for a development permit for a large wind energy conversion system, the Development Authority shall consider input from:
 - (a) any adjacent municipality should the proposed development be located within 2 km (1.2 miles) of the municipality; and
 - (b) landowners within 2 km (1.2 miles) of the proposed development.
- **Decommissioning** (2) Should a large wind energy conversion system discontinue producing power for a minimum of two (2) years, the system operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the system be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw, and subject to the enforcement provisions of **Section 5** of this Bylaw.
- **Road Setbacks** (3) A large wind energy conversion system shall comply with all the setbacks related to roads and highways that govern the principal use in the District in which it is located.
 - (4) Where, in the opinion of the Development Authority, the setbacks referred to in **Section 7.16 (3)** above are not

SECTION 7.16

development

Input on

permits

		sufficient to reduce the impact of a large wind energy conversion system from a road or highway, the Development Authority may increase the required setback.	
Property line setbacks	(5)	The turbine base shall be no closer to the property line than four times the height of the wind turbine tower. Where in the opinion of the Development Authority the setback from the property line should be varied, the Development Authority may require an acoustical study to establish appropriate setbacks.	
Blade clearance	(6)	The minimum vertical blade clearance from grade shall be 7.4 m (24.6 ft.) for a wind energy conversion system employing a horizontal axis rotor unless otherwise required by the Development Authority.	
Public safety	(7)	To ensure public safety, the Development Authority may require that:	
		 (a) a secure fence not less than 1.8 m (5.9 ft.) in height with a lockable gate surround a wind energy conversion system tower if the tower is climbable or subject to vandalism that could threaten tower integrity; 	
		(b) no ladder or permanent tower access device be located less than 3.7 m (12.1 ft.) from grade;	
		(c) a locked device be installed on the tower to preclude access to the top of the tower; and	
		 (d) such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate. 	
		The use of tubular towers, with locked door access, may, at the sole discretion of the Development Authority, make unnecessary the above requirements.	
Power lines	(8)	All power lines on the site of a large wind energy conversion system to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.	
Aesthetic appearance	(9)	Unless otherwise required by the Development Authority, a large wind energy conversion system shall be finished in a non-reflective matter and in a colour which minimizes the	

		obtrusive impact of a system to the sole requirements of th Development Authority.		
Symbols	(10)	No lettering, advertising or other symbol shall appear on the towers or blades. On other parts of the large wind energy conversion system, the only lettering or symbol allowed will be the manufacturer's and/or owner's identification or symbol and then only upon the approval of and at the sole discretion of the Development Authority.		
Additional considerations	(11)	The Development Authority may approve a large wind energy conversion system on a case-by-case basis hav regard for:		
		(a)	information provided in the application;	
		(b)	the proximity of the proposed development to other land uses;	
		(C)	the cumulative effect of all wind energy conversion systems approved or proposed in the area;	
		(d)	underlying utilities; and	
		(e)	information received from the circulation of the application and from the public.	
Compliance with Air Traffic Safety Regulations	(12)	Large wind energy systems must comply with applicable air traffic safety regulations. A statement on compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Small wind turbine towers shall not be artificially lit except as required by Navigation Canada.		
SECTION 7.17	SMALL		ENERGY CONVERSION SYSTEMS	
Wind Turbine Tower Height	(1)	(0.5 ac 80 ft (2 there is the set applica not exc	operty sizes between 0.1 ha (0.25 acre) and 0.2 ha cre) the wind turbine tower height shall be limited to 25m). For property sizes of 0.2 ha (0.5 acre) or more, s no limitation on wind turbine tower height, subject to t-back requirements below, and provided that the ation includes evidence that the proposed height does ceed the height recommended by the manufacturer or stributor of the system.	
Property line setbacks in	(2)		rbine base shall be no closer to the property line than ight of the wind turbine tower, and no part of the	

Agricultural Areas		system structure, including guy wire anchors, may extend closer that six (6) m (20 ft) to the property boundaries of the installation site. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of 2 m (6 ft) above the guy wire anchors. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.		
Property line setbacks in the Residential, Commercial, Institutional and Urban Areas	(3)	The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure may extend closer than six (6) m (20 ft) to the property boundaries of the installation site. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners. Mounting using guy wires shall not be permitted in:		
		(a) Urban Commercial (UC) District		
		(b) Commercial Recreation (C-RC) District		
		(c) Country Residential (CR) District		
		(d) Country Residential Restricted (CRR) District		
		(e) Residential Recreation (RR) District		
		(f) Urban Residential (UR) District		
		(g) Institutional (I) District		
		The applicant will be required to provide the Development Authority with information regarding the proposed means of mounting the turbine prior to development approval.		
Sound	(4)	The mean value of the sound pressure level from small wind energy systems shall not exceed more than 6 decibels (dBA) above background sound, as measured at the exterior of the closest neighbouring inhabited dwelling (at the time of installation or during operation), for wind speeds below 22 mph (10 m/s) and except during short-term events such as utility outages and/or severe wind storms.		
Compliance with Building Code	(5)	Development permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, footings, and anchoring methods and must be drawn to scale. An engineering analysis of the wind turbine tower showing compliance with the International Building Code and certified by a licensed professional mechanical, structural, or civil engineer shall also be submitted. Documentation of		

this analysis supplied by the manufacturer shall be accepted.

Compliance with Air Traffic Safety Regulations (6) Small wind energy systems must comply with applicable air traffic safety regulations. A statement on compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Small wind turbine towers shall not be artificially lit except as required by Navigation Canada.

Compliance with
Existing Electric(7)Building permit applications for small wind energy systems
shall be accompanied by a line drawing of the electrical
components in sufficient detail to allow for a determination
that the manner of installation conforms to existing electrical
codes. This information is frequently supplied by the
manufacturer.

- Utility Notification (8) No small wind energy system that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.
- Number per lot(9)One Small Wind Energy System is allowed per lot. A second
system may be permitted at the sole discretion of the
Development Authority if the applicant can demonstrate that
there is adequate room on the site.

SECTION 7.18 SOLAR ENERGY COLLECTION SYSTEM

The following provisions apply in Hamlets and multi-lot Country Residential developments

Location	(1)	Ground mounted solar collectors shall be located in a side or rear yard only.	
Solar Access Requirements	(2)	When a solar energy collection system is installed on a la accessory structures or vegetation on an abutting lot sha not be located so as to block the solar collector's access solar energy. The portion of a solar collector that is protected is the portion which:	
		(a) is located so as not to be shaded between the	

line; and,

- (b) has an area not greater than one-half of the heated floor area of the structure, or the largest of the structures, to be served.
- Solar Access Exemptions
 (3) Section 7.18 (2) above does not apply to structures or vegetation existing in an abutting lot at the time of installation of the solar energy collection system, or the effective date of this bylaw, whichever is later. Said subjection controls any structure erected on, or vegetation planted in, abutting lots after the installation of the solar energy collection system.

SECTION 7.19 WORKCAMPS

Temporary

Developments

- (1) All workcamps shall be considered temporary developments.
- (2) All workcamps require a development permit and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.
- (3) A development permit for a workcamp may be issued for up to one (1) year, at which time an application may be made for a continuance of the use for one (1) additional year, after which new development permit approval is required.
- (4) The Development Authority may establish whatever conditions for the approval of a workcamp that it, at its sole discretion, deems reasonable to ensure that the workcamp will be a temporary development.
- (5) An application for a development permit for workcamp must provide the following information:
 - (a) the location, type and purpose of the camp;
 - (b) adjacent land uses;
 - the method for providing the development with water, sewage, waste disposal and storm water management systems to the satisfaction of the County;
 - (d) the number of persons proposed to live in the camp;
 - (e) the start date for the development, date of occupancy by residents, and removal date for the

camp; and

- (f) reclamation measures to be completed once the camp is no longer needed.
- (6) All work camps must:
 - (a) be linked to a specific project(s) for which a valid and current Development Permit has been issued. If the project is located in another municipality a copy of the current approved development permit must be provided to the Town by the developer. Work camps will only be permitted to accommodate workers for the project(s) to which they are linked;
 - (b) ensure that all required access, including internal roadways and intersection improvements, are provided to the satisfaction of the Development Authority at the sole cost to the developer;
 - be designed so that all points of access and egress are located to the satisfaction of the Development Authority and Alberta Transportation;
 - (d) be secured by the installation of appropriate security and buffering measures such as berms, fences and landscaping. The form of the buffering will be determined by and to the satisfaction of the Development Authority;
 - (e) all parking must be provided on the lot and areas for parking developed to the satisfaction of the Development Authority. Normally, on site parking for private vehicles will adhere to the same standard as parking for a Hotel/Motel;
 - (f) post security with the County of Barrhead sufficient to remove and/or reclaim the site if the work camp remains on site after the project is either completed or if the work has stopped to the extent that the Municipality no longer feels that the work camp is necessary to the project, or to reclaim the site if needed after the work camp has been removed from the site; and

- (g) be separated from adjacent land uses.
- (7) Maximum parcel coverage shall be such that space is available for all the parking on the lot, together with the applicable setbacks and required landscaping as determined by the Development Authority.
- (8) Adjacent buildings in workcamps shall be located sufficient distance from each other as required for fire protection purposes as determined by the Alberta Safety Codes Act and by the Development Authority.
- (9) Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.

PART 8 - LAND USE DISTRICTS AND REGULATIONS

SECTION 8.1 ESTABLISHMENT OF DISTRICTS

- (1) For the purpose of this Bylaw, the County of Barrhead No. 11 is divided into the following Land Use Districts:
 - AG Agriculture District
 - AC Agriculture Conservation District
 - RC Rural Conservation District
 - AP Airport Vicinity District
 - C/I Commercial/Industrial District
 - UC Urban Commercial District
 - HC Highway Commercial District
 - C-RC Commercial Recreation District
 - CR Country Residential District
 - CRR Country Residential Restricted District
 - RR Residential Recreation District
 - UR Urban Residential District
 - I Institutional District
 - DC Direct Control
 - SP Statutory Plan Overlay
- (2) For the purposes of this Bylaw, the CR, CRR, RR, and UR Districts shall be considered to be Residential Districts; and the UC, HC and C-RC Districts shall be considered to be Commercial Districts. The C/I District shall be considered both a Commercial and an Industrial District.
- (3) The boundaries of the Districts listed in Subsection (1) are as delineated on the Land Use District Maps being Schedule "A" hereto.
- (4) Where uncertainty exists as to the boundaries of the Districts as shown on the Land Use District Maps, the following rules shall apply.

<u>Rules</u>:

- 1. Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to following the centerline thereof.
- 2. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
- 3. In circumstances not covered by Rules 1 and 2 the location of the district boundary shall be determined:

- (a) where dimensions are set out on the Land Use District Map, by the dimensions so set, or
- (b) where dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.
- (5) Where the application of the above rules does not determine the exact location of the boundary of a district, the council either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
- (6) After the council has fixed a district boundary pursuant to the provisions of Section 8.1(4), the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.
- (7) The Council shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

AG - AGRICULTURAL DISTRICT

(1) General Purpose

SECTION 8.2

The general purpose of this District is to permit activities associated with primary production and preserve valuable agricultural land from inappropriate development.

- (2) <u>Permitted Uses</u>
 - Accessory Building and uses
 - Communications Towers
 - Extensive Agriculture Development
 - Extensive Livestock Development
 - Manufactured Homes (constructed on or before January 1, 1997)
 - Manufactured Homes (constructed after December 31, 1996)
 - Modular Homes
 - Public Utility
 - Public Utility Building
 - Single family dwellings
 - Small Animal Breeding and Boarding Services
 - Sea Can (maximum of 2)
 - Relocated buildings
 - Park models
 - Intensive Agriculture
 - Summer Resort Cottage

- Agricultural Support Services
- Animal Services Facility
- Auctioneering Services
- Basic Campgrounds
- Bed and Breakfast Operation
- Caretaker's Residence
- Childcare Facility
- Clustered Farm Dwellings
- Community Recreation Services
- Day Homes
- Duplex
- Eating Establishment
- General Commercial Retail Service
- General Industrial
- Guest House
- Guest Ranch
- Group Homes
- Home Occupation, major or minor
- Intensive Agricultural use
- Landfill
- Natural Resource Extraction/Processing
- Place of Worship
- Public or quasi public use
- Recreational Resort
- Recreation Use
- Rural Commercial use
- Small Wind Energy Conversion
 Systems
- Solar Energy Collection Systems
- Sea Cans (more than 2)

- Rural Industrial use
- Service Stations
- Semi-Serviced Campgrounds
- School
- Secondary Commercial use
- Large Wind Energy Conversion
 Systems
- Other similar uses as approved by the Development Authority or Municipal Planning Commission
- Workcamps

(3) <u>Regulations</u>

- (a) <u>Minimum and Maximum Parcel Area</u>:
 - For agricultural use the minimum parcel area shall be 32.4 hectares (80.0 acres) except where a parcel has been, or may be, subdivided in accordance with this Bylaw or applicable statutory plan(s). The maximum parcel area shall be at the discretion of the Subdivision Authority.
 - (ii) For residential use the minimum parcel area for all residential use parcels shall be 0.04 hectares (1.0 acres). The maximum parcel area shall be 6.06 hectares (15.0 acres) for a farmstead separation and 2.02 hectares (5.0 acres) for a vacant residential parcel.
 - (iii) Refer to of the County of Barrhead Municipal Development Plan for parcel density policies.
- (b) Minimum Front Yard:
 - (i) 30.0 m (98.4 ft) from the property line fronting a minor two lane highway or a local road.
 - (ii) 40.0 m (131.2 ft) from the property line fronting a major two lane highway.
- (c) <u>Minimum Side Yard</u>:

Side yards may exceed 6.0 m (19.7 ft) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.

(d) Minimum Rear Yard: 6 m (19.7 ft).

(4) Mandatory Additional Referrals

- Subdivision applications within 800.0 m of a Provincial Highway
- Development Permit applications within 300.0 m of a Provincial Highway.
- Development Permit applications within 800.0 m of a Provincial Highway Intersection.

SECTION 8.3 AC - AGRICULTURAL CONSERVATION DISTRICT

(1) <u>General Purpose</u>

The general purpose of this District is to conserve prime and existing agricultural areas for continued agricultural production and to minimize conflicts between agricultural and non-agricultural uses in the Thunder Lake and Lac La Nonne Statutory Plan Areas.

- (2) <u>Permitted Uses</u>
- All uses listed as permitted in the Agriculture District

- All uses listed as Discretionary in the Agriculture District
- Other similar uses as approved by the Development Authority

- (3) <u>Regulations</u>
 - (a) Minimum Parcel Area:
 - The minimum parcel area for extensive agricultural uses shall be 32.4 hectares (80.0 acres) except where a parcel has been, or may be, subdivided in accordance with this Bylaw or applicable statutory plan(s).
 - (ii) The minimum parcel area for Small Scale Resource Extraction shall be 16.2 hectares (40.0acres).
 - (iii) Sizes for other uses shall be at the discretion of the Development Authority, Subdivision Authority or Municipal Planning Commission.
 - (b) Parcel Density:
 - (i) The maximum parcel density per quarter section within this district shall four (4) parcels, including the remnant of the quarter section and any fragmented parcels except in the Thunder Lake Area Structure Plan where the maximum parcel density per quarter section within this district shall three (3) parcels.
 - (c) Minimum Front Yard:
 - (i) The minimum building setback in this district shall be 30.0 m (98.4 ft) from the front property line.
 - (d) <u>Minimum Side Yard:</u>
 - (i) The minimum side yard shall be 6.0 m (19.7 ft).

- (ii) Corner parcel side yards shall be determined by the Development Authority.
- (e) Minimum Rear Yard: 6 m (19.7 ft)
- (f) <u>Minimum Lake Front Yard:</u> 6.1 metres (20.0 feet) from the lakeshore or reserve parcel, whichever is closer to the subject property.
- (g) The location of any shelter belts may be regulated by the Development Authority.
- (4) Location Criteria

No development which requires highway access shall be approved unless it can be shown to the satisfaction of the approving authority that it can be provided with a safe access and egress. Access from a Provincial Highway is under the jurisdiction of Alberta Transportation.

(5) Mandatory Additional Referrals

- Subdivision applications within 800.0 m of a Provincial Highway
- Development Permit applications within 300.0 m of a Provincial Highway.
- Development Permit applications within 800.0 m of a Provincial Highway Intersection.

SECTION 8.4 RC – RURAL CONSERVATION DISTRICT

(1) <u>General Purpose</u>

The general purpose of this District is to identify and conserve areas of marginal agricultural land with severe or extremely severe limitations to development. Land in this district is of high environmental or geological significance and may be unsuitable for additional residential or recreational development.

(2) <u>Permitted Uses</u>

Discretionary Uses

- All uses listed as permitted in the Agriculture District
- All uses listed as Discretionary in the Agriculture District
- Other similar uses as approved by the Development Authority

(3) <u>Regulations</u>

- (a) Environmental Considerations
 - (i) New subdivision and development applications will not be approved unless the applicant can demonstrate, to the satisfaction of the subdivision and/or development approving authorities that the proposed subdivision or development will not have a negative impact on environmental resources. At the sole discretion of the approving authority the proponent may be required to submit additional information or reports in order to demonstrate the that the proposed area is of high environmental or geological significance.
- (b) Minimum Parcel Area:
 - (i) The minimum parcel area shall be 16.2 hectares (40.0 acres) except where a parcel has been, or may be, subdivided in accordance with this Bylaw or applicable statutory plan(s).
- (c) <u>Parcel Density:</u>
 - (i) The maximum parcel density per quarter section within this district shall four (4) parcels, including the remnant of the quarter section and any fragmented parcels.

- (ii) Notwithstanding subsection (3)(c)(i) above, within the Thunder Lake Area Structure Plan area the maximum parcel density per quarter section shall be six (6) parcels, including the remnant of the quarter section and any fragmented parcels.
- (d) <u>Minimum Front Yard:</u>
 - (i) The minimum building setback in this district shall be 30.0 m (98.4 ft) from the front property line.
- (e) <u>Minimum Side Yard:</u>
 - i) The minimum side yard shall be 6.0 m (19.7 ft).
 - (ii) Corner parcel side yards shall be determined by the Development Authority.
- (f) <u>Minimum Rear Yard:</u> 6 m (19.7 ft)
- (g) <u>Minimum Lake Front Yard:</u> 6. 0 m (19.7 ft). from the lakeshore or reserve parcel, whichever is closer to the subject property.
- (h) The location of any shelter belts may be regulated by the Development Authority.
- (4) Location Criteria

No development which requires highway access shall be approved unless it can be shown to the satisfaction of the approving authority that it can be provided with a safe access and egress. Access from a Provincial Highway is under the jurisdiction of Alberta Transportation.

(5) Mandatory Additional Referrals

- Subdivision applications within 800.0 m of a Provincial Highway
- Development Permit applications within 300.0 m of a Provincial Highway.
- Development Permit applications within 800.0 m of a Provincial Highway Intersection.

SECTION 8.5 AP - AIRPORT VICINITY DISTRICT

(1) <u>General Purpose</u>

The general purpose of this District is to provide for development in the vicinity of airports located within the County of Barrhead.

No development shall be permitted within the Airport Vicinity unless it complies with this Bylaw.

- (2) <u>Permitted Uses</u>
 - Airstrip
 - Airport Buildings
 - Accessory Building and uses
 - Extensive Agriculture
 Development
 - Manufactured Homes (constructed after December 31, 1996)
 - Modular Homes
 - Public Utility
 - Public Utility Building
 - Sea Can (maximum of 2)
 - Single family dwellings

- Agricultural Support Services
- Caretaker's Residence
- Community Recreation
 Services
- Home Occupation, major or minor
- Manufactured Homes (constructed on or before January 1, 1997)
- Outdoor Participant
 Recreation Services (i.e. Golf
 Course)
- Public use
- Re-located Buildings
- Rural Commercial use
- Rural Industrial use
- Service Station
- Other similar uses as approved by the Development Officer or Municipal Planning Commission
- Solar Energy Conversion Systems
- Sea Cans (More than 2)

(3) <u>Regulations</u>

(a) Minimum Parcel Area:

64.7 hectares (160.0 acres) except where a parcel has been, or may be, subdivided in accordance with this bylaw or applicable statutory plan(s).

- (b) Minimum Front Yard:
 - (i) 30.0 m (98.4 ft) from the property line fronting a minor two lane highway or a local road.
 - (ii) 40.0 m (131.2 ft) from the property line fronting a major two lane highway.
- (c) <u>Minimum Side Yard</u>:

The minimum side yard shall be 6.0 m (19.7 ft) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.

- (d) <u>Minimum Rear Yard</u>: 6.0 m (19.6 ft).
- (e) <u>Maximum Height:</u>

Maximum allowable building heights shall be regulated by the Airport Management Area Bylaw Regulation attached for information as (Schedule "B") to this Bylaw.

(4) Barrhead Airport Management Bylaw Regulation

Any use or regulation within this District shall conform to the provisions of the Barrhead Airport Management Area Bylaw Regulation attached as part of this Bylaw (Schedule "B").

(5) Additional Referrals

Any application within this District may be referred to NavCanada, Transport Canada, and/or the Town of Barrhead where determined necessary by the Development Authority

SECTION 8.6 C/I -COMMERCIAL/INDUSTRIAL DISTRICT

(1) <u>General Purpose</u>

The general purpose of this District is to permit activities associated with rural commercial and light to moderately heavy industrial land uses as well as required accessory land uses.

- (2) <u>Permitted Uses</u>
 - Accessory Building and uses
 - Agricultural Support Services
 - Animal Health Care Services
 - Auctioneering Services
 - Automobile Service Centre
 - Car Wash
 - Convenience Retail Services
 - Extensive Agriculture
 Development
 - Extensive Livestock Development
 - General Industrial use
 - Public Utility
 - Public Utility Building
 - Rural Commercial use
 - Rural Industrial use
 - Service Station
 - Small Wind Energy Conversion Systems
 - Sea Can (maximum of 2)

- Caretaker's Residence
- Community Recreation
 Services
- Intensive Agricultural use
- Government Services
- Landfill
- Manufactured Homes (constructed after December 31, 1996)
 - Manufactured Homes (constructed on or before January 1, 1997)
- Modular Homes
- Natural Resource
 Extraction/Processing
- Place of Worship
- Public Use
- Recreation Uses
- Relocated Buildings
- Sea Can (more than 2)
- Semi-serviced Camp grounds
- Single family dwellings
- Small Animal Breeding and Boarding Services
- Solar Energy Collection
 Systems
- Large Wind Energy
 Conversion Systems
- Other similar uses as approved by the Development Authority

(3) <u>Regulations</u>

(a) Minimum Parcel Area:

May be determined by the Development Authority or Subdivision Authority based on the intended use.

- (b) Minimum Front Yard:
 - (i) 30.0 m (98.4 ft) from the property line fronting a minor two lane highway or a local road.
 - (ii) 40.0 m (131.2 ft) from the property line fronting a major two lane highway.
 - (iii) 7.5 m (24.6 ft) from the property line fronting an internal roadway.
- (c) S<u>ide Yard Setback:</u>

Shall be 6.0 m (19.7 ft) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.

- (d) <u>Minimum Rear Yard</u>: 6.0 m (19.6 ft).
- 4) <u>Mandatory Additional Referrals</u>

- Subdivision applications within 800.0 m of a Provincial Highway
- Development Permit applications within 300.0 m of a Provincial Highway.
- Development Permit applications within 800.0 m of a Provincial Highway Intersection.

HC - HIGHWAY COMMERCIAL DISTRICT

(1) General Purpose

SECTION 8.7

The general purpose of this District is to control development in the vicinity of Provincial Highways. Development should be restricted to that which is required to serve the motoring public.

2) <u>Permitted Uses</u>

- Public Utility
- Convenience Retail
 Services
- Sea Can (maximum of 2)
- Service Station
- Small Wind Energy
 Conversion Systems
- Accessory Buildings and uses
- Eating Establishments, Motels and other similar uses which in the opinion of the Municipal Planning Commission are required to serve the motoring public

- Alberta Transportation maintenance yards, signs, Government weigh scales and campsites
- Animal Health Care Services
- Basic Campgrounds
- Bed and Breakfast Operations
- Caretakers Residence
- Community Recreation
 Services
- Day homes
- General Commercial
- General Industrial
- Home Occupation, major or minor
- Intensive Agricultural Use
- Landfill
- Liquor Sales/Distribution
 Services
- Manufactured Homes (constructed after December 31, 1996)
- Manufactured Homes (constructed on or before January 1, 1997)
- Modular Homes
- Natural Resource Extraction
- Park Models
- Recreation Uses
- Public Utility Building
- School
- Sea Can (more than 2)
- Semi-Serviced
 Campgrounds

- Single Family Dwellings
- Small Animal Breeding and Boarding Services
- Other similar uses as approved by the Development Authority

(3) <u>Regulations</u>

(a) <u>Minimum Parcel Area</u>:

64.7 hectares (160.0 acres) except where a parcel has been, or may be, subdivided in accordance with this Bylaw or applicable statutory plan(s).

- (b) <u>Minimum Front Yard:</u>
 - (i) 30.0 m (98.4 ft) from the property line fronting a minor two lane highway or a local road.
 - (ii) 40.0 m (131.2 ft) from the property line fronting a major two lane highway.
 - (iii) 7.5 m (24.6 ft) from the property line fronting an internal roadway.
- (c) <u>Minimum Side Yard:</u>

No side yard need exceed 6.0 m (19.7 ft) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.

(d) <u>Minimum Rear Yard:</u>

6.0 m (19.7 ft).

- (e) The location of any shelter belts may be regulated by the Development Authority.
- (4) Location Criteria

No development which requires highway access shall be approved unless it can be shown to the satisfaction of the approving authority that it can be provided with a safe access and egress. Access from a Provincial Highway is under the jurisdiction of Alberta Transportation.

(5) Mandatory Additional Referrals

- Subdivision applications within 800.0 m of a Provincial Highway
- Development Permit applications within 300.0 m of a Provincial Highway.
- Development Permit applications within 800.0 m of a Provincial Highway Intersection.

SECTION 8.8 C-RC - COMMERCIAL RECREATION DISTRICT

(1) <u>General Purpose</u>

The general purpose of this District is to provide opportunities for the development of recreation services, developments and goods generally required by the public in the pursuit of general recreational activities.

Recreational Commercial developments, which are generally commercial uses must be compatible with the surrounding natural environment.

- (2) <u>Permitted Uses</u>
 - Recreational Resorts
 - Recreational Uses
 - Basic Campgrounds
 - Semi-serviced
 Campgrounds
 - Community Recreation
 Services
 - Accessory Buildings and Uses
 - Recreational Vehicle
 Campgrounds
 - Public Utilities
 - Public Utility Buildings
 - Public Uses

- Bed & Breakfast
 Operations
- Caretakers Residence
- Convenience Retail
 Services
- Government Services
- Liquor sales/distribution
- Manufactured Homes
- Modular Homes
- Park Models
- Single Family Dwellings
- Motels
- Multi-unit Dwelling
- Park Models
- Places of Worship
- Sea Cans
- Other similar uses as approved by the Development Authority

(3) <u>Regulations</u>

(a) Minimum Parcel Area:

64.7 hectares (160.0 acres) except where a parcel has been, or may be, subdivided in accordance with this Bylaw or applicable statutory plan(s).

- (b) <u>Minimum Front Yard:</u>
 - (i) 30.0 m (98.4 ft) from the property line fronting a minor two lane highway or a local road.
 - (ii) 40.0 m (131.2 ft) from the property line fronting a major two lane highway.
 - (iii) 7.5 m (24.6 ft) from the property line fronting an internal roadway.
- (c) <u>Minimum Side Yard:</u>

Each side yard must be a minimum of 6.0 m (19.7 ft) except for a corner parcel where the side yard requirement shall be at the discretion of the Development Authority.

(d) <u>Minimum Rear Yard:</u>

6.0 m (19.7 ft).

- (e) The location of any shelter belts may be regulated by the Development Authority.
- (4) Location Criteria

No development which requires highway access shall be approved unless it can be shown to the satisfaction of the approving authority that it can be provided with a safe access and egress. Access from a Provincial Highway is under the jurisdiction of Alberta Transportation.

(5) Mandatory Additional Referrals

- Subdivision applications within 800.0 m of a Provincial Highway
- Development Permit applications within 300.0 m of a Provincial Highway.
- Development Permit applications within 800.0 m of a Provincial Highway Intersection.

SECTION 8.9 UC - URBAN COMMERCIAL DISTRICT

(1) <u>General Purpose</u>

The general purpose of this District is to allow for commercial, light industrial, and accessory uses within the Hamlets and residential communities within the County.

- (2) <u>Permitted Uses</u>
 - Accessory Buildings and uses
 - Eating Establishment
 - General Commercial Retail
 Services
 - General Industrial use
 - Government Services
 - Place of Worship
 - Public Utility
 - Public Utility Building
 - Retail Establishment
 - Sea Can (maximum of 2)
 - Warehouse

Discretionary Uses

- Amusement and Entertainment
 Services
- Animal Health Care Services
- Auctioneering Services
- Automobile Service Centre
- Bed and Breakfast Operation
- Boarding or Lodging Home
- Community Recreation
 Services
- Child Care Facility
- Drinking Establishment
- Group Care Facility
- Liquor Sales/Distribution
 Services
- Manufactured Homes
- Modular homes
- Motels/Hotels
- Park Models
- Recreational Use
- Sea Can (more than 2)
- Service Station
- Single Family Dwellings
- Small Wind Energy Conversion Systems
- Other similar uses as approved by the Development Authority.

(3) <u>Regulations</u>

- (a) No use is to be established that is, or is likely to become, obnoxious by way of noise, odour or fumes.
- (b) Minimum lot sizes shall be at the discretion of the Development Authority.

(4) <u>Minimum Setback Requirements</u>:

(a) <u>Commercial</u>:

Retail stores built adjacent to existing similar uses may be built without front or side yard setbacks where there is lane access. Where there is no lane access, one side yard of at least 4.6 m (15 ft) shall be provided.

(b) <u>Residential</u>:

Front Yard:	7.5 m (24.6 ft)
Rear Yard:	7.5 m (24.6 ft)
Side Yard:	1.5 m (5.0 ft)

(c) Maximum Height:

The maximum allowable height for a building in this District shall be 9.1 m (30.0 ft).

- (5) Accessory Buildings Regulations:
 - (a) Water run-off from roof drains and weeping tile shall not be permitted to be connected to the municipal sanitary system.

SECTION 8.10 CR - COUNTRY RESIDENTIAL DISTRICT

(1) <u>General Purpose</u>

The general purpose of this District is to provide appropriate locations for multiparcel country residential subdivisions and to provide land use development regulations for such residential uses. Under this District, Developers are encouraged to provide their vision of how they wish their property to be developed. Manufactured Homes are a permitted use under this District.

(2) <u>Permitted Uses</u>

- Discretionary Uses
- Manufactured Homes (constructed on or after January 1, 1997)
- Modular Homes
- Accessory Buildings and uses incidental to an established primary use
- Public Utility
- Single family dwellings

- Community Recreation
 Services
 - Boarding or Lodging House
- Child Care Facilities
- Day homes
- Guest House
- Group Home
- Home Occupation, major or minor
- Manufactured Homes (constructed on or before December 31, 1996)
- Manufactured Home Park (within Hamlets only)
- ٠
- Recreation Uses
- Public Utility Building
- Other similar uses as approved by the Development Authority
- Relocated Buildings
- Sea Can
- Small Wind Energy
 Conversion Systems
- Solar Energy Conversion
 Systems

(3) <u>Regulations</u>

- (a) No use is to be established that is, or is likely to become, obnoxious by way of noise, odour or fumes.
- (b) <u>Minimum Floor Area</u>: Single Detached Dwellings 55.4 m² (600 ft²) Manufactured Homes 37.16 m² (400 ft²)

- (c) <u>Minimum Site Dimensions</u>:
 - (i) The minimum site width shall be no less than 46.0 m (150 ft)
 - (ii) The minimum site area shall be no less than 0.2 hectares (0.5 acres) and no greater than 4.0 hectares (10.0 acres).
- (d) Maximum Height:

The maximum allowable height for a building in this District shall be 9.1 m (30.0 ft).

The maximum building height shall not apply to small wind energy conversion systems.

(4) Minimum Setback Requirements:

Front Yard	7.5 m (24.6 ft)
Rear Yard	6.0 m (19.7 ft)
Side Yard	6.0 m (19.7 ft)

- (5) <u>Accessory Buildings Regulations</u>:
 - (a) An accessory building shall not be used as a dwelling unless a development permit has been issued for the temporary use of the accessory building as a dwelling.
 - (b) An accessory building shall not be located closer than 2.0 m (6.5 ft) to a principle building.
 - (c) Water run-off from roof drains and weeping tile shall not be permitted to be connected to the municipal sanitary system.
 - (d) Refer to Part 6, General Provisions of additional regulations.

SECTION 8.11 CRR - COUNTRY RESIDENTIAL RESTRICTED DISTRICT

(1) <u>General Purpose</u>

The general purpose of this District is to provide appropriate locations for multi-parcel country residential subdivisions with the restriction of limiting residential development to single detached dwellings and modular homes only.

(2) <u>Permitted Uses</u>

- Accessory Buildings and uses incidental to an established primary use
- Home occupations, major
- Home Occupations, minor
- Modular homes
- Public Utility
- Single family dwellings
- Small Wind Energy
 Conversion Systems

Discretionary Uses

- Community Recreation
 Services
- Day homes
- Guest House
- •
- Park Models
- Relocated Buildings
- Recreation Uses
- Sea can
- Public Utility Building
- Other similar uses as approved by the Development Authority

(3) <u>Regulations</u>

- (a) No use is to be established that is, or is likely to become, obnoxious by way of noise, odour or fumes.
- (b) <u>Minimum Floor Area</u>:

One Storey, Bi-level		92.9 m ² (1000 ft ²)
One and One-half Storey		
Split Level	 Lower Floor	69.68 m ² (750 ft ²)
Two Storey	Total Minimum Floor Area	130.1 m ² (1400 ft ²)

(c) <u>Minimum Site Dimensions</u>:

- (i) The minimum site width shall be no less than 46.0 m (150 ft)
- (ii) The minimum site area shall be no less than 0.2 hectares (0.5 acres) and no greater than 4.0 hectares (10.0 acres).

(d) <u>Maximum Height</u>:

The maximum allowable height for a building in this district shall be 9.1 m (30 ft).

The maximum building height shall not apply to small wind energy conversion systems.

(e) Minimum Setback Requirements:

Front Yard	7.5 m (24.6 ft)
Rear Yard	6.0 m (19.7 ft)
Side Yard	6.0 m (19.7 ft)

(4) Accessory Buildings Regulations:

- (a) An accessory building shall not be used as a dwelling unless a development permit has been issued for the temporary use of the accessory building as a dwelling.
- (b) An accessory building shall not be located closer than 2.0 m (6.5 ft) to a principle building.
- (c) Water run-off from roof drains and weeping tile shall not be permitted to be connected to the municipal sanitary system.
- (d) Refer to Part 6, General Provisions.

SECTION 8.12 RR - RESIDENTIAL RECREATION DISTRICT

(1) <u>General Purpose</u>

The general purpose of this District is to provide opportunities for multi-lot recreational residential development in the Lac La Nonne and Thunder Lake areas in locations without severe development or environmental limitations. Land within this area exhibits a high recreational value or scenic value and are generally suitable for future residential or recreational development.

- (2) <u>Permitted Uses</u>
 - Accessory Buildings and uses incidental to an established primary use
 - Manufactured Homes (constructed on or before December 31, 1996)
 - Modular homes
 - Public Utility
 - Home Occupation, major
 - Home Occupation, minor
 - Single family dwellings

Discretionary Uses

- Buildings and uses accessory to discretionary uses Community Recreation Services
- Duplex
- Day homes
- Group Homes
- Greenhouses
- Guest House
- Institutional, public, and quasi-public buildings and uses
- Manufactured Homes (constructed on or before January 1, 1997)
- Park Models
- Public Utility Building
- Recreation Uses
- Relocated Buildings
- Sea Cans
- Small Wind Energy
 Conversion Systems
- Solar Energy
 Conversion Systems
- Other similar uses as approved by the Development Authority

(3) <u>Regulations</u>

(a) Minimum Lot Area

- (i) Single Family Dwellings 0.2 ha (0.5 ac.)
- (ii) Excepting in existing subdivisions where the minimum size for a subdivided lot is 0.24 ha (1.0 ac).
- (iii) All other uses as required by the Development Authority, Subdivision Authority or Municipal Planning Commission.
- (b) Maximum Lot Area
 - (i) Single Family Dwellings 2.0 ha (5.0 ac.) of developable land
- (c) <u>Minimum Floor Area</u>
 - (i) Single Family Dwellings 55.74 m^2 (600 ft²)
 - (ii) For manufactured homes $-37.1 \text{ m}^2 (400.0 \text{ ft.}^2)$
 - (iii) All other uses as required by the Development Authority
- (d) <u>Minimum Yard Dimensions for single family residential uses</u>
 - Minimum Frontage: 30.5 m (100.0 ft) or as required by the Development Authority, Subdivision Authority or Municipal Planning Commission.
 - (ii) Minimum Front Yard: 7.6 m (25.0 ft). No building shall be located within 7.6 m (25.0 ft) of a property line that is either:
 - a. the boundary of a public road, or street, or,
 - b. adjacent and approximately parallel to the lake shore.
 - (iii) The Minimum Side Yard not less than 1.5 m (5.0 ft), excepting corner parcel, where sides yards shall be determined by the Development Authority.
 - (iv) Minimum Rear Yard: 6.0 m (19.7 ft)
 - (v) Minimum Lake Front Yard: 6.0 metres (19.7 feet) from the lakeshore or reserve parcel, whichever is closer to the subject property.
 - (vi) It should be noted that adjacent to Provincial Highways, Alberta Transportation may require greater setbacks for development. Contact Alberta Transportation regarding their requirements in this regard.

- (e) <u>Minimum Yard Dimensions for all other uses</u>
 (i) As required by the Development Authority
- (f) Maximum Height

Maximum Height allowable height for a building in this District shall be 9.1 m (29.8 ft).

(g) Minimum Servicing Standards

All developments must be provided with sanitary facilities pursuant to the appropriate Provincial regulations.

SECTION 8.13 UR - URBAN RESIDENTIAL DISTRICT

(1) <u>General Purpose</u>

The general purpose of this District is to allow for residential and accessory uses within the Hamlets of Manola, and Neerlandia, as well as the residential communities.

- (2) <u>Permitted Uses</u>
 - Modular homes
 - Manufactured Homes (constructed on or after January 1, 1997)
 - Public Utility
 - Public Utility Building
 - Single family dwellings
 - Accessory Buildings and uses

Discretionary Uses

- Animal Services Facility
- Bed and Breakfast Operation
- Border or Lodging Home
- Child Care Facility
- Day homes
- Duplex
- Guest House
- Group Homes
- Home Occupation, major or minor
- Manufactured Homes (constructed on or before before December 31, 1996)
- Manufactured Home Park
- Multi-unit dwelling
- Park Models
- Place of Worship
- Public or Quasi-Public Use
- Other similar uses as approved by the Development Authority
- Sea Can
- Solar Energy Conversion
 Systems

(3) <u>Regulations</u>

- (a) No use is to be established that is, or is likely to become, obnoxious by way of noise, odour or fumes.
- (b) Minimum lot sizes for single family dwellings:

Use	Width	Area		
Residential (unserviced)	30.5 m (100 ft)	1,858.0 m ² (20,000 ft ²⁾		
Residential (both services)	15.2 m (50 ft)	557.4 m ² (6,000 ft ²)		
Residential (water, no sewer)	30.5 m (100 ft)	1,393.5 m ² (15,000 ft ²)		
Residential (sewer, no water)	15.2 m (50 ft)	929.0 m ² (10,000 ft ²)		

- (c) Minimum lot sizes for all other uses shall be at the discretion of the Subdivision or Development Authority
- (d) <u>Minimum Floor Area:</u>

Single Family Dwellings	55.74 m ² (600 ft ²)
Manufactured Homes	37.16 m ² (400 ft ²)
Duplexes	92.9 m ² (1,000 ft ²)
All other uses	As required by the Development Authority.

(4) <u>Minimum Setback Requirements:</u>

Residential:	
Front Yard	7.5 m (24.6 ft)
Rear Yard	6.0 m (19.7 ft)
Side Yard	1.5 m (4.9 ft)
Side Yard on Corner Side	4.5 m (14.7 ft) on Flanking Street

(5) <u>Maximum Height Requirements:</u>

The maximum allowable building height shall be 9.1 m (30 ft).

- (6) Accessory Buildings Regulations:
 - (a) An accessory building shall not be used as a dwelling.
 - (b) An accessory building shall not be located closer than 2.0 m (6.5 ft) to a principle building.
 - (c) Water run-off from roof drains and weeping tile shall not be permitted to be connected to the municipal sanitary system.

SECTION 8.14 I - INSTITUTIONAL DISTRICT

(1) <u>General Purpose</u>

The general purpose of this District is to allow development of uses of either a public or private nature which provide services to the community.

- (2) <u>Permitted Uses</u>
 - Community Halls
 - Clubs and Lodges
 - Hospitals and Nursing Homes
 - Public and Private schools
 - Senior Citizens Homes and similar buildings
 - Community Recreation Services
 - Buildings and uses accessory to permitted uses

Discretionary Uses

- Cemeteries
- Childcare Facilities
- Manufactured Homes
- Modular Homes
- Places of Worship
- Public or Quasi-public
 Services
- Public Utilities
- Sea Cans
- Single Family Dwellings
- Small Wind Energy
 Conversion Systems
- Solar Energy Conversion
 Systems
- Other uses which, in the opinion of the Development Authority, are similar to the above mentioned permitted and discretionary uses
- Buildings and uses accessory to discretionary uses

- (3) <u>Regulations</u>
 - (a) All regulations shall be as required by the Development Authority.

SECTION 8.15 DC – DIRECT CONTROL DISTRICT

(1) <u>General Purpose</u>

The general purpose of this District is to provide Council final decision-making authority for developments with unique site characteristics or development situated on lands with special or particular significance, while having due regard to applicable statutory plans for the land.

(2) <u>Uses</u>

Allowable uses and buildings in this District shall be determined by Council based on the merits of each individual application.

(3) <u>Regulations</u>

Council should apply regulations (e.g. setbacks) in a manner consistent with the type of development allowed for similar use categories. Where no such categories exist, Council may exercise full authority to apply permit conditions.

- (4) Special Regulations
 - (a) In addition to the information required by this Bylaw for an amendment application, the applicant may be required to provide the following information:
 - (i) a letter supporting the rationale for why the proposed use is desirable for the site, and its impact on neighbouring sites; and
 - (ii) additional plans, elevations, perspective drawings, landscaping plans, or other matters that may assist Council in making a decision.
 - (b) Council may consider holding a public hearing or public referral process prior to consideration of any major application within property within this district, prior to finalizing a decision on an application.

(5) Administration and Procedures

- (a) Council shall review and decide all applications for principal uses on property zoned under this District. Development proposals for secondary or accessory uses may be delegated to the Development Authority at Council's discretion.
- (b) There shall be no appeal to the Subdivision and Development Appeal Board on decisions made by Council on applications for proposed development on land zoned under the Direct Control District.

SECTION 8.16 SP - STATUTORY PLAN OVERLAY

(1) <u>General Purpose</u>

The Statutory Plan Areas overlay is not a District; rather it provides regulations in addition to the requirements of the underlying Land Use Districts within this Bylaw.

The Purpose of the Statutory Plan Areas overlay is to identify areas in the County where there is an existing:

- (a) Area Structure Plan;
- (b) Area Redevelopment Plan;
- (c) Intermunicipal Development Plan; or
- (d) Other similar, small-scale statutory planning document.

Development in these areas may require additional information to be submitted by the applicant in order to ensure conformity to the applicable statutory plan.

(2) <u>Uses</u>

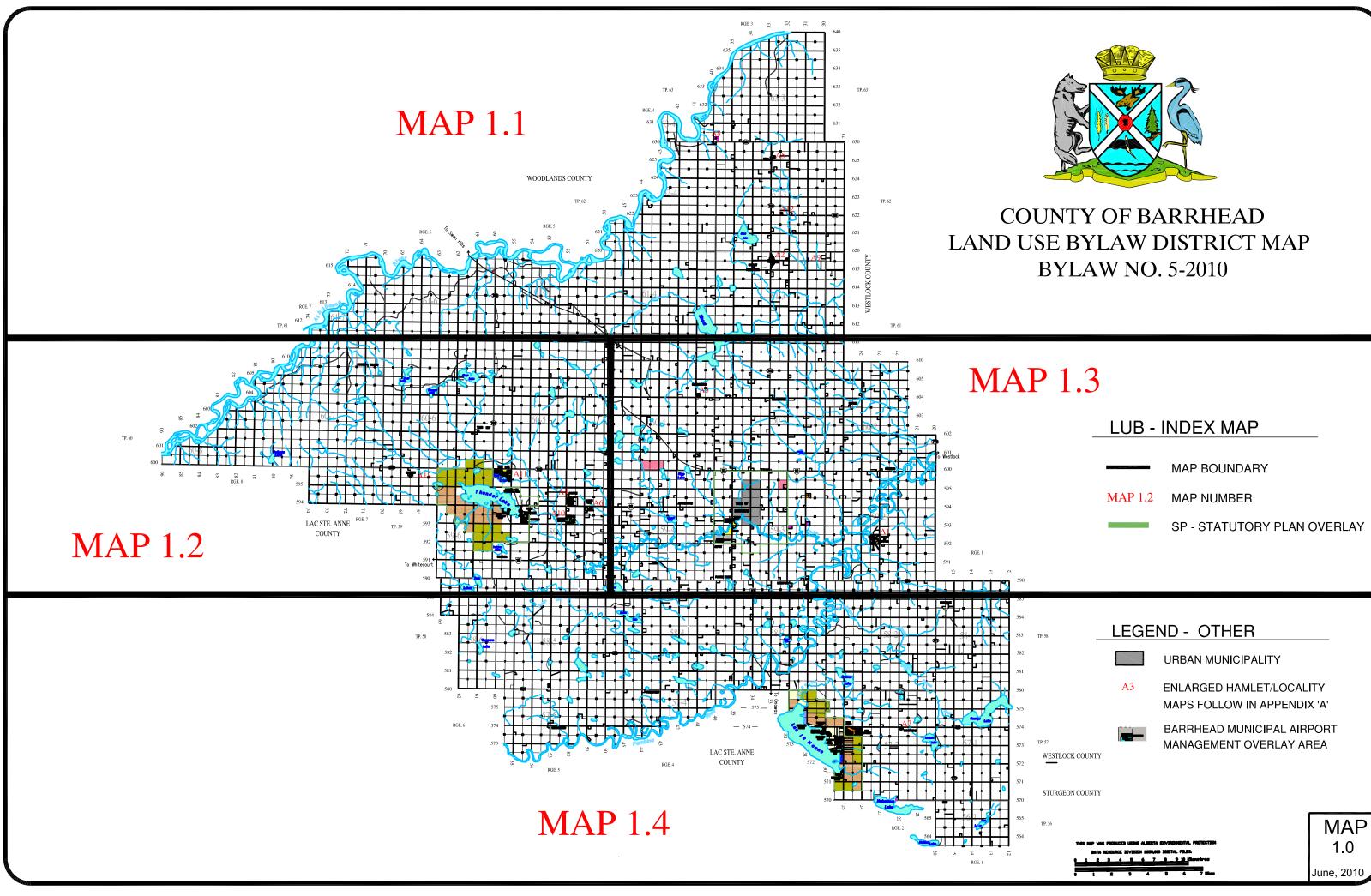
Within the Statutory Plan Areas Overlay, the uses listed as Permitted Uses and as Discretionary Uses within the underlying District may be allowed, in accordance with the regulations of those Districts and of this Bylaw.

(3) <u>Applicability</u>

Within the Statutory Plan Area Overlay identified on the Land Use District Map, Schedule A, the regulations of this Section apply in addition to the other regulations of this Bylaw.

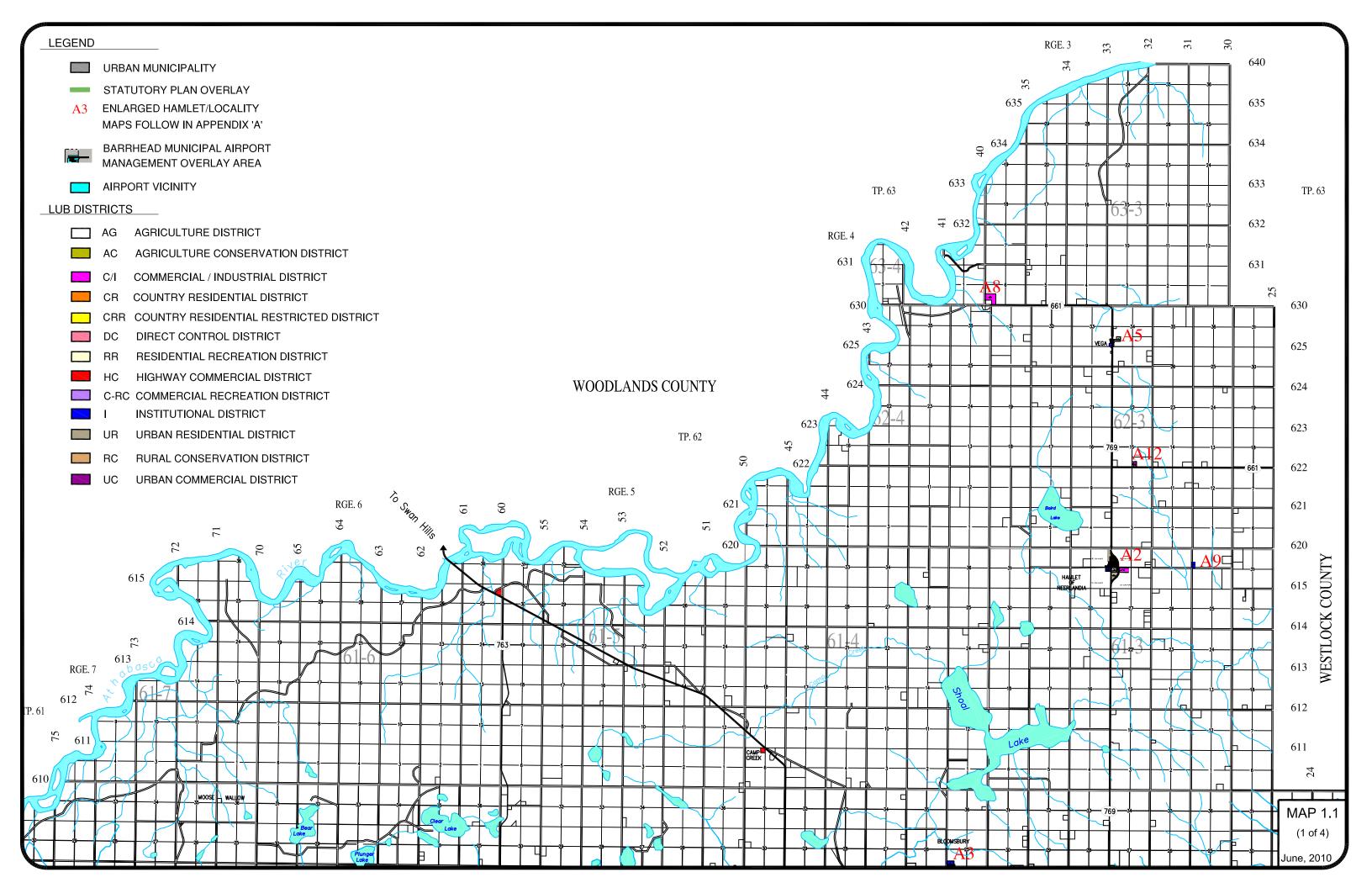
Policies and objectives affecting these areas are delineated in the respective Statutory Plans including the Thunder Lake Area Structure Plan, the Lac La Nonne Intermunicipal Development Plan and the County of Barrhead, Town of Barrhead Intermunicipal Development Plan.

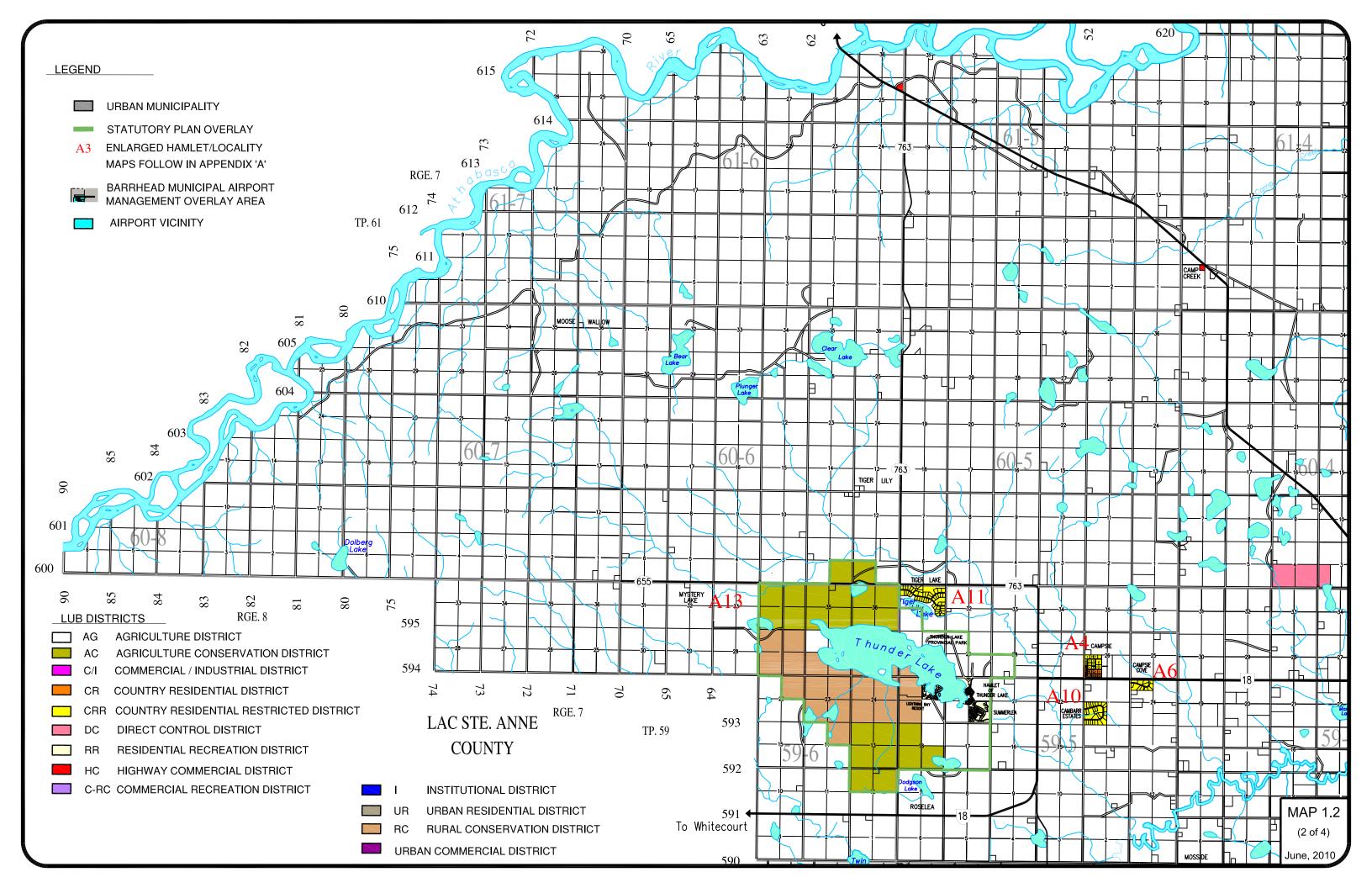
SCHEDULE "A"- LAND USE DISTRICT MAPS

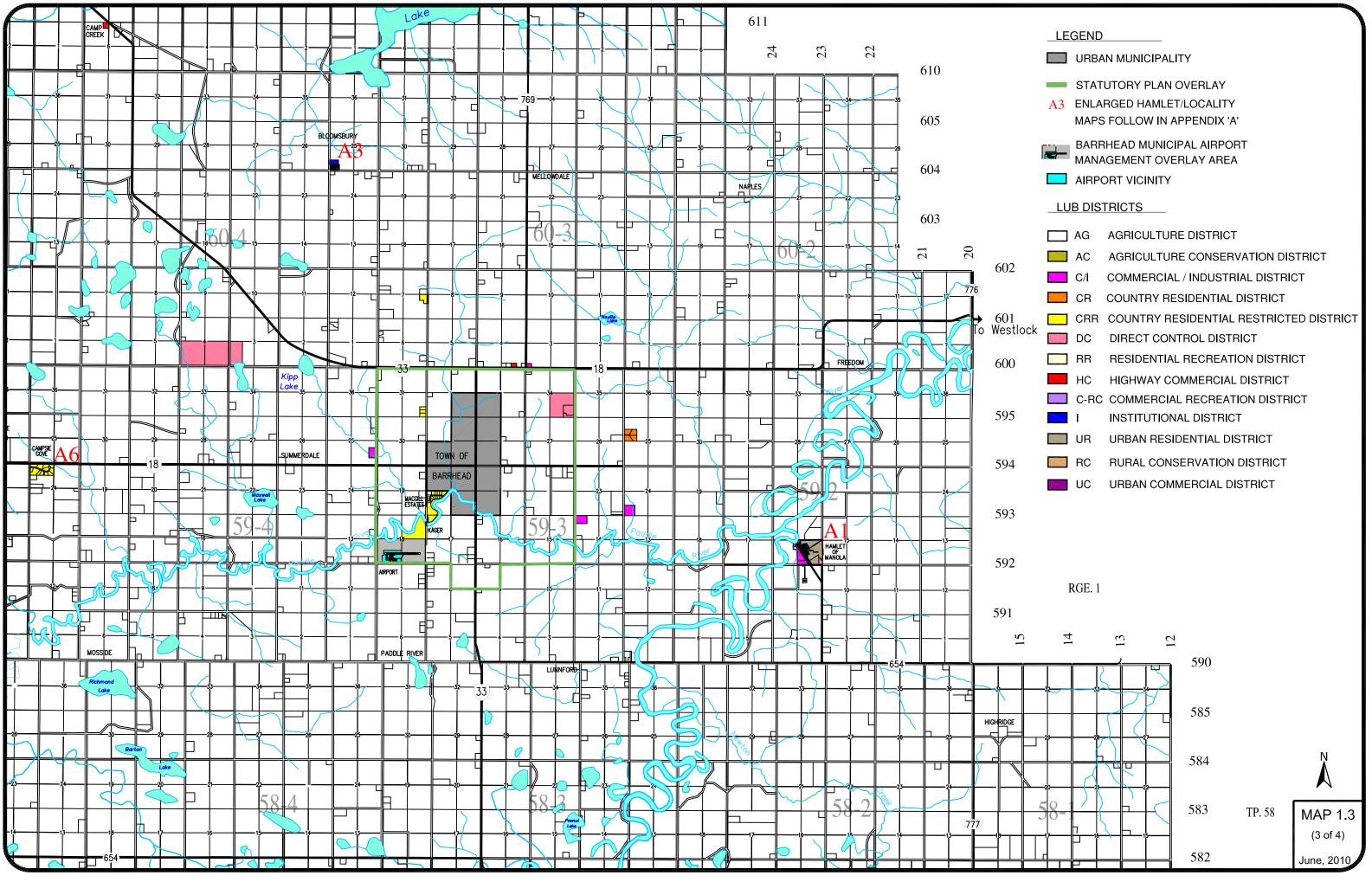




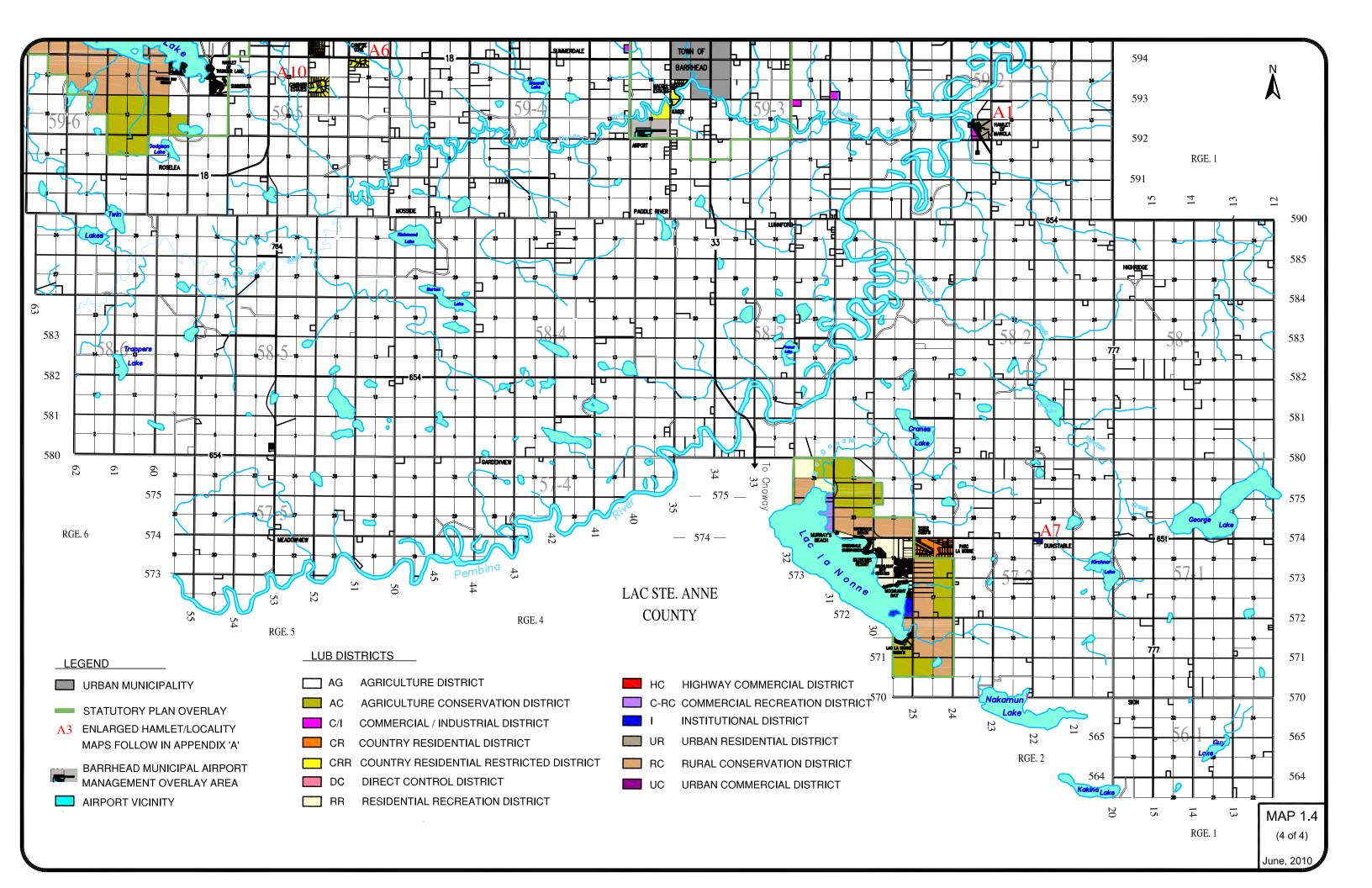


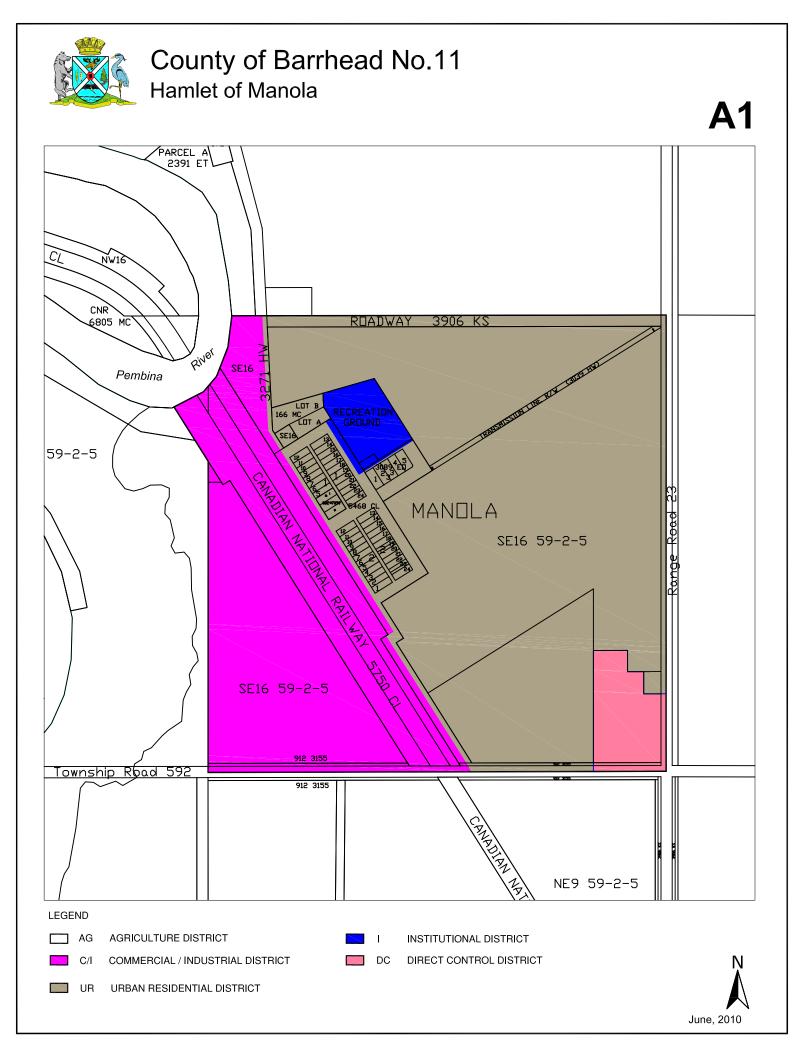






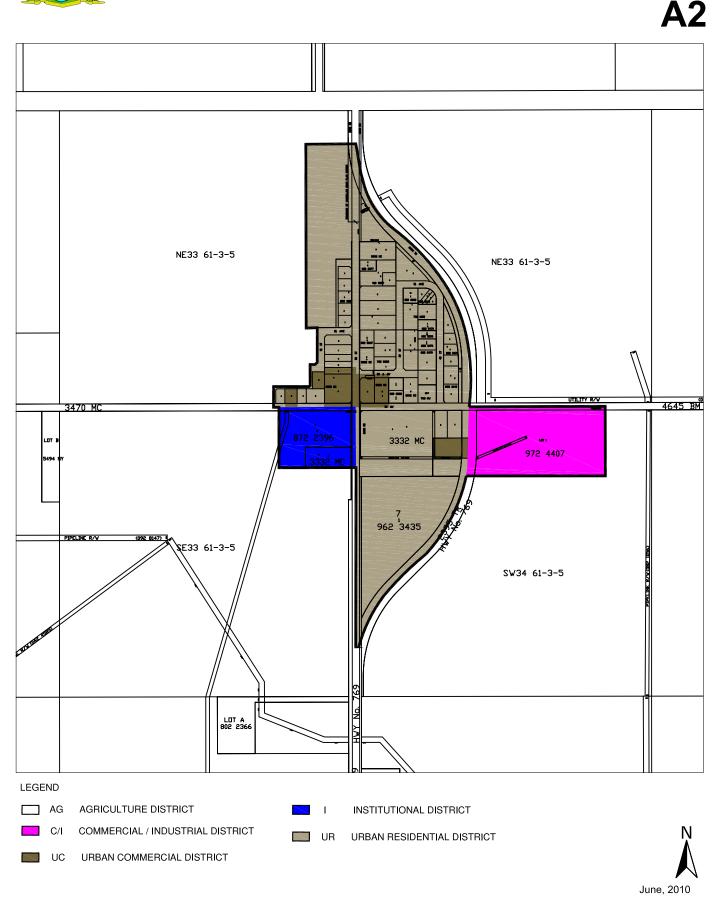
	_LE(GEND			
URB/			N MUNICIPALITY		
		STATUTORY PLAN OVERLAY			
	A3	ENLARGED HAMLET/LOCALITY MAPS FOLLOW IN APPENDIX 'A'			
	BARRHEAD MUNICIPAL AIRPORT MANAGEMENT OVERLAY AREA AIRPORT VICINITY				
	LUB DISTRICTS				
		AG	AGRICULTURE DISTRICT		
		AC	AGRICULTURE CONSERVATION DISTRICT		
		C/I	COMMERCIAL / INDUSTRIAL DISTRICT		
		CR	COUNTRY RESIDENTIAL DISTRICT		
		CRR	COUNTRY RESIDENTIAL RESTRICTED DISTRICT		
<	\sim	DC	DIRECT CONTROL DISTRICT		
		RR	RESIDENTIAL RECREATION DISTRICT		
		HC	HIGHWAY COMMERCIAL DISTRICT		
		C-RC	COMMERCIAL RECREATION DISTRICT		
		I	INSTITUTIONAL DISTRICT		
		UR	URBAN RESIDENTIAL DISTRICT		
	\geq	RC	RURAL CONSERVATION DISTRICT		
	\searrow	UC	URBAN COMMERCIAL DISTRICT		

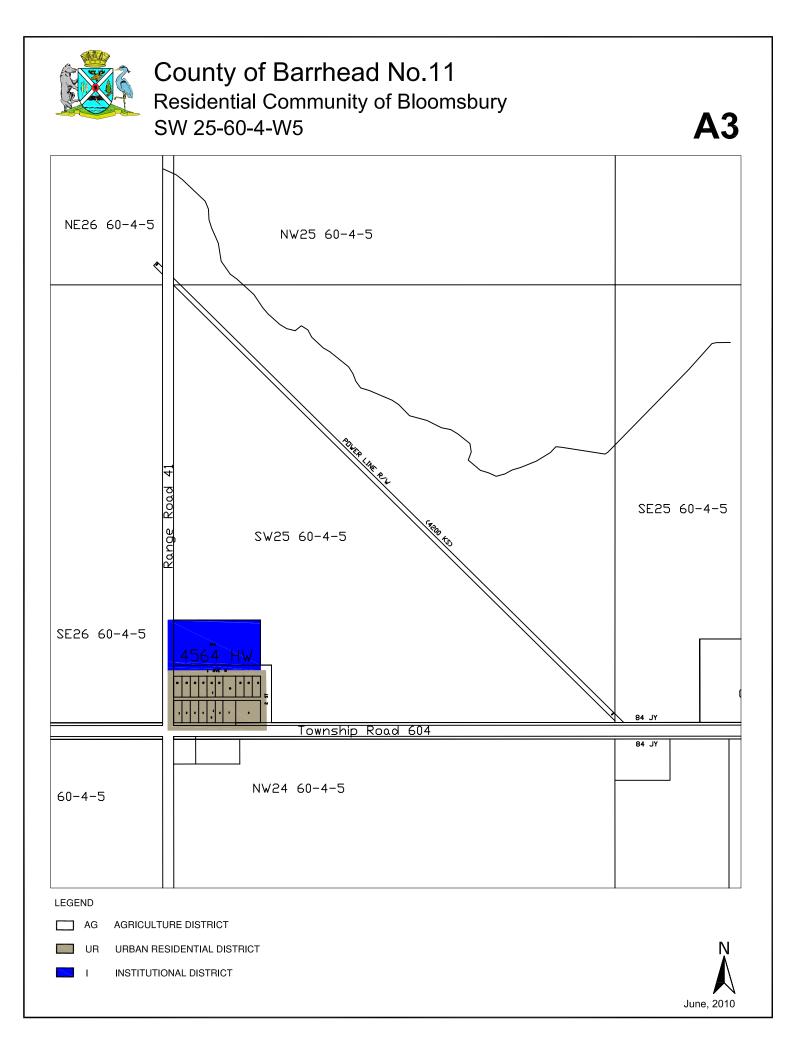






County of Barrhead No.11 Hamlet of Neerlanda

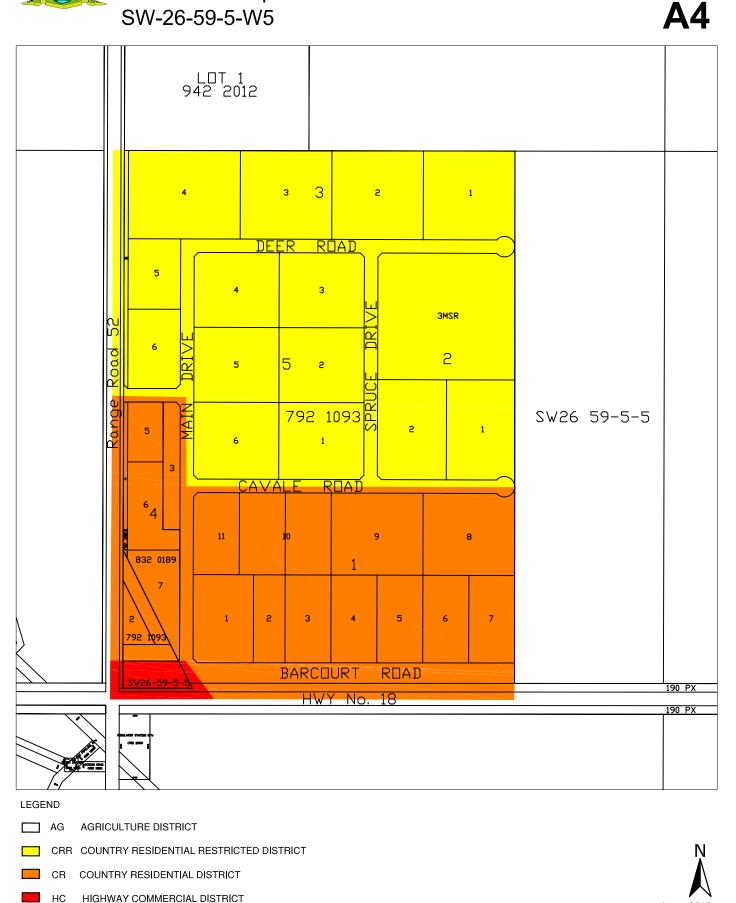


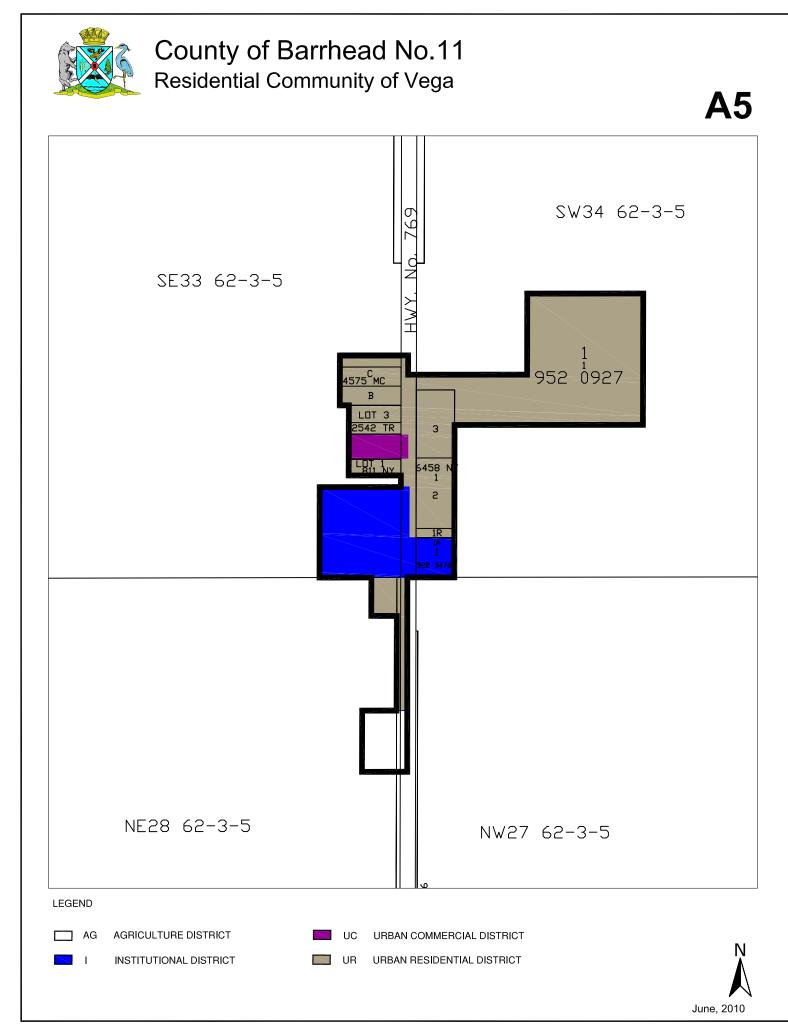


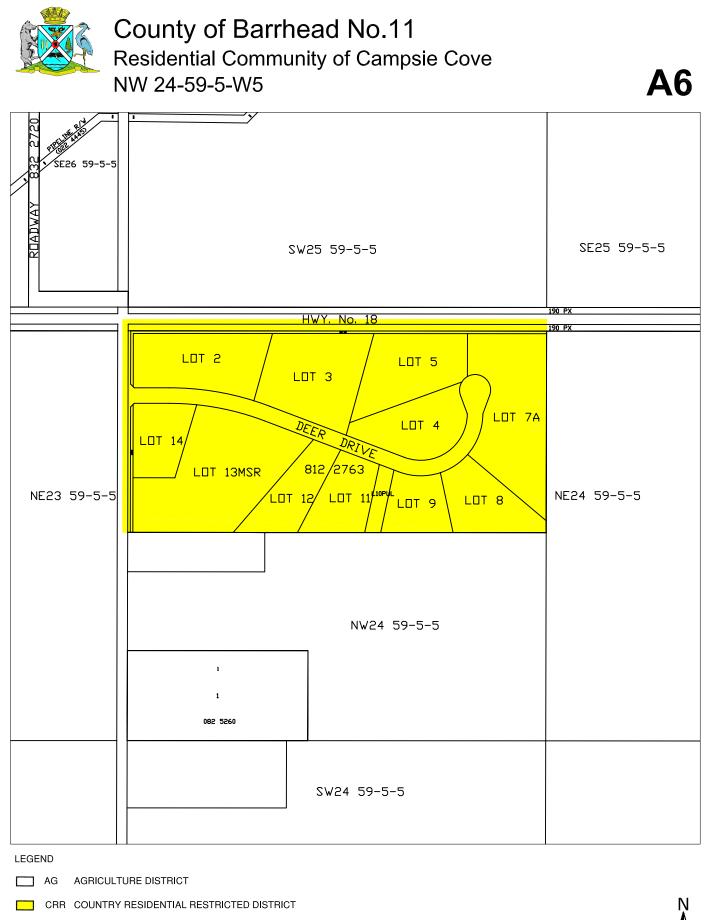


County of Barrhead No.11

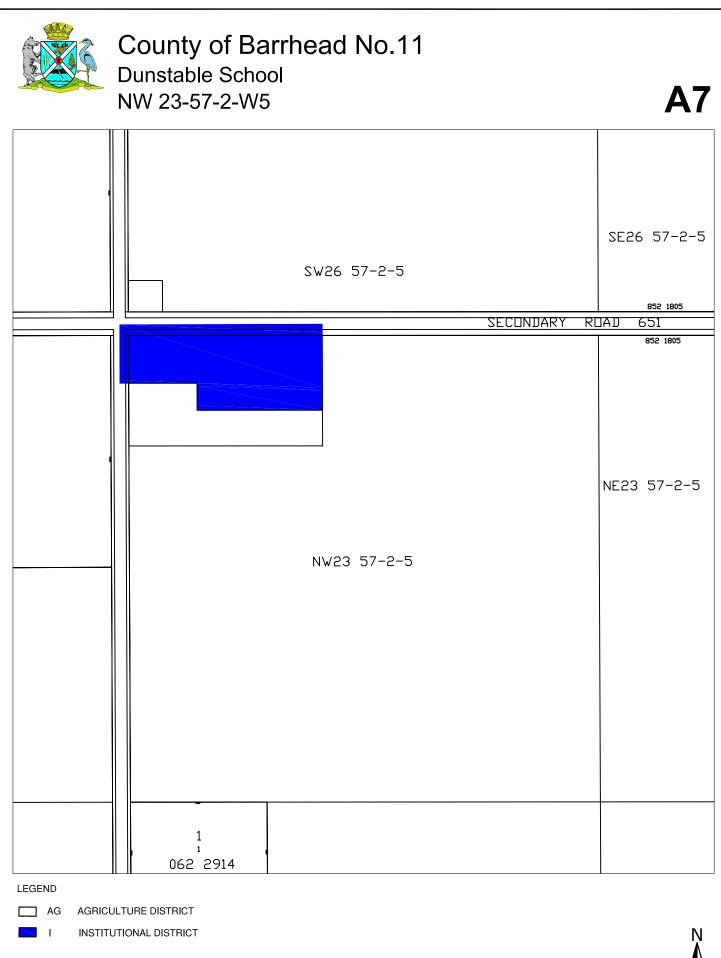
Hamlet of Campsie SW-26-59-5-W5







June, 2010

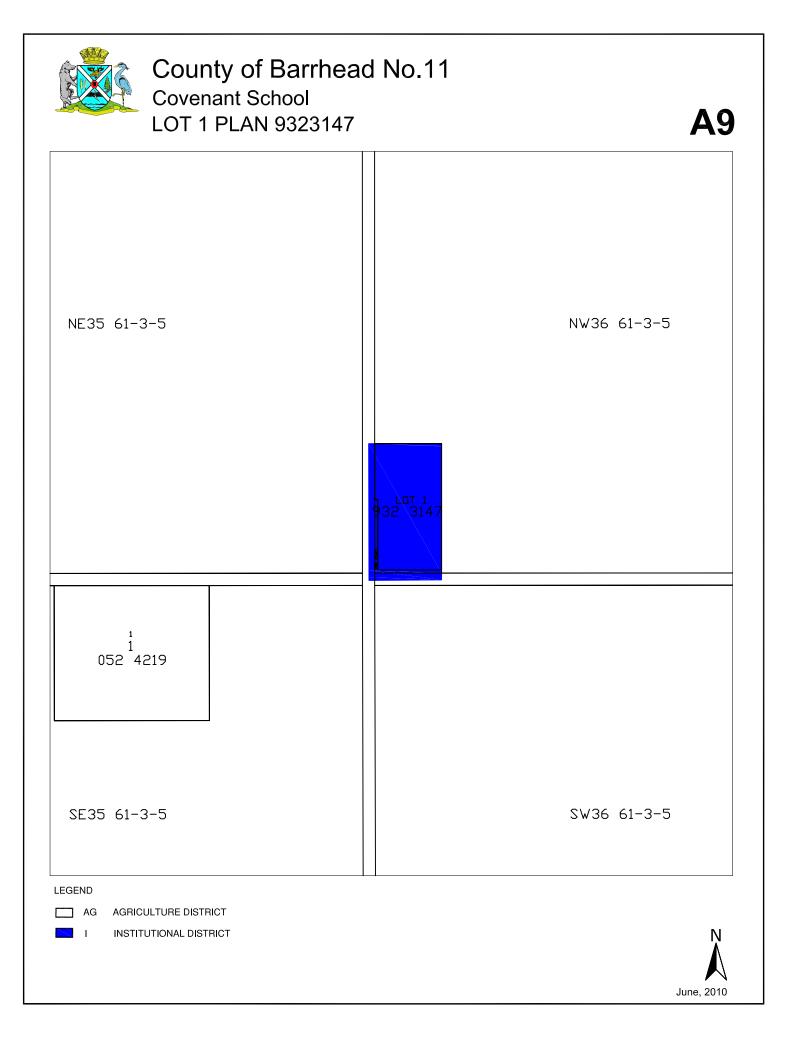


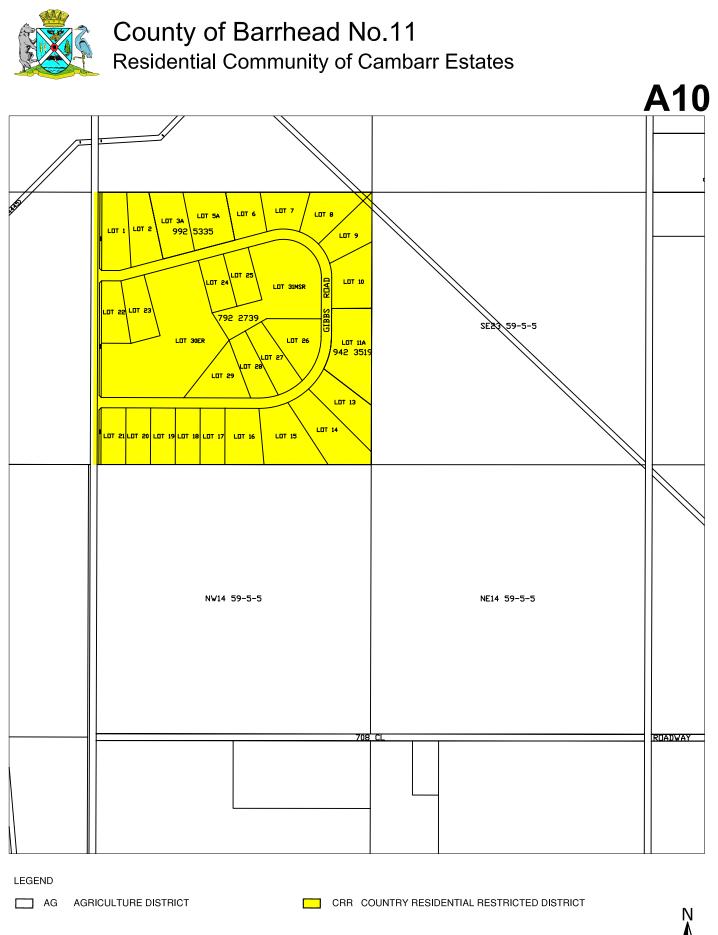




County of Barrhead No.11 SW 6-63-3-W5







June, 2010

