

County of Two Hills No. 21

Land Use Bylaw



COUNTY OF 
TWO HILLS

2-2018

Adopted January 16, 2019

Amendments

Bylaw No. 8-2020, July 15, 2020

Bylaw No. 10-2020, September 23, 2020

Bylaw No. 10-2022, July 18, 2022

Bylaw No. 14-2022, October 25, 2023

County of Two Hills No. 21

Land Use Bylaw

2-2018

A BYLAW OF THE COUNTY OF TWO HILLS NO. 21 IN THE PROVINCE OF ALBERTA, TO ADOPT A LAND USE BYLAW.

WHERE AS the *Municipal Government Act*, Revised Statutes of Alberta 2000 - Chapter M-26, current as of April 1st, 2018 and amendments thereto, authorize Council of a Municipality to enact a Land Use Bylaw to guide future development within the Municipality.

NOW THEREFORE the County of Two Hills Land Use Bylaw No. 5-2009 and amendments thereto, except for those Direct Control Bylaws listed as continued in the bylaw, are hereby repealed.

NOW THEREFORE Council of the County of Two Hills in the Province of Alberta does hereby adopt the County of Two Hills Land Use Bylaw 2-2018 this 16th day of January 2019.

Read a first time this 19th day of September, 2018.

Read a second time this 16th day of January 2019.

Read a third and final time this 16th day of January 2019.

Reeve

Administrative Officer

Date

This Land Use Bylaw was prepared for the County of Two Hills No. 21 by Green Space Alliance Inc.

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How to Read this Land Use Bylaw

What is the Land Use Bylaw?

A Land Use Bylaw (LUB) is an implementation tool that defines land use districts and development standards applicable to all lands within the municipality and helps to implement the vision established in the Municipal Development Plan (MDP).

An LUB provides ‘prescriptive’ regulations that are legally enforceable. The LUB regulates orderly growth and protects the community from conflicting land uses and unsafe developments. It divides the municipality into appropriate land use districts according to land use type and intensity. The LUB controls the use of land in a community, outlining such aspects as:

- Development permit approval process;
- Location of varying types of land use districts;
- Enforcement mechanisms;
- General development regulations for building and site development; and
- Specific regulations for special use classes.

Summary of Sections

The following table summarizes the intent and application of each Section within the LUB.

Section	Description
Administrative Regulations	Sections One, Two, Three, Four, and Five of the LUB contain administrative regulations regarding the LUB purpose, approval authorities and responsibilities, development permit requirements, appeal procedures, and enforcement. Individuals who wish to submit a development permit should refer to Section Three for development permit application requirements.
General Provisions	Section Six contains general development regulations applicable to all types of developments.
Special Provisions	Section Seven details development regulations for specific types of development that require special considerations.
Land Use Districts	Section Eight contains all land use districts within the County and lists permitted and discretionary land use classes of each land use district. Additional regulations pertaining to individual land use districts are also provided in Section Eight. Prior to submitting a development permit, landowners should consult the permitted and discretionary land use classes of their land use district.
Definitions	Section Nine defines land use classes and terminology used throughout the LUB.

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1

General

1.1 General

1.1.1 The title of this Bylaw shall be the Land Use Bylaw of the County of Two Hills No. 21.

1.2 Purpose

1.2.1 The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the County of Two Hills No. 21 to achieve orderly, economical and beneficial development and use of land and patterns of human settlement within the Municipality, and for that purpose, amongst other things,

- a. to divide the municipality into districts;
- b. to prescribe and regulate for each district the purposes for which land and buildings may be used;
- c. to establish a Development Authority for the Municipality;
- d. to establish the designated officer of Development Authority Officer for the Municipality;
- e. to establish a method of making decisions on applications for development permits including the issuing of development permits;
- f. to provide the manner in which notice of the issuance of a development permit is to be given;
- g. to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement; and
- h. to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta, without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

1 | General

1.3 Metric and Imperial Measures

- 1.3.1 Within this Bylaw, Metric measures are provided followed by Imperial measures within brackets. However, Imperial measures are approximate and are provided only for information. Metric measurements shall take precedence for interpretation purposes of this Bylaw.

1.4 District Boundaries

- 1.4.1 The boundaries of the Districts listed in Section 8 are as delineated on the Land Use District Maps in Appendix A.
- 1.4.2 Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Maps, the following rules shall apply:
- a. Rule 1. Where a boundary is shown as following a road, highway, lane, or watercourse, it shall be deemed to follow the centre line thereof.
 - b. Rule 2. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
 - c. Rule 3. In circumstance, not covered by Rules 1 and 2, the location of the boundary shall be determined:
 - i. where dimensions are set out on the Land Use District Maps, by dimensions so set out; or
 - ii. where no dimensions are set out on the Land Use District Maps with respect to such boundary, by measurement and use of the scale shown on the Land Use District Maps.
- 1.4.3 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 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.
- 1.4.4 After the Council has fixed a boundary pursuant to the provisions of Subsection 1.4.3, the portion of the boundary so fixed shall not be thereafter altered except by an amendment to this Bylaw.
- 1.4.5 The municipality shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by it.
- 1.4.6 Where two or more Districts overlap, the more restrictive requirements shall prevail.



2 Agencies

2.1 Development Authority

2.1.1 The Development Authority for the municipality is hereby established.

2.1.2 The Development Authority shall be the:

- a. Municipal Planning Commission;
- b. Development Authority Officer; and
- c. Council in Direct Control Districts.

2.2 Development Authority Officer

2.2.1 The position of designated officer for the limited purpose of exercising the powers, duties and functions of a Development Authority Officer is hereby established.

2.2.2 The Development Authority Officer shall be appointed by resolution of the Council.

2.2.3 The powers, duties and functions of the Development Authority Officer shall be those described in this Bylaw.

2.2.4 The Development Authority Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by it or by the Development Authority Officer.

2.2.5 The Development Authority Officer shall keep and maintain for inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; keep a register of all applicants for development, including the decisions thereon and the reasons therefore.

2 | Agencies

2.2.6 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.

2.3 Municipal Planning Commission

2.3.1 The Municipal Planning Commission shall provide decisions on development permit applications involving:

- a. Discretionary land use classes; and
- b. Noncompliant minimum and/or maximum standards within the applicable district.

2.4 Subdivision Authority

2.4.1 In accordance with Section 623(1) of the Act, the Subdivision Authority for the County of Two Hills No. 21 shall be established by Bylaw.

2.5 Subdivision Authority Officer

2.5.1 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.

2.5.2 For the purposes of right of entry, the Subdivision Officer is hereby declared to be a designated officer of Council.

2.6 Subdivision and Development Appeal Board

2.6.1 The Subdivision and Development Appeal Board for the County, as appointed by council through bylaw and shall perform such duties as are specified.



3 Development Permits, Rules, and Procedures

3.1 Control of Development

3.1.1 No development other than that identified in Section 3.3 of this Bylaw shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued. Notwithstanding above, where a variance to any regulation in this Bylaw is required for any development listed in Section 3.3, a development permit is required.

3.2 Decision Process & Notice of Complete or Incomplete Application

3.2.1 The Development Authority shall:

- a. Receive all applications for development permits; and
- b. Consider and decide on all applications for a development permit pursuant to this section.

3.2.2 In making a decision, the Development Authority may:

- a. Approve the application unconditionally;
- b. Approve the application subject to those conditions considered appropriate;
- c. Approve the application permanently or for a limited or temporary period of time; or
- d. Refuse the application.

3.2.3 The Development Authority must, within twenty (20) days after the receipt of an application for a development permit, determine whether the application is complete.

3 | Development Permits, Rules, and Procedures

- 3.2.4 The time period referred to in Subsection 3.2.3 may be extended by an agreement in writing between the applicant and the Development Authority or, if applicable, in accordance with a land use bylaw made pursuant to section 640.1(a) of the Act.
- 3.2.5 An application is complete if, in the opinion of the Development Authority, the application contains the documents and other information necessary to review the application.
- 3.2.6 If the Development Authority determines that the application is complete, the development authority shall issue to the applicant, by means of posted letter or electronic notification, an acknowledgment that the application is complete.
- 3.2.7 If the Development Authority determines that the application is incomplete, the Development Authority shall issue to the applicant a notice, in writing or electronically, that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the Development Authority in order for the application to be considered complete.
- 3.2.8 If the applicant fails to submit all the outstanding information and documents on or before the date referred to in Subsection 3.2.7, the Development Authority must deem the application to be refused.
- 3.2.9 Despite that the Development Authority has issued an acknowledgment under Subsection 3.2.6 or 3.2.7, in the course of reviewing the application, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.

3.3 Development Not Requiring a Development Permit

- 3.3.1 The following development shall not require a development permit:
- a. 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.
 - b. The erection or construction of gates, fences, walls or other means of enclosure less than 1.0m (3.3ft) in height in front yards and less than 2.0m (6.6ft) in side and rear yards (other than on corner lots or where abutting a road or highway used by vehicular traffic).
 - c. The maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure.
 - d. A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw.
 - e. The 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. On parcels of land of land exceeding 32.0ha (79.1ac) which lie farther than 1.6km (1.0mile) from an incorporated urban municipality, any construction, excavation or other operation which is part of extensive agriculture, excepting:
 - i. All farm residences, whether dwelling units or manufactured homes; and
 - ii. All non-agricultural accessory buildings; and
 - iii. Any other structure, or dugouts within 38.0m (124.7ft) of the center line of a road, or within 40.8m (133.9ft) of a property line adjacent to a secondary road or a highway, for which development permits will be required.
 - g. Landscaping where the proposed grades will not adversely affect the subject or adjacent parcels of land, including the hard-surfacing of part of a lot to provide vehicular access from a road to an attached or detached garage or carport.

3 | Development Permits, Rules, and Procedures

- h. The demolition or removal of any building or structure for which a development permit would not be required pursuant to Subsections c through f above, both inclusive.
- i. Permitted varieties of livestock associated with non-commercial agriculture in the Country Residential Estate (CRE) District, provided that adequate confinement measures have been approved by the Development Authority and that animal quantities do not exceed the maximum allowed number of animal units as outlines in Section 7.11 of this Bylaw.
- j. Satellite dishes and antennas located in:
 - i. Rural areas; and
 - ii. Hamlets provided they are less than 0.9m (3.0ft) in diameter.
- k. Accessory building with a floor area less than 10.0m² (108.0ft²) that is not permanently attached to the ground.
- l. Construction of a patio or deck that is no more than 0.6m (2.0ft) above finished grade within the Agricultural (A) district provided that all site setback requirements are met.
- m. Home occupation minor.
- n. Signage for any municipal, school board, provincial or federal election.
- o. Signage advertising the sale of real estate or auctions.

3.4 Non-Conforming Buildings and Uses

- 3.4.1 In accordance with Section 643 of the Act, if a development permit has been issued on or before the day on which a Land Use Bylaw or a Land Use Amendment Bylaw comes into force in a municipality and the Bylaw would make the development for which the permit was issued a non-conforming use or nonconforming building, the development permit continues to be in effect in spite of the coming into force of the Bylaw.
- 3.4.2 A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building must conform to the provisions of this Bylaw.
- 3.4.3 A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made thereto or therein.
- 3.4.4 A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- 3.4.5 A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - a. To make it a conforming building;
 - b. For routine maintenance of the building, if the Development Authority considers it necessary; or
 - c. In accordance with regulations of this Land Use Bylaw that provide minor variance powers to the Development Authority for the purposes of this Section.
- 3.4.6 If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- 3.4.7 The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

3 | Development Permits, Rules, and Procedures

3.5 Permission for Development

- 3.5.1 An application for a development permit shall be made to the Development Authority Officer in writing and shall include or be accompanied by:
- a. The name and mailing address of both the applicant(s), and the owner(s) of the subject site (if different from the applicant);
 - b. The legal description of the subject site;
 - c. The proposed uses;
 - d. A site plan, in duplicate, showing:
 - i. The location of all existing and proposed buildings and structures,
 - ii. Proposed front, rear, and side yards, if any,
 - iii. Proposed off-street vehicle parking and loading facilities, if any, and
 - iv. Access points to the site;
 - e. A septic plan;
 - f. The estimated commencement and completion dates;
 - g. The estimated cost of the project or contract price; and
 - h. The required fee, as calculated in accordance with the County's Development Fees Schedule, as approved by Council.
 - i. Right of entry authorization.
- 3.5.2 An application for a development permit shall be made to the Development Authority Officer in writing and may, at the discretion of the Development Authority Officer, include or be accompanied by:
- a. Real Property Report;
 - b. Slope Stability Study (Geotechnical Report);
 - c. Water Study (Storm Water Management Plan);
 - d. Traffic Impact Assessment;
 - e. Drainage Plan;
 - f. Landscaping Plan; or
 - g. Biophysical Assessment.
 - h. Proposed servicing (water, sewage disposal)
 - i. Proposed waste management plan during construction and post construction.
 - j. Any other studies or information that may be required to evaluate the specific development being proposed.
- 3.5.3 At the discretion of the Development Authority Officer, the applicant may be asked to submit floor plans, elevations and sections, in duplicate, before the application is considered complete.
- 3.5.4 At the discretion of the Development Authority Officer, any new development within an existing subdivision may be required to provide to the Development Authority, for approval, an elevation plan of the property to be developed indicating where the storm water is to be directed. Storm water from the property to be developed cannot be directed onto the adjoining properties. If the applicant for a development permit indicates that the County is to verify compliance with the elevation and storm water management plan, the cost to verify that the lot grades have been completed according to the plan shall be included in the cost of the development permit.

3 | Development Permits, Rules, and Procedures

- 3.5.5 The Development Authority may also require with an application for a development permit information prepared by a Professional Engineer describing the potential of a subject site being flooded from a 1:100 year flood event, the potential subsidence or erosion of a subject site, and the ground compaction of a subject site, and further information describing the mitigation measures necessary to eliminate the defined flood, subsidence, erosion hazard or to resolve any ground compaction concerns.
- 3.5.6 The Development Authority may also require any phase of an environmental assessment to determine the possible contamination of a subject site and the mitigation measures necessary to eliminate such contamination. Alternative to or in addition to the foregoing, the Development Authority may require a biophysical assessment to determine the potential effects of a proposed development on the natural environment, and the measures necessary to mitigate such effects.
- 3.5.7 The Development Authority Officer shall:
- a. Receive, consider and decide on all applications for a development permit involving:
 - i. Permitted uses;
 - ii. Minimum and/or maximum standards compliant with the applicable district; or
 - iii. Regulations that have been assigned by this Bylaw to the Development Authority Officer for consideration and decision;
 - b. Refer, with recommendations, to the Municipal Planning Commission for its consideration and decision applications for a development permit for those uses which constitute discretionary uses in a district or which require a variance to required minimum and/or maximum standards for the applicable district, or those where the regulation has been assigned by this Bylaw to the Municipal Planning Commission for consideration and decision; and
 - c. Refer, with recommendations, to the Municipal Planning Commission for its consideration and decision any application which, at the discretion of the Development Authority Officer, should be decided by the Municipal Planning Commission.
- 3.5.8 The Municipal Planning Commission shall receive, consider and decide on all applications for a development permit referred to it by the Development Authority Officer for consideration and decision.
- 3.5.9 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, at its sole discretion, either return the application to the applicant for further details or make a decision on the application with the information it has available. A returned application shall be deemed to not have been submitted until all required details have been provided to the satisfaction of the Development Authority.
- 3.5.10 In making a decision, the Development Authority may approve a development permit application unconditionally, impose conditions considered appropriate, including whether the permit or any conditions shall be considered permanent or applicable for a specific period of time, or refuse the application.
- 3.5.11 In making a decision, the Development Authority may impose such conditions as are required to ensure compliance with this Bylaw including both the verification by either an official appointed by the County or by certification by either an engineer or an Alberta Land Surveyor that the elevation plan and storm water drainage plan indicated in Subsection 3.5.4 has been completed in accordance with the Development Authority's approval, and the undertaking of the mitigation or elimination measures described in the reports and information described under Subsections 3.5.5 and/or Subsection 3.5.6.
- 3.5.12 The Development Authority may require as a condition of issuing a development permit that the applicant enter into an agreement with the municipality to:

3 | Development Permits, Rules, and Procedures

- a. Construct or pay for the construction of a road required to give access to the development, off-street or other parking facilities, and loading and unloading facilities;
- b. Install or pay for the installation of public utilities that are necessary to serve the development other than telecommunications systems or works;
- c. Pay an off-site levy imposed by Bylaw; and
- d. Give security to ensure that the terms of the agreement are carried out.

3.5.13 In the case where an application for a development permit has been refused by the Development Authority or the Subdivision and Development Appeal Board, the submission of another application for a development permit on the same property and for the same use of the land by the same or any other applicant may, at the discretion of the Development Authority Officer, not be accepted by the Development Authority Officer for at least one year after the date of the refusal by the Development Authority or the Subdivision and Development Appeal Board, whichever date is the later.

3.5.14 In the case where a proposed specific use of land or a building is not provided for in any district in this Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or a discretionary use prescribed for that District.

3.5.15 The Development Authority may approve an application for a development permit even though the proposed development does not comply with this Bylaw or is a non-conforming building, if, in the opinion of the Development Authority,

- a. The proposed development would not:
 - i. Unduly interfere with the amenities of the neighbourhood; or
 - ii. Materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
- b. The proposed development conforms to the use prescribed for that land or building in the Bylaw.

3.5.16 An application for a development permit is, at the option of the applicant, be deemed to be refused if a decision thereon is not made by the Development Authority within forty (40) days after receipt of the application by the Development Authority Officer unless the applicant has entered into an agreement with the Development Authority to extend the 40-day period. The person claiming to be affected may appeal in writing as provided for in this Bylaw as though he has received a refusal at the end of the period specified herein.

3.5.17 If, after a development permit has been issued, the Development Authority 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;
- c. The development permit was issued in error;
- d. The application was withdrawn by way of written notice from the applicant; or
- e. If the condition(s) imposed in the development permit have not been complied with;

The Development Authority may cancel, suspend, or modify as considered appropriate, the development permit by notice, in writing, to the holder of the permit.

3.5.18 A person whose development permit is cancelled, suspended or modified under this Subsection may appeal to the SDAB in accordance with Section 4 of the Bylaw within fourteen (14) days of notice of such action.

- 3.5.19 Any person who undertakes any development without a development permit, or after a permit has been suspended or revoked, shall discontinue such development forthwith upon notice in writing being issued by the Development Authority, and shall not resume such development unless a development permit has been issued or the development permit is reinstated.

Agri-Tourism Operation Development Permit Application Requirements

- 3.5.20 In addition to the requirements of Subsection 3.5.1, a development permit application for an agri-tourism operation shall include the following:
- a. A description of all proposed activities involved in the agri-tourism operation;
 - b. A site plan detailing:
 - i. Road access points;
 - ii. Parking areas;
 - iii. Emergency access and route;
 - iv. Internal roads and widths;
 - v. Location of existing and proposed structures; and
 - vi. Location of washroom facilities.
 - vii. Screening and/or buffers

Cannabis Retail Sales

- 3.5.21 In addition to the requirements of Subsection 3.5.1, the Development Authority or Subdivision Authority may require an applicant for a subdivision or development permit for Cannabis Retail Sales to submit any or all of the following information, with the application:
- a. A map identifying the distance from the proposed development to all property boundaries of:
 - i. Buildings containing a school or a boundary of a parcel of land on which a school is located;
 - ii. Parcels of land that are designated as School Reserve or Municipal and School Reserve under the Municipal Government Act, R.S.A. 2000, c. M-26, as amended;
 - iii. Provincial health care facilities or the boundary of a parcel of land on which the facilities are located; and
 - iv. Any other development or land use required by the Alberta Gaming, Liquor, and Cannabis Commission.

Cannabis Production and Distribution Facility

- 3.5.22 In addition to the requirements of Subsection 3.5.1, the Development Authority may require an applicant for a subdivision or development permit for a Cannabis Production and Distribution Facility to submit any or all of the following information, with the application:
- a. Waste Management Plan;
 - b. Environmental Assessment;
 - c. Traffic Impact Assessment;
 - d. Water/Wastewater Report;
 - e. Storm Water Management Plan; and/or
 - f. Any additional study or assessment necessary to address specific concerns at the discretion of the Subdivision or Development Authority.

3 | Development Permits, Rules, and Procedures

Industrial Hemp Production and Distribution Facility

- 3.5.23 In addition to the requirements of Subsection 3.5.1, the Development Authority or Subdivision Authority may require an applicant for a subdivision or development permit for an Industrial Hemp Production and Distribution Facility to submit any or all of the following information, with the application:
- a. Waste Management Plan;
 - b. Environmental Assessment;
 - c. Traffic Impact Assessment;
 - d. Water/Wastewater Report;
 - e. Storm Water Management Plan; and
 - f. Any additional study or assessment necessary to address specific concerns identified by the Development Authority and/or Subdivision Authority in the course of their review of the application.

Natural Resource Extraction Development Permit Application Requirements

- 3.5.24 In addition to the general requirements of a development permit application within Section 3.5, the Development Authority may require the applicant of a natural resource extraction industry development to provide the following information:
- a. Existing site conditions relating to, but not limited to, soil and water table profiles, vegetation, topography, and water courses and drainage;
 - b. Extraction, operations, and staging plan;
 - c. The proposed development area, including the total area that will be disturbed by the aggregate resource extraction use over the life of the development;
 - d. Identification of all aggregate haul roads to be used during the operation of the proposed natural resource extraction industry development;
 - e. Reclamation plan detailing the cost associated with reclaiming the site upon post-extraction;
 - f. Groundwater mitigation and preparedness plan;
 - g. Evidence of provincial and federal regulatory compliance; and
 - h. Additional information required by the Development Authority.

Natural Resource Extraction Development Permit Application Reclamation Requirements

- 3.5.25 The applicant shall include site plans in duplicate at a scale satisfactory to the Development Authority (it is recommended that the scale drawings be developed and printed on 11" x 17" paper at a minimum) showing the following:
- a. Topsoil and subsoil salvage and replacement;
 - b. Cross-sections, including the slopes and the gradients prior to gravel mining and the reclaimed slopes once the reclamation is completed; and
 - c. Contour elevations of the subject site before and after pit completion.
- 3.5.26 A reclamation plan shall be required for all aggregate resource extraction use approvals. A County approved reclamation plan shall be prepared by a qualified professional and shall include, but not be limited to:
- a. A description of the operational plan for the site;
 - b. The location of all improvements, stockpiles, equipment, access, signage, and pits;

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- c. A topographical map, at a minimum of 1:5000 scale with a minimum contour index of 1.0m, showing the predicted contours of the site after completion of the reclamation, where the final contours shall be no steeper than 4:1;
- d. A phasing diagram, in accordance with the Provincial Guide, Progressive Reclamation, showing the phasing scheme for the pit including the time frame when reclamation will be completed;
- e. The amount of aggregate materials, in cubic metres (m³), located on the site to be extracted under the development permit;
- f. For pits not utilizing a scale on-site, the estimated amount of aggregate material, in cubic metres (m³), for each phase;
- g. The estimated cost for reclamation, including estimated costs for each phase;
- h. Potential end land use (i.e., agricultural, country residential);
- i. Re-vegetation to be used on the reclaimed site;
- j. Details about pit reclamation, including subsoil and topsoil replacement and compaction; and
- k. Location of water bodies.

3.5.27 The reclamation plan shall comply, at a minimum, with the following standards:

Drainage

- a. Prior to re-contouring, the pit floor area should be sloped to a low point located at the bottom of the pit area.

Re-contouring

- b. The slope must be developed in a manner similar to pre-disturbance topography.

Subsoil and Topsoil Replacement

- c. The available subsoil and topsoil should be spread evenly across the re-contoured areas of the site.

Seed Bed Preparation

- d. The re-contoured and reclaimed areas of the site should accommodate conventional tillage equipment and, as a result, the soil should be adequately prepared for seeding at the site with an approved species of vegetation.

Seeding and Vegetation Establishment

- e. The site should be seeded in a manner suitable to the applicant in consultation and approval with the County of Two Hills No. 21.

3.6 Application for Demolition

3.6.1 Notwithstanding Subsection 3.3.1(h) and in addition to the requirements of Section 3.5, an application for a development permit for the demolition of a building shall include the following information:

- a. The alternatives to demolition if the building is of historic or architectural value;
- b. The purpose for the building demolition and the type of structure to replace the demolished building, if any;
- c. A work schedule of the demolition and site clean-up;
- d. The destination of debris material; and
- e. The means whereby public safety is to be ensured (this may include the length of time before the site is to be redeveloped and the treatment of the site after demolition prior to development).

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3.7 Development Permits and Notices

- 3.7.1 A permit granted pursuant to this bylaw does not come into effect until twenty-one (21) days after the date an order, decision or development permit is received as described in this bylaw, and any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant. 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.
- 3.7.2 Where an appeal is made to the Subdivision and Development Appeal Board, 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.
- 3.7.3 When a development permit has been issued, the Development Authority Officer shall:
- a. Post a notice in the County Office and / or on the County website in the case of permits for permitted uses where no regulations of this Bylaw were either relaxed or varied; and
 - b. In all other circumstances:
 - i. Post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - ii. Mail a notice in writing to all adjacent land owners who, in the sole opinion of the Development Authority, may be affected; and/or
 - iii. Publish a notice of the decision in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.
- 3.7.4 Notwithstanding Subsection 3.7.1 above, a development permit for a permitted use where the provisions of this Bylaw were neither relaxed nor varied in the decision of the Development Authority comes into effect immediately after its issuance.
- 3.7.5 If the development authorized by a development permit is not commenced within twelve (12) months from the date of its issue, and completed within twelve (12) months of commencement, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority Officer. If the permit holder is unable to proceed pending a court decision involving the proposed development, time shall not run until such proceedings are finally completed.
- 3.7.6 A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it shall be sent to the applicant.
- 3.7.7 When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.
- 3.7.8 When an application for a development permit has been approved by the Development Authority, the development permit shall not be valid unless and until:
- a. Any conditions of approval, save those of a continuing nature, have been fulfilled; and
 - b. No notice of appeal from such approval has been served on the Subdivision and Development Appeal Board within the time period specified in Section 4.
- 3.7.9 When an application for a development permit has been approved by the Subdivision and Development Appeal Board, the development permit shall not be valid unless and until:
- a. The Board has issued its decision; and

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- b. Any conditions of approval, save those of a continuing nature, have been fulfilled.
- 3.7.10 If the Subdivision and Development Appeal Board is served with notice of an application for leave to appeal its decision to the Court of Appeal, such notice shall operate to suspend the development permit.
- 3.7.11 The final determination of an appeal to the Court of Appeal shall operate to validate, amend or revoke, as the case may be, a development permit suspended under this Section.



4 Appeals

4.1 Grounds for Appeal

- 4.1.1 In accordance with Section 685(1) of the Act, the person applying for the permit or affected by the stop order under Section 645 may appeal to the subdivision and development Appeal Board, if a Development Authority:
- Fails or refuses to issue a development permit to a person;
 - Issues a development permit subject to conditions; or
 - Issues an order under Section 645 of the Act.
- 4.1.2 No appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the Land Use Bylaw were relaxed, varied or misinterpreted.
- 4.1.3 No appeal lies in respect to decision on a development permit application in respect to a direct control district if the decision is made by Council.

4.2 Procedure for Appeals

- 4.2.1 In accordance with Section 686(1) of the Act, development appeal to an SDAB is commenced by filing a notice of the appeal, containing reasons, with the board within twenty-one (21) days,
- In the case of an appeal made by a person referred to in Section 685(1), after:
 - The date on which the person is notified of the order or decision or the issuance of the development permit;
 - If no decision is made with respect to the application within the forty (40) day period or within any extension under Section 684, the date the period or extension expires; or

- iii. In the case of an appeal made by a person referred to in Section 685(2), the date on which the notice of the issuance of the permit was given in accordance with the Land Use Bylaw.
- 4.2.2 The SDAB must hold an appeal hearing within thirty (30) days after receipt of a notice of appeal.
- 4.2.3 The SDAB must give at least five (5) business days' notice in writing of the hearing:
 - a. To the appellant;
 - b. To the Development Authority whose order, decision, or development permit is the subject of the appeal;
 - c. To those owners required to be notified under the Land Use Bylaw and any other person that the SDAB considers to be affected by the appeal and should be notified;
 - d. To the applicant and/or land owner(s); and
 - e. To such other persons as the SDAB specifies.
- 4.2.4 The SDAB must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including:
 - a. The application for the development permit, the decision, and the notice of appeal; or
 - b. The order under Section 645 of the Act.

4.3 Hearing and Decision

- 4.3.1 In accordance with Section 687(1) of the Act, at a hearing under Section 686, the SDAB must hear:
 - a. The appellant or any person acting on behalf of the appellant;
 - b. The Development Authority from whose order, decision, or development permit the appeal is made, or a person acting on behalf of the Development Authority;
 - c. Any other person who was given notice of the hearing and who wishes to be heard, or a person acting on behalf of that person; and
 - d. Any other person who claims to be affected by the order, decision or permit and that the SDAB agrees to hear, or a person acting on behalf of that person.
- 4.3.2 The SDAB must give its decision in writing together with reasons for the decision within fifteen (15) days after concluding the hearing.
- 4.3.3 In determining an appeal, the Subdivision and Development Appeal Board:
 - a. Must act in accordance with any applicable Alberta land Surveyors' Association (ALSA) regional plan;
 - b. Must comply with the land use policies and statutory plans and the Land Use Bylaw in effect;
 - c. Must have regard to but is not bound by the subdivision and development regulations;
 - d. May confirm, revoke, or vary the order, decision, or development permit or any condition attached to any of them or make or substitute an order, decision, or permit of its own; and
 - e. May make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the Land Use Bylaw if, in its opinion:
 - i. The proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land; and
 - ii. The proposed development conforms to the use prescribed for that land or building in the Land Use Bylaw.

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4.4 Court of Appeal

- 4.4.1 Pursuant to Section 688 of the Act, an appeal lies to the Court of Appeal on a question of jurisdiction or law with respect to:
- a. A decision of the Subdivision and Development Appeal Board; and
 - b. A decision made by the Municipal Government Board:
 - i. Under Section 619 of the Act respecting whether a proposed statutory plan or land use bylaw amendment is consistent with a licence, permit, approval or other authorization granted under that section;
 - ii. Under Section 648.1 of the Act respecting the imposition of an off-site levy or the amount of the levy;
 - iii. Under Section 678(2)(a) of the Act respecting a decision of a Subdivision Authority; or
 - iv. Under Section 690 of the Act respecting an intermunicipal dispute.
- 4.4.2 An application for leave to appeal must be filed with the Court of Appeal within thirty (30) days after the issue of the decision sought to be appealed, and notice of the application must be given to:
- a. The County of Two Hills No. 21;
 - b. The Municipal Government Board or the Subdivision and Development Appeal Board; and
 - c. Any other person(s) that the judge directs.

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5 Enforcement and Administration

5.1 Contravention

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

- a. The Act or the Regulations made pursuant to the Act;
- b. A development permit or subdivision approval; or
- c. This Bylaw;

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

- i. Stop the development or use of the land or building in whole or part as directed by the notice;
- ii. Demolish, remove or replace the development; or
- iii. Carry out any other actions required by the notice so that the development or use of the land or building complies with the Act, the regulations made pursuant to the Act, a development permit, a subdivision approval, or this Bylaw;

within the time set out in the notice.

5.1.2 Where a notice is issued under Subsection 5.1.1, the notice may 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 time frame in which the contravention must be corrected prior to the County pursuing further action; and
- d. Advise the person of their right to appeal the notice to the Subdivision and Development Appeal Board.

5.1.3 If a person fails or refuses to comply with an order directed to him under Section 5.1 of this Bylaw or an order of the Subdivision and Development Appeal Board, the Council or a person designated by it may, in accordance with the Act, enter on the land or building and take any action necessary to carry out the order.

5.1.4 If a Subdivision and Development Appeal Board issues an order under Section 5.1 of this Bylaw, the Development Authority Officer, at their discretion unless otherwise directed by the Subdivision and Development Appeal Board, may register a caveat under the *Land Titles Act* in respect of such order against the certificate of title for the land that is the subject of the order, provided that the Development Authority Officer must discharge said caveat when the order has been complied with.

5.1.5 Where the Council or a person appointed by it carries out an order, the costs and expenses incurred in carrying out the order shall 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 the land.

5.2 Prohibitions

5.2.1 No person shall contravene or permit a contravention of this Bylaw. No person shall commence or undertake a development, use, or sign that is not permitted by this Bylaw.

5.2.2 No person shall contravene a condition of a permit issued under this Bylaw.

5.2.3 No person shall authorize or do any development that is at variance with the description, specifications or plans that were the basis for the issuance of a development permit. No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by a Development Officer.

5.2.4 Where any person obstructs or hinders the Development Authority or any other person in the exercise or performance of their powers or duties under the Act, that obstructing or hindering person shall be guilty of an offence and liable to a fine or to imprisonment in accordance with Provincial legislation.

5.3 Warning Notice

5.3.1 A Designated Officer may issue a warning notice outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures.

5.4 Violation Tickets

5.4.1 In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.

5.4.2 A municipal ticket may be served:

- a. Personally to the person; or
- b. Mailed to the address shown on a certificate of title for the lands on which the contravention is alleged to have occurred.

5.4.3 The municipal ticket shall be in a form approved by the Chief Administrative Officer and shall state:

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- a. The name of the person to whom the municipal ticket is issued;
- b. A description of the offence and the applicable Bylaw Section;
- c. The appropriate penalty for the offence as specified in this Bylaw;
- d. That the penalty shall be paid within twenty-one (21) days of the issuance of the municipal ticket in order to avoid prosecution; and
- e. Any other information as may be required by the Chief Executive Officer.

5.4.4 Where a contravention of this Bylaw is of a continuing nature, further municipal tickets may be issued by a designated Officer.

5.4.5 A person to whom a municipal ticket has been issued may pay the penalty specified on the municipal ticket and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.

5.4.6 Where a municipal ticket has been issued and the penalty specified on the municipal ticket is not paid within the prescribed time, a Designated Officer is hereby authorized and empowered to issue a violation ticket pursuant to Part 2 of the *Provincial Offences Procedure Act*.

5.4.7 Notwithstanding Subsection 5.4.6, a Designated Officer may immediately issue a violation ticket to any person whom the designated Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

5.4.8 If a violation ticket is issued in respect of an offence, the violation ticket may:

- a. Specify the fine amount established by bylaw for the offence; or
- b. Require a person to appear in court without the alternative of making a voluntary payment.

5.4.9 A person who commits an offence may, if a violation ticket is issued in respect of the offence and the violation ticket specifies the fine amount established by bylaw for the offence, make a voluntary payment equal to the specified fine.

5.4.10 When a clerk records in the Court records the receipt of a voluntary payment pursuant to this Bylaw and the *Provincial Offences Act*, the receipt of that payment by the Act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

5.4.11 If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than \$125.00, plus court costs, for each offence.

5.5 Right of Entry

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

- a. Part 17 of the Act, regulations thereto, and/or the Land Use Bylaw; or
- b. A development permit;

The Development Authority may take such action as specified in Sections 542 and 543 of the Act.

5.6 Stop Orders

5.6.1 The Development Authority may act under Subsection 5.6.2 pursuant to Section 645(1) of the Act, if a Development Authority finds that a development, land use, or use of a building is not in accordance with:

- a. This Part or a Land Use Bylaw or regulations under this Part; or
- b. A development permit or subdivision approval.

5.6.2 If Subsection 5.6.1 applies, the Development Authority may, by written notice, order the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to:

- a. Stop the development or use of the land or building in whole or in part as directed by the notice;
- b. Demolish, remove, or replace the development; or
- c. Carry out any other actions required by the notice so that the development or use of the land or building complies with this Part, the Land Use Bylaw or regulations under this Part, a development permit or a subdivision approval, within the time set out in the notice.

5.6.3 A person who receives a notice referred to in Subsection 5.6.2 may appeal to the SDAB in accordance with Section 685 of the Act.

5.7 Offenses and Penalties

5.7.1 Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$50.00 for a first offence and \$100.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.

5.7.2 A person who contravenes or fails to comply with any provision of this Bylaw, or contravenes or fails to comply with a development permit or a condition attached to it is guilty of an offence and is liable on summary conviction to fine not exceeding \$10,000.00 exclusive of costs pursuant to Section 566 of the Act.

5.8 Application to Amend Bylaw

5.8.1 A person may apply to have this Bylaw amended, by applying in writing, furnishing reasons in support of the application and paying the fee therefore required in accordance with the County's Development Fees Schedule.

5.8.2 Council may, at any time, initiate an amendment to this Bylaw by directing the Development Authority Officer to initiate an application therefore.

5.8.3 All applications for amendment to the Land Use Bylaw shall be made to Council on the form provided by the municipality and shall be accompanied by the following:

- a. An application fee as established by Council;
- b. The name and mailing address of both the applicant(s), and the owner(s) of the subject site (if different from the applicant). Where the applicant is an agent acting for the owner, a letter from the owner(s) authorizing the agent to make the application;
- c. The legal description of the subject site and a recent title search of the land affected;
- d. The proposed uses; and
- e. An indication of the District or other changes proposed for this Bylaw by the applicant, together with reasons for the changes in support of the application.

5.8.4 In order to prepare the proposed Bylaw amendment for Council, the Development Officer may refer the application to such agencies as he/she considers necessary for comment.

5.8.5 During consideration and deliberation of the proposed Bylaw amendment, Council may refer the application to such agencies as it considers necessary for comment.

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- 5.8.6 Council may request such information as it considers necessary in order to reach a decision on the proposed amendment.
- 5.8.7 In the case where an application for a land use bylaw amendment has been defeated by Council, at their discretion, the Development Authority may not accept the submission of another application to amend the Land Use Bylaw, affecting the same parcel of land and for the same or similar use by the same or any other applicant for six (6) months after the date the bylaw was defeated.

Direct Control Redistricting Application Information Requirements

- 5.8.8 The Development Authority may require the applicant to submit any or all of the following:
- a. An explanation of the intent of the project;
 - b. A draft site-specific direct control district including purpose, permitted uses, development regulations, design regulations and any drawings related to the development scheme as described in subsection e);
 - c. The features of the project, which make it desirable to the general public and the County which is to include an elevation of how the project may contribute to the present and projected needs of the County as a whole;
 - d. An economic analysis of the proposal's anticipated impact on the local community and the County; and
 - e. A detailed proposal containing the following information:
 - i. Site plan, including location of all proposed buildings, detailed floor plan at the discretion of the Development Authority;
 - ii. Elevation and architectural treatment of all buildings and associated structures;
 - iii. Proposed servicing scheme and its relationship to the County's existing and/or proposed servicing plans;
 - iv. All yard setbacks, site coverage, site areas, floor areas, sizes of lots, number of parking stalls;
 - v. Anticipated scheduling and sequence of development;
 - vi. Mechanisms by which conformance to the proposal will be ensured, such as normally achieved through a combination of caveats, easements, service agreements and performance bonds; and
 - vii. Such additional requirements as are deemed necessary having regard to the nature of the proposed development and the surrounding use which may be affected;
- 5.8.9 Council may request an applicant to prepare a detailed submission, as outlined above.

5.9 Amending Bylaws

- 5.9.1 All amendments to this Bylaw shall be made by Council by bylaw and in conformity with the Act.



6 General Provisions

6.1 Applicability

6.1.1 Section 6 shall apply to all Land Use Districts under this Bylaw.

6.2 Access

6.2.1 No development permit shall be issued unless the proposed development has direct physical access from a county road or highway constructed, at a minimum, to the County's normal road specifications for year-round access.

6.2.2 If a county road or highway, or an access thereto, must be constructed or upgraded in order to provide adequate access to a proposed development in order to satisfy subsection 6.2.1 above, such road, highway or access shall be developed at the developer's expense and at no cost to the County.

6.3 Access and Parking

6.3.1 In all Districts, accesses onto roads shall be permitted only at locations approved by the Development Authority.

6.3.2 In all Districts, off-street parking spaces and off-street loading spaces shall be provided in accordance with the minimum requirements for each use.

6.3.3 In all Districts, parking spaces for the disabled shall be:

- a. Provided in accordance with the Alberta Building Code;
- b. Visibly designated as a parking space for the disabled using signage in accordance with Provincial Legislation;
- c. Included in the calculation of the minimum parking requirement; and

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d. Designed in such a way that users of wheelchairs are not required to pass behind parked cars.

6.3.4 Unless otherwise approved by the Development Authority, a parking space shall not be less than 2.6m (8.5ft) in width nor less than 5.45m (17.9ft) in length.

6.3.5 Unless otherwise approved by the Development Authority, all required parking spaces and loading spaces shall be located on the same lot as the main building or use.

6.3.6 If not otherwise provided for, the owner of the land to be developed may, subject to the approval of the Development Authority:

- a. Provide required off-street parking on land other than that to be developed; or
- b. In lieu of providing off-street parking, pay to the municipality such amount of money on such terms as the Development Authority 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 municipal off-street parking facilities.

6.3.7 Parking requirements for hotels / motels shall be as listed in Table 1.

Table 1. Site Requirements for Hotels/Motels

	Minimum Floor Area/Unit	Minimum Required Yards	Minimum Parking on Site
One Story	139.0m ² (1496.2ft ²)	Front 7.5m (24.6ft) Side 3.0m (9.8ft) Rear 3.0m (9.8ft)	One per sleeping unit
Two Story	92.0m ² (990.3ft ²)	Front 7.5m (24.6ft) Side 3.0m (9.8ft) Rear 3.0m (9.8ft)	One per sleeping unit

6.4 Accessory Buildings and Uses

6.4.1 Buildings and uses accessory to a discretionary use shall be treated as a discretionary land use class by the Development Authority.

6.4.2 Buildings and uses accessory to a permitted use shall be treated as a permitted land use class by the Development Authority.

6.5 Accessory Buildings in Districts other than the Agricultural District

6.5.1 An accessory building shall not be used as a dwelling unit, unless the accessory building has received a development permit allowing it to be used as a secondary suite and the secondary suite meets the provisions of Section 7.17 of this Bylaw.

6.5.2 The siting of a detached garage or other accessory building shall be in accordance with Figure 1 of this Bylaw.

6.5.3 The siting of an accessory building on an irregularly shaped parcel of land shall be as required by the Development Authority.

- 6.5.4 An accessory building shall not be located in a front yard. This provision does not apply to fences and/or shelterbelts.
- 6.5.5 An accessory building shall not be located, as shown in Figure 1, closer than:
- a. 2.0m (6.56ft) to a main building;
 - b. 0.9m (2.95ft) to an internal side yard property line;
 - c. The required side yard setback of the applicable land use district to an external side yard property line adjacent to a public road;
 - d. 0.6m (1.97ft) to a rear property line on parcels without rear lane access; and
 - e. 4.8m (15.75ft) to a rear property line on parcels with rear lane access.
- 6.5.6 The height of an accessory building shall not exceed 4.5m (14.76ft). This provision does not apply to WECS or flagpoles.
- 6.5.7 Where a structure is attached to the main building on a site by a roof, an open or enclosed structure, a floor or a foundation, the structure is to be considered a part of the main building and is not an accessory building.
- 6.5.8 Prior to granting a development permit for an accessory building, the development authority may require the accessory building to conform aesthetically to buildings in the immediate and general area. This may include giving the accessory building a new coat of paint and/or buffering it from public view.

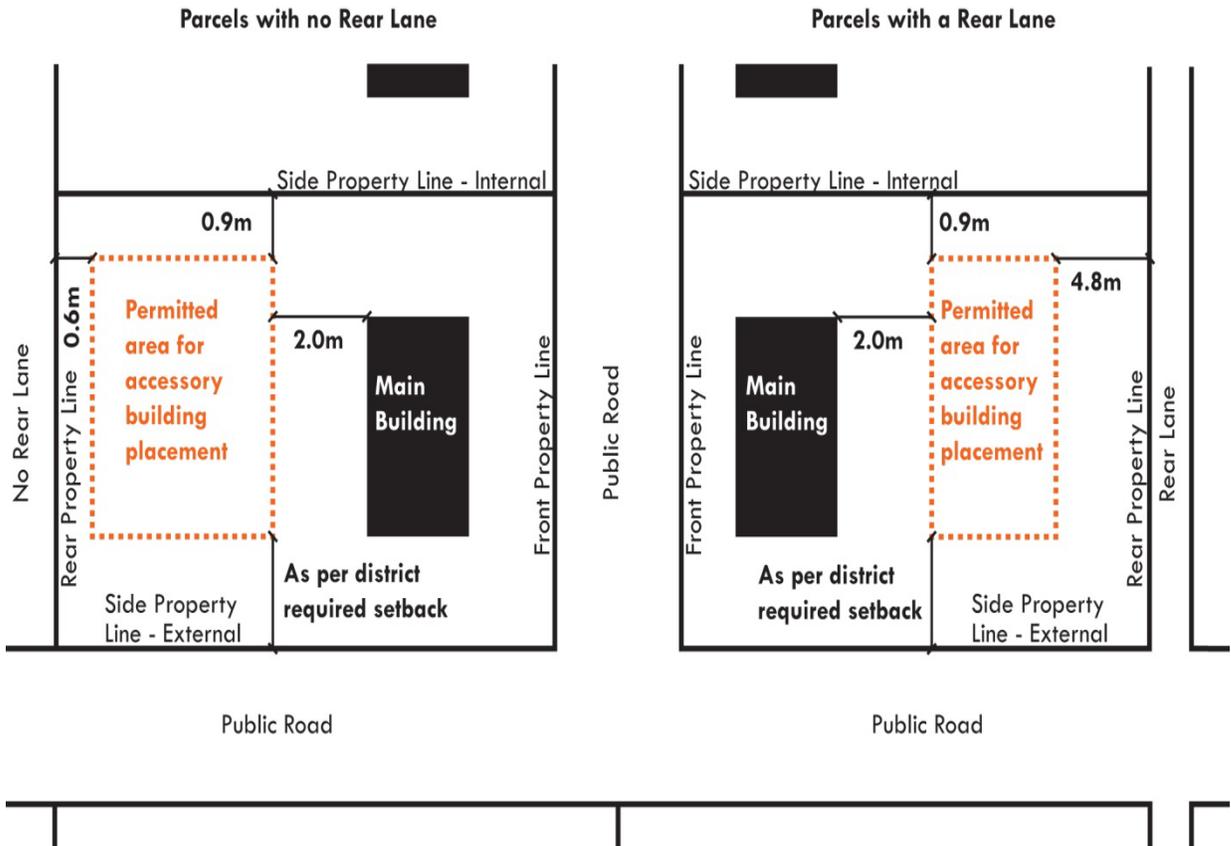


Figure 1. Siting of Accessory Buildings

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6.6 Existing Substandard Lots

- 6.6.1 Notwithstanding the provisions of this Bylaw, development on substandard lots existing on the date of the passage of this Bylaw may be approved by the Development Authority. Compliance with Provincial Regulations respecting plumbing and drainage, health, and building construction will be required. Where an application is made to subdivide an existing development and the uses conform to the Bylaw, the various minimum setback and yard requirements may be varied as the Development Authority deems suitable.

6.7 Highways and Rural Roads

- 6.7.1 No development permit shall be issued for development within 0.8 km (0.5mile) of the boundary of the right-of-way of a highway until a permit has been issued by Alberta Transportation.
- 6.7.2 Development permits are required for all development, not including shelter belts, located within 45.0m ‘
- 6.7.3 On a parcel of land located at the intersection of two rural roads, development shall be restricted or prohibited as noted on Figure 2 of this Bylaw.
- 6.7.4 On a parcel of land located in the inside of a curve of a road, development shall be restricted or prohibited as noted on Figure 3 of this Bylaw.
- 6.7.5 No development shall be located so that the access to a rural road is within 91.0m (298.6ft) of the beginning or end of a road curve.
- 6.7.6 Access to a rural road shall not be permitted where it would be:
- Less than 150.0m (492.1ft) from an existing access on the same side of the road;
 - Less than 150.0m (492.1ft) from a bridge;
 - Less than 150.0m (492.1ft) from an at-grade railway crossing; or
 - At a point where the gradient of the road is in excess of 3% when the existing surveyed road has been constructed to municipal road standards and in the case of an existing surveyed access will be permitted only if construction to municipal road standards is expected within two years and the grade will then be less than 3%.
- 6.7.7 The location of shelter belts shall be at least 16.8m (55.0ft) from the centre line of any adjacent rural road.
- 6.7.8 For rural roads:
- There shall not be more than two approaches developed per 0.8 km (0.5 mile) except at the discretion of the Development Authority Officer in consultation with the designated Public Works Supervisor;
 - Prior to any new approach being developed, the land owner shall enter into a development agreement with the municipality as described in Section 3.5.12 of this Bylaw;
 - Whenever possible, joint access shall be encouraged at the discretion of the Development Authority in consultation with the designated Public Works Supervisor.

6.8 Historical and Archaeological Sites

- 6.8.1 Historical sites or archaeological sites identified pursuant to the *Historical Resources Act* should be protected in accordance with guidelines established by Alberta Culture and Tourism.

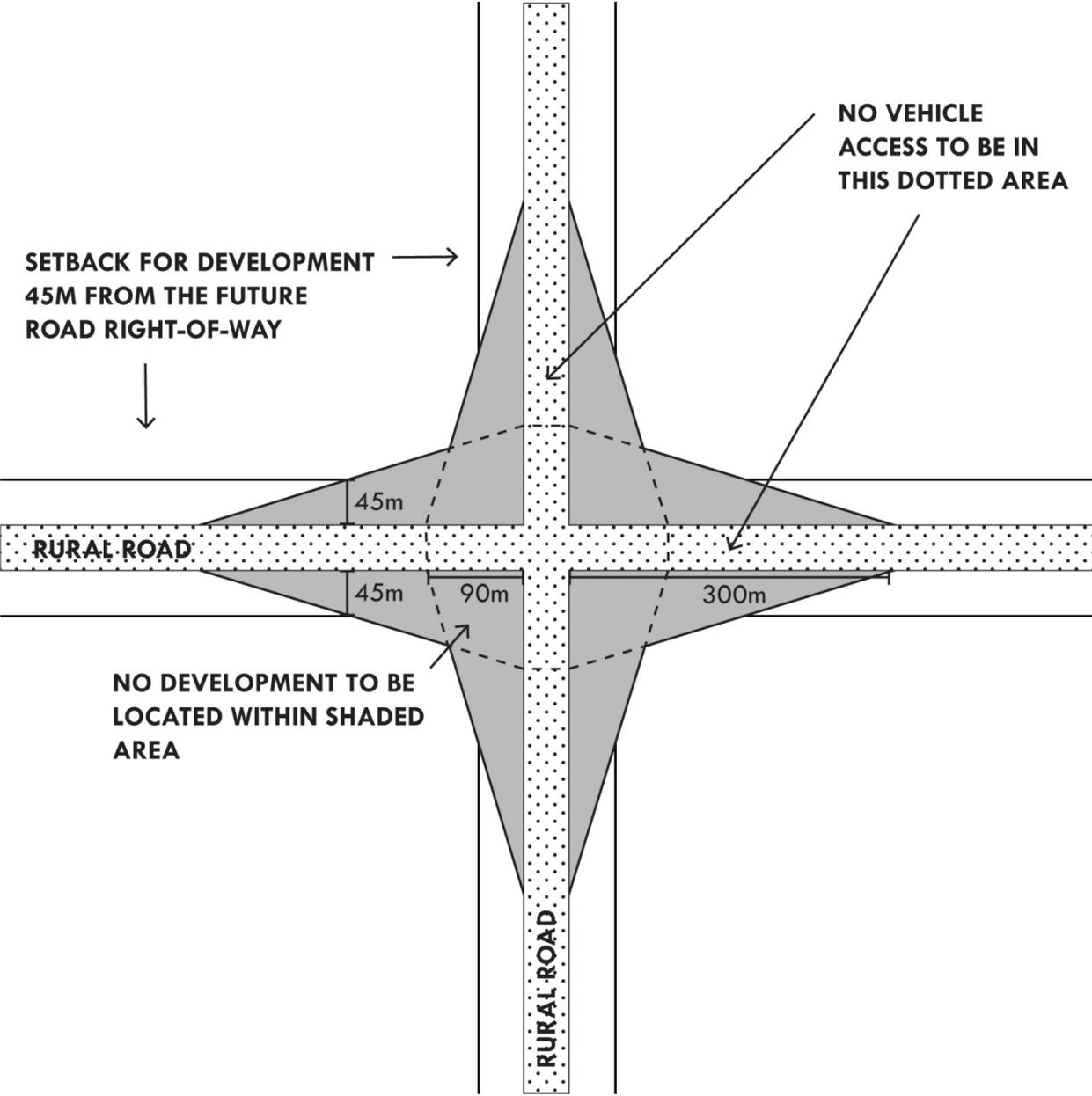


Figure 2. Setbacks from Rural Roads

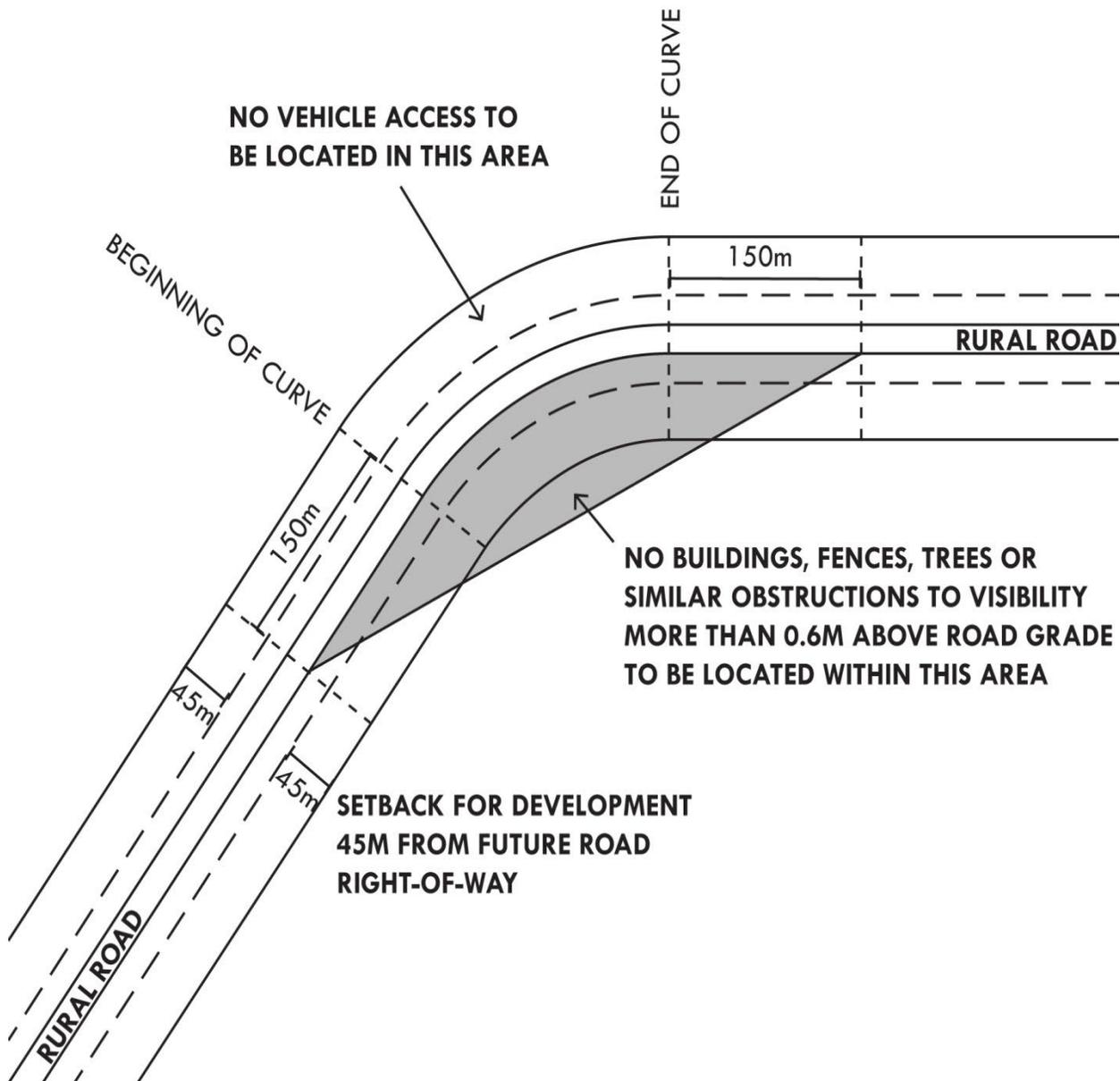


Figure 3. Setbacks from Curves

6.9 Number of Dwellings on a Lot

- 6.9.1 The number of dwelling units allowed on any parcel of land shall not exceed one, except that, at the discretion of the Development Authority, more dwelling units may be permitted on a lot in the Agricultural (A) District if the lot is greater than 4.05ha (10.0 ac).
- 6.9.2 Further to Subsection 6.9.1, when considering a development permit application for a second or additional dwelling unit on a lot, the Development Authority shall take into account whether:
- a. The placement of the second or additional dwelling unit conforms to the historically preceded religious/cultural practices and/or settlement pattern of the applicant(s) and conforms to Section 7.6;
 - b. The second or additional dwelling unit on the lot is located such that it can be subdivided from the balance of the lot in the future, in accordance with the policies and regulations of the County's Municipal Development Plan and Land Use Bylaw;
 - c. The second or additional dwelling unit is to be located on an agricultural lot. For the purpose of this subsection, in order for a lot to be deemed an agricultural lot the landowner must qualify for the Alberta Farm Fuel Benefit Program, as provided for in the *Fuel Tax Act*;
 - d. The utility infrastructure that would service the second or additional dwelling unit is located in such a way as to accommodate future subdivision; or alternatively,
 - e. The landowner/developer is prepared to relocate existing utility infrastructure and/or enter into any necessary utility easement agreements to ensure uninterrupted service provision to the second or additional dwelling unit on the lot.
- 6.9.3 A development concept plan shall be required for five (5) or more dwelling units on a lot in the Agricultural (A) District.
- 6.9.4 Subsection 6.9.1 shall not apply when the second or any additional dwelling unit is a Manufactured Home within a manufactured home park.
- 6.9.5 The location of a second or additional dwelling unit must be located at least 15.2m (50.0ft) from all other dwelling units on a lot.

6.10 Objects Prohibited or Restricted in Yards

- 6.10.1 Any dismantled or wrecked vehicle for more than fourteen (14) consecutive days unless screened from public view in a manner acceptable to the Development Authority.
- 6.10.2 No person shall keep or permit on any parcel of land:
- a. Any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the District in which it is located; or
 - b. Any excavation, storage or piling up of materials required during construction, unless all necessary safety measures are undertaken, and the owner of the material or excavation assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

6.11 Protection from Pipelines and Utility Corridors

- 6.11.1 Setbacks from pipelines and other utility corridors shall be at the discretion of the Development Authority and be in accordance with the appropriate Alberta Energy Regulator.

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6.12 Sanitary Facilities

- 6.12.1 All development shall be provided with sanitary sewage facilities in compliance with the Alberta Private Sewage Systems Standard of Practice and to the satisfaction of the Approving Authority.
- 6.12.2 Where there is a communal or municipal sewage collection system, all developments shall connect to the communal or municipal sewage collection system in accordance with the requirement of the County.

6.13 Schools

- 6.13.1 In addition to the requirements of Section 3.5.1, a development permit application for any type of school shall include the following:
 - a. A floor plan of the proposed building or buildings or a floor plan of the existing building or buildings to be renovated, as the case may be; and,
 - b. The number and location of washrooms.

6.14 Site Conditions

- 6.14.1 As a condition of the approval of any development permit, 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.
- 6.14.2 As a condition of the approval of any development permit, the Development Authority may impose conditions requiring the retention of trees, or the additional planting of trees of such a type and extent that is considered necessary by the Development Authority.
- 6.14.3 Unless unique site requirements determine otherwise, proposals for subdivision and/or development should conform to Alberta Environment and Parks Guidelines so far as they pertain to setback requirements from valley breaks, ravines and watercourses. Prior to considering the approval of any development permit, the Development Authority may require a soil analysis. The Development Authority may require at their discretion, as a condition of any development permit, additional setbacks to be provided. No development shall be permitted within an area identified as having a potential flood hazard.
- 6.14.4 The Development Authority may impose 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.
- 6.14.5 A Development Authority may impose a condition to the approval of any use requiring the applicant to:
 - a. Pay any off-site levy and or enter into an agreement with the County to construct or pay for the construction or upgrading of public roads, walks and utilities necessary to serve the development; and/or
 - b. Provide a guaranteed security to ensure that all on-site servicing, including surface drainage, is constructed to the satisfaction of the County; and/or
 - c. Require a guaranteed security to ensure the terms of any conditions are carried out.

6.15 Subdivision of Land

- 6.15.1 Where the development of land involves a subdivision of land, a development permit shall not be issued until an application for subdivision has been submitted to the Subdivision Authority for the Municipality and written evidence has been received by the Development Authority Officer that the necessary subdivision has the approval of that Subdivision Authority.

6.16 Top Soil Removal

- 6.16.1 A permit is required before the commencement or continuation of top soil removal that does not involve excavation for construction, building, or agricultural purposes. Such permits shall only be granted where it is shown to the satisfaction of the Development Authority that the land will not be adversely affected by removal. The Development Authority may refer any application for a development permit involving the removal of top soil to the Soil Conservation Officer acting under the *Soil Conservation Act*, for approval.

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7 Special Provisions

7.1 Agri-tourism Operation

- 7.1.1 Hours of operation of an Agri-tourism Operation shall be within:
- a. 6:00am to 8:00pm Monday to Friday; and
 - b. 8:00am to 10:00pm Saturday to Sunday and on Statutory Holidays.
- 7.1.2 Site access points shall be designed for two-way traffic and positioned in order to prevent negative impacts on neighbouring properties.

7.2 Alternate Energy – Commercial

Jurisdiction

- 7.2.1 The Province of Alberta and its agencies, regulates large scale / commercial energy projects. Under Sections 619 and 620 of the Municipal Government Act (MGA), the County’s regulatory role is very limited. The MGA (Sec. 619(2)) is very clear that “A licence, permit, approval or other authorization granted by the NRCB, ERCB, AER, AEUB or AUC prevails ...” over “... any statutory plan, land use bylaw, subdivision decision or development decision ...” of a municipality.

Purpose

- 7.2.2 The purpose of this section is to establish local standards for Alternate Energy – Commercial (AE-C) developments, including but not limited to solar wind, biofuel, geo-thermal, fuel cell, micro-hydro, and other energy producing technologies whose purpose is to produce energy for the commercial market.

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Provincial or Other Government Approvals

- 7.2.3 Where Provincial or Federal Government or other Agency approval has been received for an AE-C development, a copy of the said approval and supporting documents, shall be submitted to the County. The supporting information provided to the Province, Federal Government or other Agency may be used to satisfy some or all the requirements of the County.

Protection of Agricultural Lands

- 7.2.4 The use of more than 4.05 ha (10 acres) of Better Agricultural Lands (defined as lands having a farmland assessment of 60% or higher) per quarter section shall be discouraged.

General Requirements

- 7.2.5 A development permit application shall be made for every title upon which an Alternate Energy – Commercial development is proposed.
- 7.2.6 A site plan(s) shall be required for each title, but a single master set of supporting documents may be submitted for the overall project.

Public Consultation

- 7.2.7 If public consultation was held as part of the Provincial approval process for a proposed AE-C development, the details of that consultation shall be submitted to the County as part of the development permit application.
- 7.2.8 The County reserves the right to require public consultation of the development permit application(s) for an AE-C development in the following manner:

- a. The Applicant is to:
 - i. arrange and host at least one (1) open house or public meeting, in the general area of the site proposed for the development;
 - ii. advertise the time, date, and place of the open house or public meeting:
 1. in a newspaper circulating in the area of the proposed development, with the advertisement appear a minimum of two (2) weeks in advance of the public meeting, and,
 2. mail a written notice of the time, date, and place of the open house to all landowners within the area proposed for the development, and all landowners within 2 km (1.2 miles) of the boundary of the area proposed for the development;
 - iii. Ensure that the information provided at the public meeting shall be all the information that would be required as part of a Development Permit application for the proposal;
 - iv. Provide opportunities for questions and input from the public shall be allowed;
 - v. Record a summary of the presentation and the comments and input of the public attending the open house or public meeting.

Safety

- 7.2.9 All applications shall include:
 - a. An emergency response plan,
 - b. A detailed safety plan identifying any special rescue needs for workers that is beyond the local emergency responders' equipment and training capability.
- 7.2.10 All applicable Safety Codes permits are required to be obtained.

Transmission Lines

- 7.2.11 All electrical lines on the site of an AE-C development generating electrical power, shall be underground, except where the Development Authority approves otherwise.

Colour and Finishes

- 7.2.12 The buildings, supporting structures, and accessory buildings shall be painted or coated in in non-reflective and non-glossy tones and / or colours which minimize the obtrusive impact of an AE-C development.
- 7.2.13 No brand names, lettering or advertising shall appear on buildings, towers, blades, support structures or accessory buildings and structures.
- 7.2.14 The lettering or imagery that may appear on the lowest 3 m (10 ft.) of a tower or building of an AE-C development are the manufacturer's identification and contact information, the operator's identification and contact information, emergency contact information, and municipal symbol.

County Standards

- 7.2.15 All roads, approaches, culverts, fences, or other County infrastructure to be replaced, constructed, upgraded, or reconstructed, shall be built to the County's standards current at the time of construction.

Noise

- 7.2.16 The Applicant shall provide a copy of the Alberta Utilities Commission reviewed and approved noise report with the development permit application.
- 7.2.17 Where there is no Alberta Utilities Commission reviewed and approved noise report, the Applicant shall prepare and provide a noise report that meets the requirements of AUC Rule 012: Noise Control.
- 7.2.18 The AE-C can utilize berms, deflectors, sound blankets, walls, vegetation, fences, buildings, or other sound mitigative measures or any combination of these items to achieve the sounds levels described in 7.2.16 or 7.2.17.

Referral

- 7.2.19 Prior to deciding upon an application for an AE-C development, the Development Authority may refer for the review, comment, and any input provided from any of the following entities:
- a. Alberta Utilities Commission,
 - b. Alberta Transportation,
 - c. Transport Canada,
 - d. NavCanada,
 - e. Alberta Electrical Systems Operator,
 - f. Adjoining municipal boundary if the application area is within 2 km (1.2 miles) of the municipal boundary, and,
 - g. any other person, departments, agency, commission, or government the Development Authority deems necessary.

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Decommissioning

- 7.2.20 Decommissioning and reclamation shall take place in compliance with the applicable provincial standards of the day the site is decommissioned. If no standards are in place at the time of a development permit application, the Applicant shall provide a plan outlining how the site will be decommissioned and reclaimed to the site's predevelopment state as part of the Development Permit application. The decommissioning plan shall include information on the following:
- a. Treatment of buildings, footings, foundations, structures, and wires;
 - b. Reclamation of access roads, driveways, pathways, storm ponds, drainage systems, and other similar disturbances;
 - c. The type and suitability vegetation and / or ground cover to be planted and / or seeded;
 - d. Notice to be given to landowners and the County;
 - e. Containment of hazardous materials;
 - f. Site security;
 - g. Haul routes for disposal materials;
 - h. Control of noise, dust, particulates, and weeds;
 - i. Discussion of the timetable for decommissioning plan.

Financial Security

- 7.2.21 As a condition of development approval, the County may require financial security, in the form satisfactory to the Development Authority, to ensure the Reclamation / Decommissioning Plan is implemented and to cover assignment and bankruptcy. The condition may include a periodic review of the security to ensure the amount is sufficient to implement the Reclamation / Decommissioning Plan.

Discontinuance

- 7.2.22 Should an Alternate Energy Development discontinue producing power for a minimum of two consecutive years, or two cumulative years over a five-year period, the operator shall provide a report on the status of the System to the County. A review of the status report by the County may result in the request for the System to be decommissioned. Failure to comply with a decommissioning request may result in the issuance of a stop order by the County in accordance with the provision of the Municipal Government Act.

Solar Energy Conversion Systems

Applications

- 7.2.23 Development Permit applications for a solar collector system shall be accompanied by the following information:
- a. A plan showing the location of overhead and / or underground utilities on or adjacent to the subject lands;
 - b. Location and identification of environmentally sensitive areas on the project lands;
 - c. A detailed site plan showing:
 - i. the titled parcel(s),
 - ii. the location of the system on the parcel(s),
 - iii. the required setbacks,
 - iv. existing structures, if any,
 - v. the existing or proposed approach(es), and,
 - vi. the orientation of the solar collectors.

- d. The application shall also include details regarding:
 - i. the system type,
 - ii. number of structures,
 - iii. height of structures,
 - iv. energy process,
 - v. grid connection,
 - vi. rated output in megawatts,
 - vii. signage,
 - viii. public safety,
 - ix. security measures,
 - x. a site suitability analysis,
 - xi. topography,
 - xii. soil characteristics,
 - xiii. agricultural capability,
 - xiv. potential impacts on agricultural land
 - xv. stormwater management plan,
 - xvi. surface drainage plan,
 - xvii. the results of the public consultation process,
 - xviii. weed control plan and,
 - xix. an environmental impact assessment prepared by a qualified professional demonstrating site suitability, impact mitigation and reclamation requirements;

Glare

- 7.2.24 Solar panels must be located such that they do not create glare on neighbouring properties or public roadways.

Projections

- 7.2.25 Solar collectors mounted to the roof of a building or structure shall not extend beyond the outermost edge of the roof.

Height and Setbacks

- 7.2.26 The maximum heights and setbacks of building mounted or ground mounted solar collection systems shall be subject to the height and setback requirements of the applicable Land Use District.

Fire Protection

- 7.2.27 The spacing and height of solar collectors shall be designed to provide access for firefighting.

Density

- 7.2.28 The location of and maximum number of solar collectors per Title may be regulated by the Development Authority.

Wind Energy Conversion Systems (WECS)

Applications

- 7.2.29 An individual development permit application shall be submitted for each titled parcel.

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- 7.2.30 Development Permit applications for a wind energy conversion system shall be accompanied by the following information:
- a. An accurate site plan showing and labeling the information outlined in this section and the location of overhead and / or underground utilities on or adjacent to the subject lands;
 - b. A digital version of the site plan showing the exact location and base elevation of each WECS in UTM coordinates with NAD datum, Zone X;
 - c. A visual representation of the WECS project including scale elevations, photographs and / or digital projections of the project showing height, rotor diameter, colour and landscape;
 - d. A digital version of the site plan showing the exact location and base elevation of each WECS in UTM coordinates and NAD datum, Zone AA;
 - e. The specifications indicating:
 - i. the type of material used in tower, blade, and rotor construction,
 - ii. grid connections
 - iii. size of any substations,
 - iv. iv signage,
 - v. security measures,
 - vi. site suitability analysis,
 - vii. topography,
 - viii. soil characteristics,
 - ix. agricultural capability,
 - x. potential impacts on agricultural land
 - xi. stormwater management plan,
 - xii. surface drainage plan,
 - xiii. the location of any dwellings or structures on the property,
 - xiv. setbacks,
 - xv. weed control plan and,
 - xvi. an environmental impact assessment prepared by a qualified professional demonstrating site suitability, impact mitigation and reclamation requirements;
 - f. The manufacturer's specifications indicating:
 - i. the proposed systems rated output in megawatts,
 - ii. the safety features,
 - iii. the type of material used in the tower, blade, and rotor construction,
 - iv. foundation design and / or anchor design, including the location and anchoring of any guy wires;
 - g. An analysis of the potential for noise and shadow / flicker effect, both at the site of the installation, at the boundary of the property containing the development, and at any habitable residence within 2 km (1.2 miles) of any WECS in accordance with Alberta Utilities Commission Rule 12;
 - h. The results of the public consultation process;
 - i. The potential for electromagnetic interference;
 - j. The nature and function of over speed controls which are provided;
 - k. The status of the Applicant's circulation to NavCanada, Transport Canada, Alberta Utilities Commission, and any other government department or agency required for provincial approval;
 - l. Information on public safety;

- m. Identification of any roads to be used or constructed for use during construction of the project and any impacts to the existing road system including required approaches from public roads;
- n. A copy of the Wire Service Provider (WSP) approval if the WECS is proposed to be connected to the provincial power grid;

Density

- 7.2.31 The Development Authority may approve one or more Individual WECS structures on a titled parcel having regard for:
- a. The proximity to other adjacent land uses;
 - b. The overall density of the WECS project;
 - c. A consideration of the cumulative effect of all WECS approved or proposed within 5 km (3 miles) of the proposal;
 - d. The underlying utilities;
 - e. The information received through the circulation process, public consultation process and through the redistricting public hearing.

Setbacks

- 7.2.32 The setback distance between a WECS and a dwelling, within and without the project boundary, shall be as established by the Alberta Utilities Commission through the calculations of AUC Rule 012.
- 7.2.33 The WECS's tower shall be setback from the boundary of all County roads and rights of way (developed or undeveloped), a minimum distance equal to but not less than one blade length plus 10 percent.
- 7.2.34 A WECS shall be setback not less than one blade length plus 7.5 m from all other property lines.
- 7.2.35 If the tower utilizes guy wire anchors, the anchors, but not the tower, may be located no closer than 3.0 m (10 ft.) to the property lines.

Minimum Blade Clearance

- 7.2.36 The minimum vertical blade clearance from grade shall be 7.6 m (25 ft.) for a WECS employing a horizontal rotor.

Tower Access and Safety

- 7.2.37 To ensure public safety, the Development Authority may require that:
- a. If the tower is climbable, a security fence with a lockable gate, not less than 1.9 (6 ft.) in height, shall be installed around a WECS tower;
 - b. No ladder or permanent tower access device shall be located less than 3.7 m (12 ft.) from grade;
 - c. A locked device shall be installed on the tower to preclude access to the top of the tower;
 - d. Additional access control features or such additional safety mechanisms or procedures may be required by the Development Authority;
 - e. The use of tubular towers, with locked door access, will preclude the above requirements.

Speed Control

- 7.2.38 The system shall be equipped with manual and automatic over speed controls.

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- 7.2.39 The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or civil engineer.

Electro-magnetism

- 7.2.40 The system shall be operated such that any electro-magnetic interference is dealt with as per the permit issued by the AUC. If electro-magnetic interference is determined during operation, the developer will work with the affected stakeholder(s) to mitigate any issues.

Shadow/Flicker

- 7.2.41 The Applicant shall provide a copy of the Alberta Utilities Commission reviewed and approved Shadow / Flicker report with the development permit application.
- 7.2.42 Where there is no Alberta Utilities Commission reviewed and approved Shadow / Flicker report, the Applicant shall prepare and provide a Shadow / Flicker assessment that meets the requirements of AUC Rule 007.

Other Energy Systems

Applications

- 7.2.43 Development Permit applications for all other types of Alternate Energy production systems shall be accompanied by the following information:
- a. An accurate site plan showing and labelling:
 - i. the legal location(s) of the proposed system,
 - ii. the location of the proposed system on the property or properties in relation to property lines and existing or proposed buildings or structures,
 - iii. the location of the existing or proposed access,
 - iv. the identification of any sensitive environmental features,
 - v. the topography of the site,
 - vi. the method of exporting the energy off site – power lines, pipelines, vehicles, etc.
 - b. Detailed information on the type of facility, structure, or system of the energy process involved
 - c. The manufacture's specifications, indicating (if applicable):
 - i. the rated output in megawatts or gigajoules, and,
 - ii. the safety features;
 - d. Any information regarding public safety;
 - e. Information or verification of:
 - i. the volume of water, if required,
 - ii. the source of the water, if required,
 - iii. the reclamation process of any water utilized by the system,
 - iv. the stormwater management system, if required,
 - v. the method of disposal of any waste material generated by the system,
 - vi. the generation and mitigation of any noise, vibration, odour, light, particulate that results from the production process;
 - f. An analysis of the potential fire, explosive, or other hazards of the proposed system;

- g. A Traffic Impact Assessment or other information / analysis of traffic volumes and any impacts to the local road system;

Setbacks

- 7.2.44 The buildings and structures of non-solar and non-wind based Alternate Energy Development(s) shall comply with all the setbacks established in the District in which it is located with the following modifications:
 - a. A minimum of 250 m (820 ft.) from any residential dwelling, food establishment, institutional use or public use, facility or building;
 - b. A minimum of 100 m (328 ft.) from the boundary of any creek, stream, river, lake shore or water body.

Geothermal Systems

- 7.2.45 All geothermal systems shall be Closed Loop systems. Open Loop systems (pump & dump) are not allowed.
- 7.2.46 Must comply with CSA-C448 and subsequent amendments. Exceptions may be allowed, at the discretion of the Development Authority, provided documented proof is provided showing that the exception meets or exceeds CSA-C448 standard.
- 7.2.47 Installations must be stamped by a qualified Professional Engineer registered under the “Engineering, Geological, or Geophysical Professions Act” of Alberta or have the system and installer certified by the Canadian GeoExchange Coalition (CGC) or other future governing body having jurisdiction within the Province of Alberta.
- 7.2.48 Heat-transfer fluids within a geothermal system shall be of the most environmentally friendly type available at the time of installation. In no case may an ethylene glycol-based fluid be used nor shall any flammable or combustible agent such as methanol, ethanol, natural gas, or propane be used.

Conditions of Approval for Any Alternate Energy – Commercial Development

- 7.2.49 Depending on the type of AE-C proposed, the Development Authority shall consider, as limited by Sections 619 of the Municipal Government Act, or not as the case may be, in addition to any other conditions authorized under other sections of this Bylaw or Statutory Plan, attaching conditions related to any of the following:
 - a. Entering into a development agreement with the County in accordance with the Municipal Government Act;
 - b. Preparing by qualified professionals and at the Applicant’s expense, all the necessary studies, maps, diagrams, reports, and analysis, whether printed and / or digital, required in support to their application;
 - c. Confining all surface drainage on site and protecting any adjacent water bodies from run-off;
 - d. Treating any wastewater on site and / or disposing of any wastewater as required by the County;
 - e. Disposing of any non-wastewater liquids in accordance with the requirements of the County;
 - f. Storing / containing all feedstock and materials within buildings or containment facilities;
 - g. Disposing of any other waste materials;
 - h. Restricting vehicle / truck traffic, whether owned or contracted by the Applicant, that transport construction material, raw material or feedstock or finished / processed goods associated with the development to designated haul routes and times through an agreement and the provision of securities;
 - i. Dust control measures;
 - j. Sound control measures;
 - k. Installing underground all energy transmission (whether electrical, liquid or gas) lines from the site to the applicable collection point;

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- l. Securing all necessary approvals from any other agency with jurisdiction on the type of AE-C development proposed and providing the County with a copy of the approval required;
- m. Identifying and providing for a staged or phased development;
- n. Placing restrictions on parts or elements of the proposed development, such as but not limited to locations, heights, colours, densities, setbacks, etc.;
- o. Constructing or paying for the construction of any new or the upgrading of any existing municipal infrastructure related to the project, such as but not limited to roads, approaches, signage, water lines, and sewage lines;
- p. Requiring ground cover, weed control, grading, soil erosion control emergency / fire suppression, and drainage measures;
- q. Specifying time periods to:
 - i. start, suspend, and complete construction activities,
 - ii. trigger decommissioning activities;
- r. Providing for the amenity of the site or development through improvements such as landscaping, berms, and buffering; and,
- s. Any other condition or conditions necessary to give form and effect to the project.

7.3 Alternate Energy – Individual

Purpose

The purpose of this section is to establish standards for small scale Alternate Energy developments, including but not limited to solar, wind, biofuel, geo-thermal, fuel cell, micro-hydro, for use by households, agricultural operators, or individual business to meet some or all of their energy needs on the production site (dwelling, business, or operation), or a site immediately adjacent to the production site.

General Requirements for All Individual Systems

- 7.3.1 No re-districting is required for a lot or site for an Alternate Energy – Individual development.
- 7.3.2 A development permit is required for any Alternate Energy – Individual developments, and such developments shall be considered a Permitted Use.
- 7.3.3 All applicable Safety Codes permits are required.
- 7.3.4 If the subject site is located within lands subject to Alberta Transportation’s jurisdiction, an approved Roadside Development Permit from Alberta Transportation shall be required and included with the Development Permit application. (For the purposes of Section 683.1(1) of the Municipal Government Act, an application shall not be considered as received unless the Roadside Development Permit is included with the application.)

Solar Energy Conversion Systems Applications

- 7.3.5 In addition to the requirements of Part 3 of this Bylaw, the application shall include:
 - a. Information of any impacts to the County road system such as, but not limited to:
 - i. Identification of the roads to be used to construct and operate the development,
 - ii. number, type of vehicle movements, and load weights,
 - iii. expected time-period of movements: short-term, periodic, or ongoing,
 - iv. need for any upgrading of an existing road,
 - v. need for new approach or expansion of existing approach.

- b. For systems that are to be tied into the grid, evidence that the Utility Operator has been informed of the Applicant's intent to install an interconnected customer-Owner generator.
- c. Documentation demonstrating that the system is designed to produce energy primarily for the sole use and consumption on-site by the landowner, resident, occupant, or business;
- d. The manufacturer's specifications for the proposed system and rated output in kilowatts;
- e. A site plan showing the location, setbacks, and orientation of the solar collectors;
- f. For panels, tubes, or other infrastructure to be affixed to the wall of a building or accessory structure,
 - i. a description of how the panels, tubes or other infrastructure is to be mounted or affixed,
 - ii. the maximum projection from the wall, and,
 - iii. the structural capacity of the building, roof, and / or wall to support the proposed development;
- g. For free-standing or ground mounted solar collectors,
 - i. a description of the proposed ground mount design,
 - ii. the clearance to the bottom of the collectors,
 - iii. the maximum height from existing grade, and,
 - iv. the method of vegetation / weed control.

Glare

- 7.3.6 Solar collectors must be located such that they do not create glare onto neighboring properties or public roadways.

Mounting and Projection

- 7.3.7 Solar collectors mounted to the roof of a building or structure shall not extend beyond the outermost edge of the roof.
- 7.3.8 The maximum projection of any solar collectors affixed to a wall of a building or structure in a residential District shall be:
- a. 1.5 m (5 ft.) from the surface of a wall that faces a rear lot line; and,
 - b. In all other cases 0.6 m (2 ft.) from the surface of any other wall.

Setbacks

- 7.3.9 Freestanding solar collectors shall be subject to the setback requirements of the applicable Land Use District or as required by Alberta Transportation, whichever is greater.

Height

- 7.3.10 The maximum height of a freestanding solar collector shall not exceed 2.4 m (8 ft.).
- 7.3.11 For freestanding solar collectors, sufficient clearance shall be retained under the structure to allow for weed control, grass cutting, and for fire suppression.

Density

- 7.3.12 The location of and maximum number of solar collectors per Title may be regulated by the Development Authority.

Wind Energy Conversion Systems (WECS)

- 7.3.13 Development Permit applications for a wind energy conversion system shall be accompanied by the following information:

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- a. Documentation demonstrating that the system is designed to produce energy primarily for the sole use and consumption on-site by the landowner, resident, occupant, or business;
- b. The manufacturer's specifications indicating:
 - i. the proposed systems rated output in kilowatts,
 - ii. the safety features,
 - iii. the sound characteristics, and,
 - iv. the type of material used in the tower, blade, and / or rotor construction;
- c. A site plan showing the location and setbacks of the WECS on the property;
- d. Drawings, drawn to scale, of the wind turbine structure, including the tower, base, footings, and anchoring method. An engineering analysis of the Wind Turbine Tower showing compliance with the Safety Code Act of Alberta 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.
- e. The potential for electromagnetic interference;
- f. The nature and function of over speed controls which are provided;
- g. The specifications on the foundations and / or anchor design, including the location and anchoring of any guy wires;
- h. The location of any existing buildings or improvements on the property in relation to the WECS;
- i. Evidence of compliance with applicable air traffic safety regulations. (Transport Canada must be notified of the location – latitude and longitude – and height of all wind turbine installations through the aeronautical clearance application process.)

7.3.14 Prior to deciding upon an application for a WECS, the Development Authority may refer for the review and comment, and consider any input received from the following entities:

- a. Alberta Utilities Commission,
- b. Alberta Transportation,
- c. Alberta Utilities Commission and the Alberta Energy Systems Operator for applications proposing to connect to the grid,
- d. Transport Canada,
- e. Navigation Canada, and
- f. Any other person, departments, agency, or commission the Development Authority deems necessary

7.3.15 Individual WECS shall comply with the following standards:

- a. There shall be a limit of one WECS per Titled area

Setbacks

- b. The WECS's tower shall be setback from all property lines a minimum distance equal to the height of the tower, or the minimum setbacks set out in the applicable Land Use District, or as required by Alberta Transportation, whichever is greater.
- c. If the tower utilizes guy wire anchors, the anchors, but not the tower, may be located no closer than 3.0 m (10 ft.) to the property lines.

Height

- d. A WECS tower shall not exceed a maximum height of:

- i. 12.1 m (40 ft.) on a parcel of less than 0.4 ha (less than 1 acre),
- ii. 19.8 m (65 ft.) on a parcel 0.4 – 2.0 ha (1 – 5 acres),
- iii. 24.4 m (80 ft.) on a parcel greater than 2.0 ha (5 acres).

Finish and Markings

- e. The tower and supporting structures shall be painted or coated in non-reflective/non-glossy tones and/or colours matching the existing tones and/or colours of the principal building that is on the site.
- f. Brand names or advertising associated with the system or the system’s installation shall not be visible from any public space.

Illumination

- g. Small Wind Turbine Towers shall not be artificially lit except as required by NavCanada.

Speed Controls

- h. The WECS shall be equipped with manual and automatic over speed controls.
- i. The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural, or civil engineer.

Tower Access and Public Safety

- j. If the tower is climbable, a security fence with a lockable gate, not less than 1.9 (6 ft.) in height, shall be installed around a WECS tower;
- k. No ladder or permanent tower access device shall be located less than 3.7 m (12 ft.) from grade;
- l. A locked device shall be installed on the tower to preclude access to the top of the tower;
- m. Additional access control features or such additional safety mechanisms or procedures may be required by the Development Authority;
- n. The use of tubular towers, with locked door access, will preclude the above requirements.

Electro-magnetic Interference

- o. The system shall be operated such that any electro-magnetic interference is dealt with as per the permit issued by the AUC. If electro-magnetic interference is determined during operation, the developer will work with the affected stakeholder(s) to mitigate any issues.

Output

- p. The system’s maximum power output shall not exceed 5 kilowatts.

Noise Level

- q. The noise generated by the system shall not exceed 60dB(A) or exceed more than 6dB(A) above background sound, as measured at the exterior of the closest inhabited Dwelling (at the time of installation or during operation), for wind speeds below 10 m per second (22 mph) and except short-term event such as utility outages and/or severe windstorms.

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Discontinuance

- r. Upon abandonment or termination of the system's use, the entire facility, including the system's tower, turbine, supporting structures and all equipment, shall be removed and the site shall be restored to its pre-WECS condition.

Applications for Other Individual Alternate Energy Systems

- 7.3.16 Development Permit applications for all other types of Alternate Energy production systems shall be accompanied by the following information:
- a. Documentation demonstrating that the system is designed to produce energy primarily for the sole use and consumption on-site or adjacent site by the landowner, resident, occupant, or business;
 - b. An accurate site plan showing and labeling:
 - i. The location of the proposed system on the property,
 - ii. The location of the proposed system in relation to any other buildings or structures on the property,
 - iii. The location of the existing or proposed access,
 - iv. Detailed information on the type of facility, structure, or system, and
 - v. The energy process involved;
 - c. The manufacturer's specifications, indicating (if applicable)
 - i. The rated output in megawatts or gigajoules,
 - ii. The safety features, and
 - iii. The sound characteristics;
 - d. Information on public safety regarding such aspects as fire hazards, chemicals used, storage of hazardous materials, exposure to corrosive or and hazardous fumes;
 - e. Information or verification of:
 - i. The volume of water, if required,
 - ii. The source of the water, if required,
 - iii. The reclamation process of any water utilized by the system,
 - iv. The stormwater management system, if required, and,
 - v. The method of disposal of any waste material generated by the system;

Geothermal Systems

- 7.3.17 All geothermal systems shall be Closed Loop systems. Open Loop systems (pump & dump) are not allowed.
- 7.3.18 Must comply with CSA-C448 and subsequent amendments. Exceptions may be allowed, at the discretion of the Development Authority, provided documented proof is provided showing that the exception meets or exceeds CSA-C448 standard.
- 7.3.19 Installations must be stamped by a qualified Professional Engineer registered under the "Engineering, Geological, or Geophysical Professions Act" of Alberta or have the system and installer certified by the Canadian GeoExchange Coalition (CGC) or other future governing body having jurisdiction within the Province of Alberta.
- 7.3.20 Heat-transfer fluids within a geothermal system shall be of the most environmentally friendly type available at the time of installation. In no case may an ethylene glycol-based fluid be used nor shall any flammable or combustible agent such as methanol, ethanol, natural gas, or propane be used.

Conditions of Approval for Any Alternate Energy – Individual Development

- 7.3.21 Depending on the type of Alternate Energy – Individual system proposed, the Development Authority shall consider, as limited by Sections 619 of the Municipal Government Act, or not as the case may be, in addition to any other conditions authorized under other sections of this Bylaw or Statutory Plan, attaching conditions related to the following:
- a. Entering into a development agreement with the County in accordance with the Municipal Government Act;
 - b. Preparing by qualified professionals and at the Applicant's expense, all the necessary studies, maps, diagrams, reports, and analysis, whether printed and / or digital, required in support to their application;
 - c. Confining all surface drainage on site and protecting any adjacent water bodies from run-off;
 - d. Treating and / or disposing of any wastewater on site as required by the County;
 - e. Disposing of any non-wastewater liquids in accordance with the requirements of the County;
 - f. The methods of disposing of any other waste material;
 - g. Storing / containing all feedstock and materials within buildings or containment facilities;
 - h. Restricting vehicle / truck traffic, whether owned or contracted by the Applicant, that transport construction material, raw material or feedstock or finished / processed goods associated with the development to designated haul routes and times;
 - i. Require the entering of a road use agreement and the provision of security;
 - j. Constructing or paying for the construction on any new road or approach required for the development and / or upgrading or paying for the upgrading of an existing road or existing approach required for the development;
 - k. Dust control;
 - l. Sound control;
 - m. Installing underground all energy transmission (whether electrical, liquid or gas) lines from the site to the applicable collection point;
 - n. Securing all necessary approvals from any other agency with jurisdiction on the type of AEI proposed and providing the County with a copy of the approval required;
 - o. Identifying and providing for a staged or phased development;
 - p. Placing restrictions on parts or elements of the proposed development, such as but not limited to locations, heights, colours, densities, setbacks, etc.;
 - q. Constructing or paying for the construction of non-municipal infrastructure related to the project;
 - r. Requiring ground cover, weed control, grading, soil erosion control emergency / fire suppression, and drainage measures;
 - s. Specifying time periods to:
 - i. start, suspend, and complete construction activities,
 - ii. trigger decommissioning activities;
 - t. Providing for the amenity of the site or development through improvements such as landscaping, berming, and buffering; and,
 - u. Any other condition or conditions necessary to give form and effect to the project.

7.4 Amateur Radio Antennas

7.4.1 An amateur radio antenna shall:

- a. Be a free standing, ground-mounted unit installed to the manufacturer's specifications;
- b. Be located only in a rear yard;

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- c. Be no higher than 18.0m from the ground;
- d. Not be illuminated nor have any signs; and
- e. Be landscaped, if required by a Development Officer to reduce the negative visual impact on adjacent properties;

7.4.2 Notwithstanding the above, where a ground mounted unit would prohibit adequate transmission and reception as demonstrated to a Development Officer, a Development Officer may allow an amateur radio antenna to be installed on the roof of a building to a maximum combined height of 19.0m (62.3ft), except that it may be 46.0m (150.9ft) in the Agricultural District.

7.5 Bed and Breakfast Establishment

7.5.1 A bed and breakfast shall:

- a. Be considered an accessory use to a principal residential use;
- b. Be operated only by the permanent resident(s) of the principal dwelling and one (1) non-resident employee on site;
- c. Have no more than a maximum of four (4) commercial accommodation units;
- d. Not change the residential character and external appearance of the dwelling involved;
- e. Have all meals prepared within a residential kitchen;
- f. Not have any accommodation unit containing a kitchen or food preparation facility;
- g. Meet the parking requirements of Section 6.3.
- h. Meet the signage requirements of Section 7.23.
- i. Not cause any nuisances that would negatively impact the privacy or enjoyment of adjacent residences.

7.6 Cannabis Production and Distribution Facility

7.6.1 Regulations within this section apply to the production and development of licensed cannabis for medical and non-medical purposes.

- a. Cannabis production and distribution facility developments shall not be permitted unless all applicable licensing and approvals have been provided by the provincial and federal governments.
- b. A copy of the current license(s) and/or approvals for a proposed cannabis production and distribution facility development, as issued by the provincial and/or federal government, shall be provided to the Development Authority with the development permit application or as a condition of development permit approval.
- c. The design of buildings on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.
- d. Hours of operation may be restricted as a condition of the development permit issued by Development Authority.
- e. The illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet the requirements under municipal, provincial and federal regulations.
- f. The minimum required lot size shall be at the discretion of the Development Authority.
- g. Parking and loading requirements for cannabis production and distribution facilities shall be provided based on the requirements for an industrial use in Section 6.3 of this Bylaw, and any applicable requirements in provincial and federal regulations, as amended.

- h. Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- i. Applications for subdivision of land for this use may be required to include the information required by the Development Authority in Section 3.5.
- j. Landscaping requirements shall be at the discretion of the Development Authority.
- k. On site buffering measures may be required for all cannabis production and distribution facilities. Buffers may include a combination of: setbacks, landscaping, and fencing to mitigate the impacts on adjacent lots.
- l. The minimum required setback from any watercourse or water body shall be 30.0 m (98.0 ft.).
- m. The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
- n. A building or structure used for security purposes for a cannabis production and distribution development may be located in the front yard and must comply with the required minimum setbacks in the applicable district.
- o. No outdoor storage of goods, material, or supplies shall be permitted.
- p. Cannabis production and distribution facility developments shall meet security and premises requirements as required under provincial and federal legislation.
- q. All activities related to the cannabis production and distribution facility shall occur within fully enclosed stand-alone building(s), including but not limited to loading, receiving, and shipping of cannabis and any other goods, materials, and supplies.

7.7 Cannabis Retail Sales

- 7.7.1 Cannabis retail sales developments shall not be permitted unless all applicable licensing and approvals have been provided by the provincial and federal governments.
- 7.7.2 A copy of the current license(s) and/or approvals for a proposed cannabis retail sales development, as issued by the provincial and/or federal government, shall be provided to the Development Authority with the development permit application or as a condition of development permit approval.
- 7.7.3 The design of buildings on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.
- 7.7.4 Hours of operation may be restricted as a condition of the development permit issued by Development Authority.
- 7.7.5 The illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet the requirements under municipal, provincial and federal regulations.
- 7.7.6 The minimum required lot size shall be at the discretion of the Development Authority.
- 7.7.7 Parking and loading requirements for cannabis retail sales shall be provided based on the requirements for a commercial use in Section 6.3 of this Bylaw, and any applicable requirements in provincial and federal regulations, as amended.
- 7.7.8 Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- 7.7.9 Applications for subdivision of land for this use may be required to include the information required by the Development Authority in Section 3.5.

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- 7.7.10 Landscaping requirements shall be at the discretion of the Development Authority.
- 7.7.11 No outdoor storage of goods, material, or supplies shall be permitted.
- 7.7.12 Cannabis retail sales developments shall meet security and premises requirements as required under provincial and federal legislation.
- 7.7.13 Cannabis retail sales establishments, as defined in this Bylaw, shall be prohibited from locating within 100.0 m (328.1 ft.) of a public education facility, a provincial health care facility, or a parcel of land that is designated School Reserve, or Municipal and School Reserve.
- 7.7.14 A public education facility, a provincial health care facility, or a parcel of land that is designated as School Reserve, or Municipal and School Reserve shall not be approved within 100.0 m (328.1 ft.) of an approved cannabis retail sales establishment.
- 7.7.15 The separation distance between the cannabis retail sales establishment and the uses listed in subsections 7.7.13 and 7.7.14 shall be determined by measuring a straight line from the outer wall of the proposed cannabis retail sales establishment to the closest point on the lot containing the sensitive use.

7.8 Cluster Farm Dwelling and Associated Uses

- 7.8.1 Cluster Farm Dwelling and Associated Uses shall be considered on Agricultural (A) lands with a contiguous area equal to or greater than 256ha (640ac).

7.9 Guest Ranch

- 7.9.1 A Guest Ranch shall:
 - a. Be considered a secondary use ancillary to the primary residence;
 - b. Have no more than fifteen (15) commercial accommodation units in each development;
 - c. Have meals prepared in a residential kitchen;
 - d. No accommodation unit shall include a kitchen or food preparation facilities;
 - e. Meet public health regulations and be kept in a manner satisfactory to the regulating health authority;
 - f. Meet the parking requirements of Section 6.3.
 - g. Meet the signage requirements of Section 7.23.
 - h. Not cause any nuisances that would negatively impact the privacy or enjoyment of adjacent residences.

7.10 Hotels / Motels

- 7.10.1 Where permitted under this Bylaw, motels shall comply with the following special provisions:
 - a. For the purposes of this Section, a rentable unit means a separate unit on a hotel / motel site used or intended to be used for the accommodations of one or more persons.
 - b. Except in the case of rentable units and any other buildings connected by a continuous roof to form a shelter for motor vehicles, not less than 3.6m (11.8ft) of clear and unoccupied surface space shall be provided between each rentable unit and any other building on the site.
 - c. Each rentable unit of a Motel shall face onto or abut a driveway not less than 6.0m (19.7ft) in width and shall have unobstructed access thereto.
 - d. Not more than one motor vehicle entrance and one motor vehicle exit of a Hotel / Motel to a street, each with a minimum width of 7.5m (24.6ft) at its narrowest point, shall be permitted, provided that one combined motor vehicle entrance and exit shall be permitted, not less than 9.0m (29.5ft) in width.
 - e. The owner, tenant, operator or person in charge of a hotel/motel shall at all times:

- i. Maintain the site, buildings, structures, and improvements in a clean, tidy and attractive condition free from all rubbish and debris;
- ii. Maintain garbage and/or incineration facilities to the satisfaction of the Development Authority;
- iii. Maintain an appropriate fence where required, not less than 75.0cm (30.0in) in height around the boundaries of the site;
- iv. Landscape and keep the site landscaped; and
- v. Be responsible for providing all utility and sewage disposal and water supply facilities to meet the requirements of Provincial Regulations and legislation.

7.11 Industrial Hemp Production Facility

- 7.11.1 Industrial hemp production and distribution facilities shall not be permitted unless all applicable licensing and approvals have been provided by the provincial and federal governments.
- 7.11.2 A copy of the current license(s) and/or approvals for a proposed industrial hemp production and distribution facility, as issued by the federal government, shall be provided to the Development Authority with the development permit application or as a condition of development permit approval.
- 7.11.3 The design of buildings on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.
- 7.11.4 Hours of operation may be restricted as a condition of the development permit issued by Development Authority.
- 7.11.5 The illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet the requirements under municipal, provincial and federal regulations.
- 7.11.6 The minimum required lot size shall be at the discretion of the Development Authority.
- 7.11.7 Parking and loading requirements for an industrial hemp production and distribution facility shall be provided based on the requirements for an industrial use in Section 6.3 of this Bylaw, and any applicable requirements in provincial and federal regulations, as amended.
- 7.11.8 Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.
- 7.11.9 Applications for subdivision of land for this use may be required to include the information required by the Development Authority in Section 3.5.
- 7.11.10 Landscaping requirements shall be at the discretion of the Development Authority.
- 7.11.11 On site buffering measures may be required for all industrial hemp production and distribution facilities. Buffers may include a combination of: setbacks, landscaping, and fencing to mitigate the impacts on adjacent lots.
- 7.11.12 Minimum setback from any watercourse or water body shall be 30.0 m (98.0 ft.).
- 7.11.13 The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.
- 7.11.14 A building or structure used for security purposes for a hemp production and distribution facility may be located in the front yard and must comply with the required minimum setbacks in the applicable district.

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7.12 Industrial Uses

7.12.1 The Development Authority may request advisory comments, be made in writing, by the following authorities whose interest or jurisdiction may be affected when reviewing industrial use development applications in rural areas:

- a. Alberta Agriculture and Forestry;
- b. Alberta Community Development (ACD) and/or Alberta Culture and Tourism (ACT);
- c. Alberta Energy Regulator (AER);
- d. Alberta Environment and Parks (AEP);
- e. Alberta Transportation (AT) and/or Alberta Infrastructure (AI);
- f. Alberta Health Services (AHS); and
- g. Local Fire Authority.

7.12.2 Each application for industrial development shall be accompanied by the following information:

- a. Location;
- b. Type of industry;
- c. Size of buildings;
- d. Number of employees;
- e. Estimated water demand and anticipated source;
- f. Type of effluent and method of treatment;
- g. Transportation routes to be used (rail and road);
- h. Reason for specific location;
- i. Drainage / Storm Water Management;
- j. Traffic Generation;
- k. Any accessory works required (pipeline, railway spurs, etc.);
- l. Anticipated residence location of employees;
- m. Any other information as may be reasonable, as required by the Development Authority; and
- n. The location of the nearest three (3) residences.

7.13 Keeping of Livestock

7.13.1 Within the Urban General (UG), Country Residential (CR), Country Residential Resort (RR) and Intensive Campground (IC) districts the keeping of livestock shall not be permitted.

7.13.2 Within the Country Residential Estates (CRE) District and within subdivisions 4.05ha (10.0ac) or less, in which non-commercial agriculture is allowed, the following shall apply:

- a. Maximum allowable livestock quantities shall be determined by animal unit and lot sizes, as defined by the Table 2 and Table 3.

Table 2. Livestock Animal Units

Type of Livestock	Number of Animal Equivalent to One Animal Unit
Dairy Cow (plus calf / calves under 6 months*)	1

Type of Livestock	Number of Animal Equivalent to One Animal Unit
Beef Cow (plus calf / calves under 6 months*)	1
Sheep / Goat (plus lambs / kids under 6 months*)	5
Horse (plus foal under 6 months*)	1
Pig (plus piglets under 2 months*)	1
Poultry: chicken (hen and rooster), quail, pheasant and turkey (plus chicks under 6 months*)	10
Rabbit (plus kits under 2 months*)	15

*Once the age of the offspring exceeds the temporary maturation period the animal(s) shall count towards the total number of animals on a site.

Table 3. Maximum Allowed Animal Units by Lot Area

Lot Area	Maximum Number of Animal Units
1.21ha (3.00ac) – 2.42ha (5.99ac)	3 animal units (maximum)
2.43ha (6.00ac) – 3.23ha (7.99ac)	5 animal units (maximum)
3.24ha (8.00ac) – 4.05ha (10.00ac)	7 animal units (maximum)

- 7.13.3 Livestock not housed in an enclosed structure, such as a barn, must be confined to the site by way of fencing and/or buffering that shall be constructed to the satisfaction of the Development Authority to minimize or eliminate the impact of noise, odour or visual presence on surrounding properties.

7.14 Manufactured Homes

Interpretation

- 7.14.1 For the purpose of this Section and throughout this Bylaw, the following definitions shall apply:
- CSA means the Canadian Standards Association; and
 - AMA means Alberta Municipal Affairs.

Development Permit Application

- 7.14.2 A development permit application for a manufactured home shall contain, in addition to Subsection 3.5.1:
- Recent colour photos of all exterior sides of the manufactured home; and
 - Proof of associated Canadian Standards Association (CSA) and Alberta Municipal Affairs (AMA) labels.

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Development Permit Approval

- 7.14.3 A development permit approval for a manufactured home shall be issued if the manufactured home:
- a. Contains a Canadian Standards Association (CSA) CSA A277 label with a date 1992 or greater to verify that the home was built by a certified manufacturer under a quality assurance program;
 - b. Contains an Alberta Municipal Affairs (AMA) label to confirm the manufactured home was designed and built to Part 9 of the Alberta Building Code as a single-family dwelling.; and
 - c. Has a minimum width of 5.0m (16.4ft).

Appearance

- 7.14.4 The Development Authority reserves the right to refuse a development permit for a manufactured home that contains exterior roof and wall materials that are in poor appearance or condition.
- 7.14.5 The Development Authority may impose as a condition on a development permit for a manufactured home that renovations be completed, within thirty (30) days after placement of the manufactured home on the property, to enhance the exterior appearance.

Development Permit Conditions

- 7.14.6 A development permit for a manufactured home shall include the following conditions:
- a. That the undercarriage of an manufactured home be completely screened by skirting from the grade level to floor level, with a matching material to the manufactured home exterior, within 30 days of the manufactured home being placed on a property;
 - b. That aesthetically compatible entrance steps and landings to the manufactured home be constructed within thirty (30) days of the manufactured home being placed on a property;
 - c. The manufactured home shall be placed on a foundation or base in accordance with the requirements of the Alberta Building Code;

Missing CSA and / or AMA Labels

- 7.14.7 A development permit for a manufactured home that does not contain a CSA A277 and/or an AMA label shall not be granted approval unless:
- a. An inspection report, prepared by an Alberta Safety Codes Officer, has been provided that identifies necessary upgrades in order for the manufactured home to come into compliance with the CSA A277 standard or regulations made pursuant to the *Alberta Safety Codes Act*; and
 - b. Conditions of the development permit include:
 - i. Necessary upgrades identified within an inspection report are to be completed prior to occupation of the manufactured home and within thirty (30) days after placement of the manufactured home on the property; and
 - ii. The Development Authority shall receive verification from an Alberta Safety Codes Officer that upgrades, identified within an inspection report, have been satisfactorily completed prior to occupancy of the manufactured home.

7.15 Manufactured Home Parks**Development Standards**

7.15.1 A Manufactured Home Park shall have the following development standards:

- a. Min. Site Area: 2.0ha (4.94ac)
- b. Development Setbacks
 - i. Front: 7.5m (24.6ft)
 - ii. Side: 4.5m (14.8ft)
 - iii. Rear: 4.5m (14.8ft)
- c. Max. Building Height: 6.0m (19.7ft) or one (1) storey.

7.15.2 A Manufactured Home Space shall have the following development standards:

- a. Min. Size: 420.0m² (4,520.8ft²)
- b. Max. Coverage: 42.5%
- c. Development Setbacks
 - i. Front: 3.0m (9.8ft)
 - ii. Side: 3.0m (9.8ft)
 - iii. Rear: 3.0m (9.8ft)

Internal Roads

7.15.3 Internal roads of a Manufactured Home Park shall:

- a. Have a minimum right-of-way width shall be 9.0m (29.5ft); and
- b. Be constructed and maintained to the satisfaction of the Development Authority.
- c. Dust abated.
- d. Provide for one main access and an emergency access.

Parking

7.15.4 Each Manufactured Home Space shall provide two (2) off-street parking stalls.

7.15.5 Visitor parking spaces shall:

- a. Be provided at a ratio of at least one (1) space for every two (2) Manufactured Home Spaces; and
- b. Be located at convenient locations throughout the Manufactured Home Park, and shall not be used for the storage of boats, trailers, etc.

Site Design

7.15.6 The design of a Manufactured Home Park shall be to the satisfaction of the Development Authority.

7.15.7 A Manufactured Home Park shall provide a pedestrian walkway system of at least 1.0m (3.28ft) in width for movement between individual Mobile Homes, the park street and all community facilities provided for park residents.

7.15.8 Manufactured Home Park facilities shall be encouraged to be arranged in a cluster-style development pattern in order to facilitate the provision of increased open space and reduce the amount of infrastructure needed to service the manufactured home park.

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7.15.9 In a Manufactured Home Park, 10% of the gross site area shall be devoted to recreational use or open space. This recreation space shall be placed in locations convenient to all park residents, designed to minimize traffic hazards, and shall not be included in areas designated as buffer strips.

7.15.10 Each manufactured home space shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs, or hedges.

Landscaping

7.15.11 All areas of a Manufactured Home Park including internal roads, pedestrian walkway system, driveways, permanent buildings and any other developed facilities, shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where determined necessary by the Development Authority around storage and laundry yards, refuse collection points, and playgrounds.

Lighting

7.15.12 Street lighting in a Manufactured Home Park shall be to the same standards as that in a Hamlet.

Utilities

7.15.13 All municipal utilities shall be provided underground to dwellings in a manufactured home park.

Signs

7.15.14 Only one main, free standing identification sign 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 may be allowed under exceptional circumstances of the layout, location and size of the park related to surrounding areas. The sign or signs shall be of a size, type and construction of residential character and appearance, and acceptable to the Development Authority.

7.15.15 Directional signs within the Manufactured Home Park shall be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.

Additional Regulations

7.15.16 Any porch or addition to the Manufactured Home is regarded as part of the Manufactured Home for the purpose of determining Manufactured Home Space setbacks.

7.15.17 No part of a manufactured home park shall be used for non-residential purposes except for home occupations, where a development permit has been issued, and such other uses as are required for the direct serving and well-being of the park residents and for the management and maintenance of the manufactured home park.

7.16 Medical Cannabis Facility

7.16.1 A Medical Cannabis Facility shall not:

- a. Operate on a parcel in conjunction with another use; and
- b. Involve outdoor storage of goods, materials or supplies.

7.16.2 All activities related to a Medical Cannabis Facility shall occur within a fully enclosed stand-alone building, including but not limited to loading, receiving and shipping of medical cannabis and any other goods, materials and supplies.

7.16.3 A Medical Cannabis Facility shall provide:

- a. Landscaping and parking requirements as determined by the Development Authority; and

b. Waste storage areas and container within the primary enclosed building.

7.16.4 As a condition to a development permit application approval for a Medical Cannabis Production Facility, the Development Authority shall require a copy of the Health Canada license prior to operation of the facility.

7.16.5 Any site for proposed Medical Cannabis Production shall meet the minimum separation distance of 400.0m (1,312.3ft) from a residential parcel or School site.

7.17 Natural Resource Extraction Industry

7.17.1 The extraction of gravel for use by other than the personal use of a landowner shall require a development permit.

Development Permit Conditions / Development Agreement

7.17.2 The following approval conditions may be included in a development agreement by the Development Authority when making a decision on a development application for a natural resource extraction industry development:

- a. Operation restrictions in order to prevent negative impacts on adjacent residential properties;
- b. Upgrades to and/or road maintenance;
- c. Provision of methods to minimize noise impacts;
- d. Provision of visual screening;
- e. Provision of financial security evidence provided to Alberta Environment and Parks (AEP) for the reclamation of a Class 1 gravel pit on private lands with an area of 5.0ha (12.5ac) or more;
- f. Provision of financial security for the reclamation of a Class 2 gravel pit, with an area less than 5.0ha (12.5ac), in the form of a letter of credit or other acceptable security and in the amount of \$2,000 per acre for each acre of land within the working pit;
- g. Provision of financial security in the form of an irrevocable letter of credit in order to both guarantee the undertaking of the activities described in the development agreement, and to ensure reclamation is completed where no similar requirement is made by a provincial department;
- h. Provision of dust control measures; and
- i. Installation of sufficient signage including company name, emergency phone number, and identification of site hazards.
- j. Weed control.
- k. Reclamation Plan.

7.17.3 The applicant shall ensure the final completion of reclamation of the site within one (1) year of extraction operations ceasing in the open pit area and completion of restoration of environmental features in a phased approach within two (2) years. In this regard, the applicant shall:

- a. Obtain development and reclamation registration from Alberta Environment and Parks (AEP), including the provision of security to the satisfaction of AEP for a Class 1 pit, if applicable; and
- b. Upon satisfactory completion of reclamation on-site, the applicant shall obtain a reclamation certificate from AEP and provide a copy of the same to the County for a Class 1 pit.

7.17.4 If operations of the aggregate resource extraction use are abandoned prior to the expiration of the development permit, the applicant shall complete the reclamation of the site in accordance with the reclamation plan within one (1) year of the abandonment of the operations on the site. For the purposes of this condition, the operation of the aggregate resource extraction use shall be deemed to be abandoned if the applicant fails to haul aggregate from the site for a period of more than two (2) years.

7 | Special Provisions

- 7.17.5 Development permit fees shall be paid and the development permit must be issued prior to the commencement of any work to prepare the site for the aggregate resource extraction operation including, but not limited to, the construction of fencing, the placement of signage, the stripping of topsoil, or the mobilization of equipment on the site. Failure to pay the development permit fees may, at the discretion of the Development Authority, result in the suspension of the development permit.
- 7.17.6 At no time shall the County be liable for any actions of the operation, and no cost shall be incurred by the County.
- 7.17.7 The applicant shall assume all liability for all damages to persons and property of all kinds or in any way due to the operation whether the same has been negligently operated or not.

General

- 7.17.8 The applicant shall notify the Development Authority in writing of any changes to identified haul roads within the initial development permit.
- 7.17.9 Natural resource extraction industry operations shall not be located within 198.1m (650.0ft) of an existing dwelling.
- 7.17.10 A development permit shall not be issued for a natural resource extraction industry development until any necessary reclamation plan and permit/license is approved by the provincial government where required.
- 7.17.11 An area disturbed by a natural resource extraction industry development shall be reclaimed to:
- a. Pre-disturbance capability; or
 - b. Post-disturbance conditions and land use that are satisfactory to the Development Authority.

Other Applicable Legislation

- 7.17.12 Natural resource extraction industry operations on private lands with an area of 5.0ha (12.5ac) or more shall be considered a Class 1 gravel pit and be subject to the Alberta Code of Practice for Pits or an existing approval under the *Environmental Protection and Enhancement Act*.
- 7.17.13 Natural resource extraction industry operations on private lands with an area of less than 5.0ha (12.5ac) shall be considered a Class 2 gravel pit and be subject to the Act and the Conservation and Reclamation Regulation, the *Environmental Protection and Enhancement Act*, applicable Codes of Practice, the *Alberta Water Act* and all other applicable provincial and federal laws.

7.18 Recreational Trails

- 7.18.1 Notwithstanding that Recreational Uses are listed as discretionary uses within the Agricultural (A) District, the Controlled Urban Development (CUD) District, the Urban General (UG) District, and the Rural Industrial (RI) District, the use of land, including abandoned or former railroad rights-of-way, for recreational trail purposes shall not be allowed, except in specific locations as approved pursuant to applications for development permits.
- 7.18.2 Applications for development permits for recreational trails shall not only indicate the location of the trail, but also what will be done to build or create the trail, to sign the trail, to limit trespassing from the trail, and to deal with any garbage or litter resulting from trail use, weed control and fire control.

7.18.3 Generally speaking, recreational trails may be allowed throughout the County, but shall be limited to small areas and short distances under the control of specific organizations. Those organizations shall be responsible for both development and regular maintenance of the trail. As a condition of the approval of any development permit for the establishment of a recreational trail, the County may require that the operating organization accept responsibility for these actions, and provide a guarantee that the development and maintenance will take place in accordance with the development permit application information described in subsection 7.7.2 above and the Development Authority's requirements.

7.19 Secondary Suites

7.19.1 A secondary suite shall:

- a. Be an accessory use to the main dwelling on a lot;
- b. Create minimal structural change to the front exterior of the main dwelling that the secondary suite is located within so that the building appears as a single dwelling unit;
- c. Have a minimum floor area of 35.0m² (378.0ft²);
- d. Have a maximum floor area equal to no more than 40% of the floor area of the main dwelling, if the secondary suite is not a basement suite, except that if the secondary suite is a basement suite, the maximum size shall be determined at the sole discretion of the Development Authority;
- e. Contain sleeping, cooking, and bathroom facilities;
- f. Have full utility services through service connection from the main dwelling;
- g. Comply with the Alberta Building Code and all other Provincial and Municipal regulations;
- h. Be provided with parking in accordance with Section 6.3.7; and
- i. Not be considered in the maximum density prescribed for the district in which the secondary suite is located, in districts other than the Country Residential Resort (RR) District.

7.19.2 The lot on which a secondary suite is located shall:

- a. Be limited to one secondary suite; and
- b. Not be subdivided (in title) as a result of the presence of a secondary suite.

7.19.3 A secondary suite shall not be developed within the same dwelling containing rural visitor accommodations.

7.19.4 Notwithstanding provisions in this bylaw to the contrary, a secondary suite may be located within a main dwelling or an accessory structure, provided that it meets the regulations of Section 6.7 of this Bylaw, and the regulations of the district in which it is located.

7.19.5 Where there is more than one approved single detached dwelling on a lot, only one approved single detached dwelling may contain a secondary suite, unless the dwelling contains a guest ranch or bed and breakfast establishment.

7.19.6 A single detached dwelling must exist on a lot prior to the approval of a development permit for a secondary suite.

7.20 Service Stations

7.20.1 Petroleum Tank Management Association of Alberta (PTMAA) is the designated approval authority for administration of Alberta Fire Code for the County of Two Hills No. 21 as it relates to petroleum and/or bulk fuel product storage system construction, registration, upgrading, testing, closure, maintenance and operation standards.

7 | Special Provisions

- 7.20.2 Prior to submitting a development permit application for gas and bulk fuel storage stations, the applicant shall be required to seek a permit from PTMAA by submitting a completed application form and related information. The applicant will be required to submit the approved permit from PTMAA as part of their development permit application.
- 7.20.3 The setback requirements for the above-ground and underground storage tanks from buildings and property lines shall be to the satisfaction of PTMAA.
- 7.20.4 Where permitted under this Bylaw, service stations shall comply with the following special provisions:
- a. Service stations shall be located in such a manner that:
 - i. No entrance or exit thereto for motor vehicles shall be within 60.0m (196.8ft) 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;
 - ii. No part of a service station building or of any pump or other accessory building or structure shall be within 6.0m (19.7ft) of a side or rear line;
 - iii. Service stations shall have a front yard of not less than 12.0m (39.4ft) and no fuel pump shall be located closer than 6.0m (19.7ft) to the front line; and
 - iv. Underground storage tanks shall be set back from adjacent buildings in accordance with Provincial Regulations and legislation.
 - b. The minimum site areas shall be 740.0m² (7965.3ft²) and the maximum ratio of floor area to site area shall be 25% of the site area. For service stations including car wash, the minimum site area shall be 1100.0m² (11,840.3ft²).
 - c. 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.
 - d. All parts of the site to which vehicles may have access shall be surfaced and drained to the satisfaction of the Development Authority.
 - e. 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.
 - f. The site of the buildings shall be maintained in a clean and tidy condition and free from all rubbish and debris.

7.21 Shipping Containers – Storage Uses

All Districts

- 7.21.1 In all Land Use Districts a shipping container shall:
- a. Be considered an accessory building to the principal building;
 - b. Be used for storage purposes excluding any dangerous or hazardous materials;
 - c. Be prohibited within any front yard;
 - d. Be positioned within a side or rear yard of a primary building; and
 - e. Conform to required setbacks of the applicable land use district.

Residential Districts

- 7.21.2 Within Residential Districts shipping containers shall:
- a. Require a Development Permit;
 - b. Have an exterior finish that matches or complements the exterior finish of the principal building;

- c. Be visually screened from public roads and neighbouring properties to the satisfaction of the Development Authority;
- d. Not exceed the maximum number of one (1) shipping container per Urban General (UG) lot; and
- e. Not exceed the maximum number permitted per parcel size as outlined in Table 4 within country residential districts.

Table 4. Number of Shipping Containers on a Residential Parcel

Parcel Size	Maximum Number of Shipping Containers
1.0ac – 3.99ac	1
4.0ac – 6.99ac	2
7.0ac – 10.0ac+	3

Industrial and Agricultural Districts

7.21.3 Within all Industrial and Agricultural Districts all shipping containers shall:

- a. Be visually screened from public roads and neighbouring properties to the satisfaction of the Development Authority;
- b. Not be restricted to any maximum number; and
- c. Have a maximum height, if multiple shipping containers are stacked or one standalone shipping container, in accordance with height regulations of the applicable land use district.

7.22 Shipping Containers – Residential Use

7.22.1 Within the Agricultural District (A) shipping containers may be used as a building material to create a principal building at the discretion of the Development Authority and shall:

- a. Require a Development Permit;
- b. Provide compliance with the Alberta Building Code and Safety Code;
- c. Have exterior aesthetics that complement existing agricultural / residential building typologies within the surrounding area;
- d. Conform to required setbacks of the relevant land use district; and
- e. Be in accordance with height regulations of the applicable land use district.

7.22.2 Within all Residential Districts shipping containers may be used as an accessory building to the principal building and shall:

- a. Require a Development Permit;
- b. Provide compliance with the Alberta Building Code and Safety Code;
- c. Have exterior aesthetics that complement the principal building;
- d. Conform to required setbacks of the relevant land use district;
- e. Be in accordance with height regulations of the applicable land use district; and
- f. Be considered as a secondary suite, if the shipping container has been converted to a dwelling.

7 | Special Provisions

7.23 Signs

- 7.23.1 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 a development permit has been issued for the sign or structure.
- 7.23.2 No signs or advertising structures shall be erected on or affixed to private property without the prior consent of the property owner or tenant.
- 7.23.3 No signs, billboards, advertising structures or signboards shall be erected on or affixed to public property without the prior consent of the appropriate public body.
- 7.23.4 Notwithstanding the generality of Subsection 7.23.1, nor the provisions of Subsections 7.23.2 and 7.23.3, the following signs may be erected on land or affixed to the exterior surface of a building or structure without application for a development permit provided that no such signs shall be illuminated and provided further that any necessary permits have been obtained in accordance with the Highway Development Control Regulations:
- Signs for the purpose of identification, direction and warning or relating to a person, partnership or company carrying on a profession, business or trade, or relating to an institution of a religious, educational, cultural, recreational or similar character, or to a hotel, motel, club or similar institution, provided that such signs shall not exceed 1.2m² (12.9ft²) and be limited to one sign per parcel of land;
 - Temporary advertisement relating to the sale or leasing of land, the sale of goods or livestock, the carrying out of construction or similar work, announcement of any local event of a religious, educational, cultural, political, or similar character provided that such advertisement shall not exceed 2.0m² (21.5 ft²), and provided further that all such temporary advertisements shall be removed by the advertiser within fifteen (15) days of the completion of the event or works to which such advertisements relate; and
 - Advertisements or signs in relation to the function of local public authorities, utility boards or other public or quasi-public bodies.
- 7.23.5 No sign or advertisement shall resemble or conflict with a traffic sign, nor shall it be a traffic hazard.
- 7.23.6 All advertisements shall be kept in a safe, clean and tidy condition, and may by decision of the Development Authority be required to be renovated or removed.
- 7.23.7 No signs or advertising structures other than those specified under Subsection 7.23.4 above shall be permitted in Country Residential or Country Residential (Resort) Districts.

7.24 Subdivision for Single Lot Country Residential or Farmstead Uses

- 7.24.1 In the Agricultural (A) and Controlled Urban Development (CUD) Districts, a maximum of one parcel for country residential use, including farmsteads, may be subdivided out of each quarter section, provided the quarter section is a minimum of 50.0ha (123.5ac) in size and provided, further, that the total area of such parcels does not exceed 4.04 ha (10.0 ac). Such country residential parcels may include farmstead separations and vacant parcels, and may include one (1) fragmented parcel.
- 7.24.2 Notwithstanding Subsection 1, the subdivision of a single farmstead separation parcel for country residential use, which exceeds 4.04 ha (10.0 ac.) in area, may be allowed at the discretion of the Subdivision Authority if the applicant provides a real property report or building site certificate which demonstrates that the additional area is required to accommodate existing farmstead structures such as: buildings, dugouts and shelterbelts within the country residential parcel. In no instance will a country residential parcel be approved with an area larger than 8.1ha (20.0ac).

- 7.24.3 The development of more than the number of country residential parcels in a quarter section indicated in Subsections 7.24.1 above shall be considered to be multi-lot country residential development and shall not be allowed within the Agricultural (A) or Controlled Urban Development (CUD) Districts. Rather, an appropriate amendment to this Bylaw shall be required, normally to a Country Residential District.
- 7.24.4 A fragmented parcel, as defined in this bylaw, of less than 8.1ha (20.0ac) in size shall be considered a parcel for country residential use for the purposes of Subsection 7.24.1 above. Subdivision of fragmented parcels larger than 8.1ha (20.0ac) in area shall be considered to be agricultural parcels.

7.25 Wireless Communications Facilities

- 7.25.1 Wireless communication facilities should be encouraged to locate in agricultural, industrial and other non-residential policy areas.
- 7.25.2 Where possible, visually unobtrusive antennas are encouraged to co-locate with existing infrastructure such as but not limited to signs located on private property and water towers.
- 7.25.3 New wireless communications facilities should be built to a standard to accommodate multiple devices. If such co-location of facilities is not feasible, the clustering of such facilities shall be encouraged.
- 7.25.4 Wireless communication facilities and/or their access roads should avoid locating within environmentally sensitive areas such as but not limited to steep slopes and those areas adjacent to watercourses or water bodies. Facilities that are proposed to be located within such areas will be requested to provide an environmental assessment and/or a geo-technical report to the County. The visibility of all wireless communications facilities and their associated appurtenances should be minimized through the use of design, colour, and architectural style.
- 7.25.5 Guyed facilities are encouraged to have daytime visual markers to prevent interference with bird migration.
- 7.25.6 In those instances where Transport Canada requires that a wireless communication facility be lit, the following measures are encouraged:
- a. The light source should not spill-over onto adjacent properties;
 - b. The lighting should be a minimum number of low intensity white lights; and
 - c. The strobe interval should be the maximum allowable by Transport Canada.
- 7.25.7 Wireless communication facility sites should be established with regard to Alberta Transportation and the County of Two Hills No. 21 setbacks from highways and roads.
- 7.25.8 Signage for wireless communications facilities should only:
- a. Identify the facility;
 - b. Identify the owner and give their contact information; or
 - c. Warn of any safety issues.
- 7.25.9 Wireless communications facilities should be removed within six (6) months of cessation of use.
- 7.25.10 All carriers interested in locating a wireless communications facility within the County should first contact all other carriers providing similar services and pursue co-location before meeting with the Development Officer. These responses should be provided to the Development Officer in writing prior to meeting with him or her.

7 | Special Provisions

- 7.25.11 The County shall request public consultation for proposed wireless communications facilities greater than 10 m in height for landowners within a radius of six (6) times the tower height. The carrier will be required to pay the costs associated with the public consultation.
- 7.25.12 A letter of support will be sent by the County to Industry Canada if:
- a. Any technical assessment that was requested by the County has been completed to the satisfaction of Council; and
 - b. A public consultation was either not necessary or, if public consultation was deemed necessary, it was completed and the results of the consultation provided to Council for final decision. The results of this decision will be forwarded by the Development Officer to Industry Canada.

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8 Land Use Districts

For the purpose of this Bylaw the County of Two Hills No. 21 is divided into the following districts listed within Table 5.

Table 5. Land Use Districts

Section	Land Use District	Page
8.1	A Agricultural (A) District	70
8.2	CUD Controlled Urban Development (CUD) District	74
8.3	UG Urban General (UG) District	76
8.4	CR Country Residential (CR) District	80
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8.6	RI Rural Industrial (RI) District	86
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Section	Land Use District	Page
8.9	C Commercial (C) District	95
8.10	UI Urban Industrial (UI) District	97
8.11	DC Direct Control (DC) District	99
8.12	E Education (E) District	

8 | Land Use Districts

8.1 Agricultural (A) District

Purpose

8.1.1 The General Purpose of the Agricultural District is to permit activities associated with primary economic production, and to preserve valuable agricultural land from inappropriate development. This District comprises almost all of the land in the municipality, and includes all of the area so designated on the Land Use District Maps.



Permitted and Discretionary Land Use Classes

8.1.2 Land use classes within the following table shall be permitted or discretionary within the Agricultural (A) District.

Permitted	Discretionary Uses
ACCESSORY BUILDINGS	ABATTOIR
ALTERNATE ENERGY - INDIVIDUAL	AGRI-TOURISM OPERATION
ANTENNA, AMATEUR RADIO	AGRICULTURAL SUPPORT SERVICE
DAY HOME	ALTERNATE ENERGY - COMMERCIAL
EXTENSIVE AGRICULTURE	ANIMAL BOARDING FACILITY
FARMSTEADS	AUTO WRECKER
HOME OCCUPATIONS, MINOR	BED AND BREAKFAST ESTABLISHMENTS
MANUFACTURED HOME (WITH)	CAMPGROUND
PARK	CAMPGROUND, INTENSIVE
SECONDARY SUITE	CANNABIS PRODUCTION AND DISTRIBUTION FACILITY
SINGLE DETACHED DWELLING	CEMETERY
	CHILD CARE FACILITY
	CLUSTER FARM DWELLING AND ASSOCIATED USES
	DRIVE-IN THEATRE

Permitted	Discretionary Uses
	FAMILY CARE FACILITY
	GROUP CARE FACILITY
	GROUP HOME
	GUEST RANCHES
	HOME OCCUPATIONS, MAJOR
	HUNTING CAMP
	INSTITUTIONAL USE
	INTENSIVE AGRICULTURE
	MANUFACTURED HOME (WITHOUT)
	MEDICAL CANNABIS FACILITY
	NATURAL RESOURCE DEVELOPMENT
	PLACE OF WORSHIP
	PUBLIC UTILITY
	RECREATIONAL USES
	RURAL COMMERCIAL USES
	WIRELESS COMMUNICATIONS FACILITY

Regulations

8.1.3 Development regulations within this land use district shall be in accordance with the following table.

Regulation	Standard
Min. Floor Area	Farmstead: 55.0m ² (592.0ft ²)
Max. Building Height	Farmstead: 12.2m (40.0ft)
Min. Lot Area – Extensive Agriculture	32.0 Ha (79.1 ac.)

8 | Land Use Districts

Regulation	Standard
	24.0 ha (59.3 ac) where: <ul style="list-style-type: none"> The original quarter section is less than 64.7 ha (160 ac); A parcel of land has been separated from the original quarter section; It is desirable in order to split leasehold or other partial interests
Min. Lot Area – Farmsteads & Single Detached Dwellings	Country Residential Uses and Farmsteads – See Section 7.23. All other uses as required by the Development Authority
Min. Setback	
Yard – Front	45 m (147.6 ft.) from the centre property line of any adjoining road. 7.5m (24.6ft) from a property line of an internal subdivision road. For parcels adjacent to a provincial highway, Alberta Transportation shall determine a minimum setback distance.
Yard – Side	7.5m (24.6ft)
Yard – Rear	7.5 m (24.6 ft.)

Additional Regulations

- 8.1.4 In addition to the regulations listed in this Section, regulations within Section 6 and Section 7 shall also apply to development in this land use district where applicable.
- 8.1.5 Notwithstanding any other provision of this Bylaw to the contrary, a total of 3 parcels of land may be allowed for Country Residential Uses in that part of the SE 22-54-8-W4 and part of NE 22-54-8-W4 lying to the north and east of Sunset Lake.
- 8.1.6 Notwithstanding any other provision in the Bylaw to the contrary, additional development may occur on W ½ 22-54-8-W4.

Exemptions from Minimum Lot Area

- 8.1.7 The following situations are exempt from the Minimum Lot Area development regulations within Subsection 8.1.3:
- Where a discretionary use is allowed, the remainder after the parcel of land for the discretionary use is removed from the site; and
 - Where the parcel of land is fragmented by a natural or physical barrier.

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8 | Land Use Districts

8.2 Controlled Urban Development (CUD) District

Purpose

8.2.1 The General Purpose of the Controlled Urban Development District is to permit activities associated with primary economic production, while limiting such development in consideration of the proximity of urban development. This District comprises the land in the municipality near the Town of Two Hills and the Village of Myrnam



Permitted and Discretionary Land Use Classes

8.2.2 Land use classes within the following table shall be permitted or discretionary within the Controlled Urban Development (CUD) District.

Permitted	Discretionary
ACCESSORY BUILDINGS	ANIMAL BOARDING FACILITY
ALTERNATE ENERGY - INDIVIDUAL	ANTENNA, AMATEUR RADIO
EXTENSIVE AGRICULTURE	BED AND BREAKFAST ESTABLISHMENTS
FARMSTEADS	CANNABIS PRODUCTION AND DISTRIBUTION FACILITY
HOME OCCUPATIONS, MINOR	CEMETERIES
SECONDARY SUITES	HOME OCCUPATIONS, MAJOR
SINGLE DETACHED DWELLINGS	INDUSTRIAL HEMP PRODUCTION AND DISTRIBUTION FACILITY
	INSTITUTIONAL USE
	INTENSIVE AGRICULTURE
	NATURAL RESOURCE EXTRACTION INDUSTRIES
	PLACE OF WORSHIP
	PUBLIC UTILITY
	RECREATIONAL USES

Regulations

8.2.3 Development regulations within this land use district shall be in accordance with the following table.

Regulation	Standard
Min. Lot Area – Extensive Agriculture	32.0 ha (79.1 ac) 24.0 ha (59.3 ac) where: <ul style="list-style-type: none"> • The original quarter section is less than 64.7 ha (160 ac); • A parcel of land has been separated from the original quarter section; • It is desirable in order to split leasehold or other partial interests
Min. Lot Area – Farmsteads and Single Detached Dwellings	See Section 7.23 All other uses: As required by the Development Authority
Min. Lot Area – All other uses	As required by the development Authority
Min. Setback	
Yard – Front	45 m (147.6 ft.) from the centre line of any adjoining road 7.5m (24.6ft) from a property line of an internal subdivision road For parcels adjacent to a provincial highway, Alberta Transportation shall determine a minimum setback distance
Yard – Side	7.5m (24.6ft)
Yard – Rear	7.5m (24.6ft)

Additional Regulations

8.2.4 In addition to the regulations listed in this Section, regulations within Section 6 and Section 7 shall also apply to development in this land use district where applicable.

8.2.5 All applications for development permits within the IDP area involving multi-lot residential, commercial, or industrial development shall be submitted to the nearby or adjacent municipality for review and comments prior to considering a decision on a development permit. The Development Authority shall give due consideration to the comments of the nearby or adjacent municipality.

8 | Land Use Districts

8.3 Urban General (UG) District

Purpose

- 8.3.1 The General Purpose of the Urban General District is to permit a wide variety of urban-type uses within the larger unincorporated hamlets of the municipality. This District comprises the land in Hamlets of Beauvallon, Brosseau, Derwent, Duvernay, Hairy Hill, Kaleland, Morecambe, Musidora, and Willingdon.



Permitted and Discretionary Land Use Classes

- 8.3.2 Land use classes within the following table shall be permitted or discretionary within the Urban General (UG) District.

Permitted	Discretionary
ACCESSORY BUILDING	ANTENNA, AMATEUR RADIO
ALTERNATE ENERGY - INDIVIDUAL	AUTOMOTIVE AND EQUIPMENT REPAIR, SERVICE, SALES AND RENTAL
DAY HOME	BED AND BREAKFAST ESTABLISHMENTS
DWELLING UNIT	CAMPGROUND
HOME OCCUPATIONS, MINOR	CAMPGROUND, INTENSIVE
MANUFACTURED HOME (WITH)	CANNABIS ACCESSORY RETAIL SALES
SECONDARY SUITES	CANNABIS RETAIL SALES
SINGLE DETACHED DWELLINGS	CHILD CARE FACILITY
	DUPLEXES
	DWELLING, APARTMENT

Permitted	Discretionary
	EATING AND DRINKING ESTABLISHMENT
	FAMILY CARE FACILITY
	GROUP CARE FACILITY
	GROUP HOME
	HIGHWAY COMMERCIAL USE
	HOME OCCUPATIONS, MAJOR
	HOTEL
	INSTITUTIONAL USE
	MANUFACTURED HOME (WITHOUT)
	MANUFACTURED HOME PARKS AND SUBDIVISIONS
	MOTEL
	PARK
	PLACE OF WORSHIP
	PRIVATE CLUB OR LODGE
	PROFESSIONAL, FINANCIAL, OFFICE, HEALTH AND BUSINESS SUPPORT SERVICE
	PUBLIC UTILITY
	RECREATIONAL USES
	RETAIL
	SERVICE STATION
	WAREHOUSING

8 | Land Use Districts

Regulations

8.3.3 Development regulations within this land use district shall be in accordance with the following table.

Regulation	Standard
Min. Floor Area	<p>Single Detached Dwelling: 55.5m² (597.4ft²)</p> <p>Duplexes: 92.5 m² (995.7 ft²)</p> <p>Manufactured Home: 37.0 m² (398.3 ft²)</p> <p>All other uses as required by the Development Authority</p>
Min. Lot Width and Area	<p>Unserviced:</p> <ul style="list-style-type: none"> Width: 30.0m (98.4ft) Area: 1,850.0m² (19,913.2ft²) <p>Both Services:</p> <ul style="list-style-type: none"> Width: 15.0m (49.2ft) Area: 511.0m² (5,500.0ft²) <p>Sewerage Only:</p> <ul style="list-style-type: none"> Width: 30.0m (98.4ft) Area: 925.0m² (9,956.6ft²) <p>Water Only:</p> <ul style="list-style-type: none"> Width: 30.0m (98.4ft) Area: 1,390.0m² (14,961.8ft²) <p>Minimum requirements may be varied by the Development Authority where adequate methods of providing water and disposing of sewage can be shown</p> <p>All other uses as required by the Development Authority</p>
Min. Setback – Residential	
Yard – Front	7.5m (24.6ft)
Yard – Side	<p>10% of lot width, but not less than 1.5 m (4.92 ft.) each and not required to be greater than 7.5 m (24.6 ft.)</p> <p>Corner Site: 4.5 m (14.8 ft.) on each flanking street</p>
Yard – Rear	7.5m (24.6ft)
Min. Setback – Commercial	Retail stores built adjacent to existing similar uses may be built without front or side yards where there is lane access. Where there is no lane access, one side yard of at least 4.5m (14.8ft) shall be provided
Min. Setback – All other Uses	As required by the Development Authority

Additional Regulations

- 8.3.4 In addition to the regulations listed in this Section, regulations within Section 6 and Section 7 shall also apply to development in this land use district where applicable.
- 8.3.5 All development shall be provided with sanitary sewage disposal facilities pursuant to Provincial Regulations and legislation.
- 8.3.6 All development within the Hamlet of Willingdon that requires water and sewer services shall connect to the municipal water and sewer services provided within the Hamlet.
- 8.3.7 The keeping of bees is not allowed in the Urban General (UG) District.

8 | Land Use Districts

8.4 Country Residential (CR) District

Purpose

- 8.4.1 The General Purpose of the Country Residential District is to permit and regulate the development of country residential uses in specific areas within the municipality. This District comprises all of the land so designated on the Land Use District Maps.



Permitted and Discretionary Land Use Classes

- 8.4.2 Land use classes within the following table shall be permitted or discretionary within the Country Residential (CR) District.

Permitted	Discretionary
ACCESSORY BUILDING	BED AND BREAKFAST ESTABLISHMENTS
ALTERNATE ENERGY - INDIVIDUAL	HOME OCCUPATIONS, MAJOR
ANTENNA, AMATEUR RADIO	INSTITUTIONAL USE
HOME OCCUPATIONS, MINOR	MANUFACTURED HOME (WITHOUT)
MANUFACTURED HOME (WITH)	PARK
SECONDARY SUITES	PUBLIC UTILITY
SINGLE DETACHED DWELLINGS	RECREATIONAL USES

Regulations

8.4.3 Development regulations within this land use district shall be in accordance with the following table.

Regulation	Standard
Min. Floor Area	Single Detached Dwellings: 55.0m ² (592.0ft ²) All other uses as required by the Development Authority
Min. Lot Area	Single detached dwellings where minor agricultural and rural pursuits are not permitted - not less than 0.4 ha (0.99 ac.) and not more than 1.21 ha (2.99 ac.) All other uses as required by the Development Authority
Min. Setback – Single Detached Dwelling	
Yard – Front	7.5m (24.6ft)
Yard – Side	10% of lot width, but not less than 1.5 m (4.92 ft.) and not required to be greater than 7.5 m (24.6 ft.)
Yard – Rear	7.5m (24.6ft)
Min. Setback – All other Uses	From internal roads: as required by the Development Authority From all other roads: 38.0m (124.7ft)

Additional Regulations

- 8.4.4 In addition to the regulations listed in this Section, regulations within Section 6 and Section 7 shall also apply to development in this land use district where applicable.
- 8.4.5 All development shall be provided with sanitary sewage disposal facilities pursuant to Provincial Regulations and legislation. In addition, the availability and suitability of water on the site must be confirmed before any development permit for a country residential use is issued.
- 8.4.6 No fur bearing animals, fowl or livestock, other than domestic pets, may be kept on a parcel of land less than 1.21 ha (2.99 ac.) in area, except that one saddle horse may be permitted on each parcel of land.

8 | Land Use Districts

8.5 Country Residential (Resort) (RR) District

Purpose

- 8.5.1 The General Purpose of the Country Residential (Resort) District is to permit and regulate the development of country residential resort uses in specific areas within the municipality.



Permitted and Discretionary Land Use Classes

- 8.5.2 Land use classes within the following table shall be permitted or discretionary within the Country Residential (Resort) (RR) District.

Permitted	Discretionary
ACCESSORY BUILDINGS	ANTENNA, AMATEUR RADIO
	BED AND BREAKFAST ESTABLISHMENTS
HOME OCCUPATIONS, MINOR	CAMPGROUNDS
PARK	DWELLING, SEMI-DETACHED
RECREATIONAL USES	EXTENSIVE AGRICULTURE
MANUFACTURE HOME (WITH)	HOME OCCUPATIONS, MAJOR
SECONDARY SUITES	INSTITUTIONAL USE
SINGLE DETACHED DWELLINGS	MANUFACTURED HOME (WITHOUT)
	PUBLIC UTILITY

Regulations

8.5.3 Development regulations within this land use district shall be in accordance with the following table.

Regulation	Standard
Min. Lot Area	Single Detached Dwellings: 1858.0 m ² (19,999.3ft ²) All other uses: As required by the Development Authority
Min. Lot Dimensions	
Width	Single Detached Dwellings: 30.0m (98.4ft) or as required by the Development Authority All other uses: As required by the Development Authority
Min. Floor Area	Single Detached Dwellings: 37.0m ² (398.3ft ²) All other uses: As required by the Development Authority
Min. Setbacks for Single Detached Dwellings	
Yard – Front	7.5m (24.6ft)
Yard – Side	10% of lot width, but not less than 1.5m (4.92ft) and not required to be greater than 7.5m (24.6ft)
Yard – Rear	7.5m (24.6ft)
Min. Setbacks for all Other Uses Other than Single Detached Dwellings	
Yard – Front	As required by the Development Authority
Yard – Side	As required by the Development Authority
Yard – Rear	As required by the Development Authority

Additional Regulations

8.5.4 In addition to the regulations listed in this Section, regulations within Section 6 and Section 7 shall also apply to development in this land use district where applicable.

8.5.5 All development in the Country Residential (Resort) (RR) District shall be provided with water-tight septic tanks or sewage holding tanks. In addition, the availability and suitability of water on the site must be confirmed before any development permit for a country residential resort use is issued.

8.5.6 Within the County Residential (Resort) (RR) District, at any one time, not more than three (3) recreational vehicles may be:

- a. Located on a residential lot; or
- b. Used as a primary residence on a residential lot.

8 | Land Use Districts

- 8.5.7 Notwithstanding the provisions of Subsection 8.5.6 above, additional recreational vehicle(s) may be located on a lot so long as:
- a. The purpose of the additional recreational vehicle(s) is to accommodate a short term temporary event such as but not limited to a family reunion;
 - b. The event does not exceed fourteen (14) consecutive days in any 40 day period;
 - c. The recreational vehicle(s) are removed from the lot after the fourteen (14) day period; and
 - d. In the opinion of the Development Authority, the parcel size is acceptable for accommodating additional recreational vehicles.
- 8.5.8 In such situations, notwithstanding any other provision in this Bylaw to the contrary, no development permit shall be required.

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8 | Land Use Districts

8.6 Rural Industrial (RI) District

Purpose

- 8.6.1 The General Purpose of the Rural Industrial District is to regulate the development of those industries which require large tracts of land and which may not be appropriate within an urban municipality. No industrial use will be allowed in this District if the Development Authority considers it to be an objectionable, dangerous, or potentially hazardous development.



Permitted and Discretionary Land Use Classes

- 8.6.2 Land use classes within the following table shall be permitted or discretionary within the Rural Industrial (RI) District.

Permitted	Discretionary
ACCESSORY BUILDINGS	ABATTOIR
ALTERNATE ENERGY - INDIVIDUAL	AGRICULTURAL SUPPORT SERVICES
ANTENNA, AMATEUR RADIO	ANIMAL BOARDING FACILITY
EXTENSIVE AGRICULTURE	AUTOMOTIVE EQUIPMENT REPAIR, SERVICE
INDUSTRIAL USE, GENERAL	CANNABIS PRODUCTION AND DISTRIBUTION FACILITY
WAREHOUSING	CREMATORIUM
	EATING & DRINKING ESTABLISHMENT
	INDUSTRIAL HEMP PRODUCTION AND DISTRIBUTION FACILITY
	INDUSTRIAL PARK
	INDUSTRIAL USE, HEAVY
	PARK
	PROFESSIONAL, FINANCIAL, OFFICE AND BUSINESS SUPPORT SERVICES
	PUBLIC UTILITY

Permitted	Discretionary
	RETAIL
	SERVICE STATION
	SOLAR ENERGY COLLECTOR SYSTEM
	WASTE MANAGEMENT

Regulations

8.6.3 All site regulations and requirements shall be based upon the type of industrial development proposed, and shall be at the discretion of the Development Authority.

Additional Regulations

8.6.4 In addition to the regulations listed in this Section, regulations within Section 6 and Section 7 shall also apply to development in this land use district where applicable.

8.6.5 Where development may produce effects that may be detrimental to other land uses inside or outside of the District, either directly or indirectly, by reasons of noise, odour, fumes, dust, smoke, appearance or otherwise, such development may be restricted by the Development Authority to particular parts of the District or may be subject to special regulations or conditions, or both.

8 | Land Use Districts

8.7 Intensive Campground (IC) District

Purpose

- 8.7.1 The General Purpose of the Intensive Campground (IC) District is to permit and regulate the development of private long-term camping facilities in specific areas within the municipality. This District comprises all of the land so designated on the Land Use District Maps.



Permitted and Discretionary Land Use Classes

- 8.7.2 Land use classes within the following table shall be permitted or discretionary within the Intensive Campground (IC) District.

Permitted	Discretionary
ACCESSORY BUILDINGS	INSTITUTIONAL USE
ALTERNATE ENERGY - INDIVIDUAL	INTENSIVE CAMPGROUNDS
PARK	MANUFACTURED HOME (WITHOUT)
MANUFACTURED HOME (WITH)	PUBLIC UTILITY
RECREATIONAL USES	
RECREATIONAL VEHICLES	

Regulations

- 8.7.3 Development regulations within this land use district shall be in accordance with the following table.

Regulation	Standard
Min. Lot Area	Manufactured Home: 1858.0m ² (19,999.3ft ²) All other uses as required by the Development Authority
Min. Lot Width	Manufactured Home: 30.0 m (98.4 ft.) or as required by the Development Authority All other uses as required by the Development Authority
Min. Floor Area	Manufactured Home: 37.0 m ² (398.3 ft ²)

Regulation	Standard
	All other uses: As required by the Development Authority
Min. Setback – Manufactured Homes	
Yard – Front	7.5m (24.6ft)
Yard – Side	10% of lot width, but not less than 1.5m (4.92ft) and not required to be greater than 7.5m (24.6ft)
Yard – Rear	7.5m (24.6ft)
Min. Setback – All other Uses than Manufactured Homes	
Yard – Front	As required by the Development Authority
Yard – Side	As required by the Development Authority
Yard – Rear	As required by the Development Authority

Additional Regulations

- 8.7.4 In addition to the regulations listed in this Section, regulations within Section 6 and Section 7 shall also apply to development in this land use district where applicable.
- 8.7.5 All development in the Intensive Campground (IC) District shall be provided with water-tight septic tanks or sewage holding tanks. In addition, the availability and suitability of water on the site must be confirmed before any development permit for an intensive campground use is issued.
- 8.7.6 Within the Intensive Campground (IC) District not more than one recreational vehicle or Manufactured Home may be located on a residential lot or used as a primary residence on a residential lot at any one time.
- 8.7.7 The following regulations shall apply to the development of all intensive campgrounds:
 - a. In determining the appropriateness and suitability of a site for an intensive campground, the Development Authority shall consider such factors as accessibility, compatibility with nearby land uses, environmental sensitivity, physical suitability, and serviceability of the site itself;
 - b. Roads leading to an intensive campground may be required, as a condition of the approval of a development permit, to be brought into a condition the Development Authority deems necessary to sustain the volume and type of traffic to be generated by the intensive campground;
 - c. Among other matters, the following factors may be used by the Development Authority in determining the appropriate density for a proposed intensive campground development:
 - i. Presence of natural amenities (e.g., water features, landscape);
 - ii. Quantity and type of vegetation; or
 - iii. Sensitivity of terrain.
 - d. The following criteria and standards may be used by the Development Authority in determining appropriate site design for a proposed intensive campground development:

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- i. The site plan for a proposed intensive campground development shall detail internal circulation requirements, roadway widths, pedestrian circulation, site access and egress, emergency access, parking areas, storage areas, toilet and laundry areas, recreational areas, and recreational vehicle and tenting areas;
 - ii. The number of access points to the intensive campground shall be limited to control the entry and departure of vehicles and to minimize interference with neighbouring uses and traffic flow;
 - iii. The location of access points shall not unnecessarily route traffic through residential areas;
 - iv. Access points shall be designed to accommodate two-way traffic, and shall provide a clear unobstructed view for traffic and turning vehicles. The provision of acceleration and deceleration lanes may be required;
 - v. All intensive campgrounds and sites shall have clear access and identification for firefighting, ambulance, and police;
 - vi. For intensive campgrounds proposed to be open year-round, provision shall be made in the design of internal roadways for snow removal and snow storage;
 - vii. For intensive campgrounds proposed to be for long lease arrangements, parking spaces shall be provided for visitors in such locations as shall not interfere with pedestrian safety; or
 - viii. Noise control measures may be required by the Development Authority, which may include the use of berms, natural barriers, and screens, and locating noise-insensitive aspects of the development closest to the noise source.
- e. All internal roads are to be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6.0m (20.0ft) usable top, except for one-way roads, which shall have a minimum of a 3.65m (12.0ft) usable top.
 - f. Stall size shall have a minimum of 13.5m (49.0ft) width and a minimum of 273.0m² (2938.5ft²) in area.
 - g. The developer shall provide and maintain an adequate on-site water supply.
 - h. As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction over this type of development.
 - i. The development agreement may require the developer to construct, upgrade, or pay to construct or upgrade the necessary County roads to access the development.
 - j. The developer shall designate an area equivalent to ten percent (10%) of the total intensive campground area as a playground. This area is to be clearly marked and free from all traffic hazards.
 - k. All stalls shall maintain a minimum set back of 30.0m (98.4ft) from the shoreline of any body of water or lake.
 - l. The Developer shall provide reasonable and adequate lake access.
 - m. The minimum distance between intensive campgrounds shall be 0.8km (0.5miles).
 - n. The maximum number of stalls per development shall be fifty (50).
 - o. The construction of more than one (1) of single family dwelling or the placement of more than one (1) manufactured home unit shall not be allowed at an intensive campground, even if the dwellings are considered to be rental accommodation, unless a development permit has been issued for a motel as well as an intensive campground.

8.8 Country Residential Estate (CRE) District

Purpose

8.8.1 The General Purpose of the Country Residential Estate District is to permit for larger lot country residential development and to allow for limited, non-commercial agricultural uses. This land use district is to specifically apply to Crissel Estates property located on the north half of SE 6-55-12-W4M.



Permitted and Discretionary Land Use Classes

8.8.2 Land use classes within the following table shall be permitted or discretionary within the Country Residential Estate (CRE) District.

Permitted	Discretionary
ACCESSORY BUILDINGS	ANTENNA, AMATEUR RADIO
ALTERNATE ENERGY - INDIVIDUAL	BED AND BREAKFAST ESTABLISHMENTS
HOME OCCUPATIONS, MINOR	EXTENSIVE AGRICULTURE (ON LOTS GREATER THAN OR EQUAL TO 27.32HA (67.51AC)
MANUFACTURED HOME (WITH)	HOME OCCUPATIONS, MAJOR
NON-COMMERCIAL AGRICULTURE	INSTITUTIONAL USE
SECONDARY SUITES	MANUFACTURED HOME (WITHOUT)
SINGLE DETACHED DWELLING	PARK
STORAGE FACILITY	PUBLIC UTILITY
	RECREATIONAL USES

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Regulations

8.8.3 Development regulations within this land use district shall be in accordance with the following table.

Regulation	Standard
Max. Residential Density – Subdivisions	0.48 units/ha.
Min. Lot Area	Single Detached Dwelling: 1.21ha (3.0ac) All other uses as required by the Subdivision Authority
Max. Lot Area	Single Detached Dwelling: 4.04ha (10.0ac) All other uses as required by the Subdivision Authority
Min. Floor Area	Single Detached Dwellings: 120.0m ² (1292.0ft ²) All other uses as required by the Development Authority
Min. Setback for Detached Dwellings from Internal Roads	
Yard – Front	7.5m (24.6ft)
Yard – Side	10% of lot width, but not less than 1.5m (4.92ft) and not required to be greater than 7.5m (24.6ft)
Yard – Rear	7.5m (24.6ft)
Min. Setback for other Uses from Internal Roads	As required by the Development Authority
Min. Setback for all other Uses from all other Roads	38.0m (124.7ft)

Additional Regulations

8.8.4 In addition to the regulations listed in this Section, regulations within Section 6 and Section 7 shall also apply to development in this land use district where applicable.

8.8.5 A secondary suite shall not be considered in calculating the maximum residential density (number of dwelling units per hectare) in the Country Residential Estates (CRE) District.

8.8.6 All development shall be provided with sanitary sewage disposal facilities pursuant to Provincial Regulations and legislation. In addition, the availability and suitability of water on the site must be confirmed before any development permit for a country residential use is issued.

8.8.7 Within the Country Residential Estates (CRE) District, at any one time, not more than one (1) recreational vehicle may be located on a residential lot. No recreational vehicles may be used as a residence in the Country Residential Estates (CRE) District.

Storage Facilities

8.8.8 A Storage Facility shall be limited to those lots within the area covered by the Crissel Estates Area Structure Plan (SE 6 55 12 W4).

- 8.8.9 A proposed Storage Facility may be in conjunction with an existing dwelling on the lot or may precede a dwelling on a lot.
- 8.8.10 The exterior colour and finish of a proposed Storage Facility shall match that of the existing dwelling on-site or, if there is no dwelling on site, the nearest adjacent dwelling within the area of the Crissel Estates Area Structure Plan.
- 8.8.11 A Storage Facility shall not include the outdoor storage of vehicles, equipment or materials.
- 8.8.12 The weight of vehicles and / or equipment (associated trailers carrying small equipment – backhoe, bobcat, mowers, small excavators or similar equipment – or tractor units without a trailer) that can be stored within the Facility shall be limited to a gross vehicle weight of up to 6,000 kg (6.61 tons).
- 8.8.13 The business use of the Storage Facility must be secondary to the residential use of the building or parcel and no aspects of the business operations shall be detectable from the outside of the property.
- 8.8.14 The building or buildings composing the Storage Facility, either singularly or in combination, shall comprise more than 40 % of the lot area.
- 8.8.15 A Storage Facility may have off-site employees.
- 8.8.16 A Storage Facility that has off-site employees shall have no more than two (2) business related vehicles on-site at any time.
- 8.8.17 There shall be no mechanical or electrical equipment used in the Storage Facility which creates visual, audible or electrical interference with radio or television reception to adjacent neighbours.
- 8.8.18 Off-street parking shall not be allowed.
- 8.8.19 If the County road upon which the Storage Facility is located is hard surfaced, the access shall be hard surfaced in the manner described below:
- i) The length to be hard surface shall be measured from the edge of pavement on the County Road to the property line plus an additional 10 m (30 feet) into the lot.
 - ii) The width to be hard surfaced shall be equal to the width of the approach to the lot for the full distance of the length as described in Section 8.8.19(i).
- 8.8.20 The display or placement of signage on the premises of a Storage Facility shall be restricted to one (1) identification sign no larger than 1.0 m² (10.76 ft.²) in area.
- 8.8.21 That portion of the side yard of the Storage Facility that abuts an existing dwelling shall be fenced and / or landscaped so as to screen the Storage Facility from the adjacent lands.
- 8.8.22 The minimum side yard setback of a Storage Facility that abuts an existing dwelling shall be 7.5 m (24.6 ft.).

Subdivision

- 8.8.23 No lots greater than or equal to 2.42ha (6.0ac) shall be allowed to be further subdivided to create additional residential lots.

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8.9 Commercial (C) District

Purpose

8.9.1 The General Purpose of the Commercial (C) District is to accommodate a range of retail and service commercial uses primarily along highway corridors. This District comprises all of the land so designated on the Land Use District Maps.



Permitted and Discretionary Land Use Classes

8.9.2 Land use classes within the following table shall be permitted or discretionary within the Commercial (C) District.

Permitted	Discretionary
ALTERNATE ENERGY - INDIVIDUAL	ANTENNA, AMATEUR RADIO
AUTOMOTIVE AND EQUIPMENT REPAIR, SERVICE, SALES AND RENTAL	CANNABIS ACCESSORY RETAIL SALES
EATING AND DRINKING ESTABLISHMENT	CANNABIS RETAIL SALES
PROFESSIONAL, FINANCIAL, OFFICE, HEALTH AND BUSINESS SUPPORT SERVICES	HOTEL
RETAIL	MOTEL
RURAL COMMERCIAL USES	PRIVATE CLUB OR LODGE
SERVICE STATION	

8 | Land Use Districts

Regulations

8.9.3 Development regulations within this land use district shall be in accordance with the following table.

Regulation	Standard
Min. Lot Area	464.5m ² (5,000ft ²) for fully serviced parcels
	929.0m ² (10,000ft ²) for parcels served by municipal sewer only
	1393.5m ² (15,000ft ²) for parcels served by municipal water only
	1858.1m ² (20,000ft ²) for non-serviced parcels
Min. Floor Area	26.0m ² (280ft ²) for a Hotel or Motel unit
Min. Setback	
Yard – Front	7.5m (24.6ft) from the property line of an internal subdivision or hamlet road
	For parcels adjacent to a provincial highway, Alberta Transportation shall determine a minimum setback distance
Yard – Side	4.5m (14.8ft)
Yard – Rear	7.5m (24.6ft)

Additional Regulations

8.9.4 In addition to the regulations listed in this Section, regulations within Section 6 and Section 7 shall also apply to development in this land use district where applicable.

8.9.5 All development shall be provided with sanitary sewage disposal facilities pursuant to Provincial Regulations and legislation. In addition, the availability and suitability of water on the site must be confirmed before any development permit for a country residential use is issued.

8.10 Urban Industrial (UI) District

Purpose

8.10.1 The General Purpose of the Urban Industrial (UI) District is to accommodate industrial businesses within the boundaries of Hamlets which are compatible with each other and which carry out their operations in such a way that does not create a nuisance factor which might adversely affect surrounding non-industrial land uses.



Permitted and Discretionary Land Use Classes

8.10.2 Land use classes within the following table shall be permitted or discretionary within the Urban Industrial (UI) District.

Permitted	Discretionary
ALTERNATE ENERGY - INDIVIDUAL	AGRICULTURAL SUPPORT SERVICE
WAREHOUSING	AMATEUR RADIO ANTENNA
	CANNABIS PRODUCTION AND DISTRIBUTION FACILITY
	INDUSTRIAL HEMP PRODUCTION AND DISTRIBUTION FACILITY
	INDUSTRIAL USE, GENERAL
	PROFESSIONAL, FINANCIAL, OFFICE, HEALTH AND BUSINESS SUPPORT SERVICES
	PUBLIC UTILITY
	RURAL COMMERCIAL USES
	SERVICE STATION

8 | Land Use Districts

Regulations

8.10.3 Development regulations within this land use district shall be in accordance with the following table.

Regulation	Standard
Min. Lot Area	1860.0m ² (20,020.9ft ²)
Max. Lot Coverage	60%
Min. Lot Width	30.0m (98.4ft)
Min. Setback	
Yard – Front	7.5m (24.6ft) For parcels adjacent to a provincial highway, Alberta Transportation shall determine a minimum setback distance
Yard – Side	7.5m (24.6ft)
Yard – Rear	7.5m (24.6ft)
Max. Building Height	Determined by the Development Authority

Additional Regulations

8.10.4 In addition to the regulations listed in this Section, regulations within Section 6 and Section 7 shall also apply to development in this land use district where applicable.

8.10.5 Uses which generate excessive noise, dust, odour or are otherwise obnoxious may be refused by the Development Authority.

8.11 Direct Control (DC) District

Purpose

- 8.11.1 The purpose of the Direct Control District is to authorize and allow Council to exercise particular and specific direction and control over the use and development of land and buildings in particular areas of the County.

Development Regulations

- 8.11.2 All site regulations shall be approved by Council.
- 8.11.3 The design, siting, landscaping, scenery and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in the District or abutting Districts.
- 8.11.4 In evaluating a proposed land use or a development, the Development Authority shall have regard for, but not be limited to:
- a. Existing use of the land;
 - b. Uses, regulations and development criteria specified in the Land Use District superseded by this district;
- 8.11.5 The General and Special Provisions as contained in Section 6 and Section 7 of this Bylaw;
- a. The regulations of abutting Land Use Districts; and
 - b. Shall conform to the Act, Subdivision Regulations and any Statutory Plan in effect.

Approval of Rezoning Application

- 8.11.6 Prior to considering the Direct Control application for second reading, Council shall hold a public hearing in accordance with the Act.
- 8.11.7 The notice of a public hearing shall be provided in accordance with the procedure outlined in Section 3.7 of this Bylaw.
- 8.11.8 Each approved application shall be assigned a site-specific Direct Control District Number and listed within the text of this Bylaw along with the uses and regulations approved for the site.
- 8.11.9 The Land Use Bylaw Maps shall be updated to show the approved Direct Control District labelled with the assigned Direct Control District Number.
- 8.11.10 The rezoning approval issued pursuant to this Section may not be appealed and the Council Decision is final.
- 8.11.11 The development permit issued by the Development Authority (based on the Direct Control approval) may be appealed to the Subdivision and Development Appeal Board under the provisions of Subsection 4.1.1.

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8.12 Education (E) District



Purpose

8.12.1 The purpose of the Education District is to provide for educational uses and facilities related to educational uses.

Permitted and Discretionary Land Use Classes

8.12.2 Land use classes within the following table shall be permitted or discretionary with the School (S) District.

Permitted	Discretionary
ACCESSORY BUILDING	
ALTERNATE ENERGY - INDIVIDUAL	
PLAYGROUNDS & SPORT FACILITIES RELATED TO A SCHOOL	
SCHOOL: COMMERCIAL	
SCHOOL: PRIVATE	
SCHOOL: PUBLIC OR SEPARATE	

Regulations

8.12.3 Development regulations within this land use district shall be in accordance with the following table.

8 | Land Use Districts

Regulation	Standard
Min. Lot Area	1.0 Ha (2.5 ac.)
Max. Lot Area	4.0 Ha (10 ac.)
Min. Setback	
Yard – Front	45.0 m (147.6 ft.) from the centre line of any adjoining road or 7.5m (24.6ft) from the property line of an internal subdivision road For parcels adjacent to a provincial highway, Alberta Transportation shall determine a minimum setback distance
Yard – Side	7.5m (24.6ft)
Yard – Rear	7.5m (24.6ft)

Additional Regulations

- 8.12.4 In addition to the regulations listed in this Section, the regulations within Section 6 and Section 7 shall also apply to the development in this land use district where applicable.
- 8.12.5 All applications for a school use shall include information on the way potable water is to be supplied to the facility that meets the requirements of the facility's occupancy capacity.
- 8.12.6 All applications for a school use shall include information on the method of sanitary sewage disposal that meets the requirements of the facility's occupancy capacity.
- 8.12.7 All applications for a school use shall include a proposed emergency response plan.

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DEFINITIONS

Uses not defined within this section which, in the opinion of the Municipal Planning Commission or Development Authority, are similar to the permitted or discretionary uses and which conform to the general purpose and intent of a district shall be considered Discretionary Uses.

In this Bylaw

A

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

Accessory Building means a building separate and subordinate to the main building, the use of which is incidental to that of the main building and is located on the same parcel of land.

Accessory Use means a use customarily incidental and subordinate to the main use or building and is located on the same parcel of land with such main use or building.

Act means *The Municipal Government Act*, S.A. 2000, as amended.

Adjacent or Abutting means contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land; and any other land identified in this Bylaw as adjacent land for the purpose of notifications.

Agri-tourism Operation means the use of agricultural land and/or buildings for events and activities related to agriculture that create tourism opportunities. Agri-tourism operations typically charge a fee for experiences that include, but are not limited to, u-pick patches, market gardens, greenhouses, farm tours, recreational activities, trail riding, country vacations and hosting of special/seasonal events. This use does not include cannabis production and distribution facility.

Agricultural Support Service means a variety of agricultural related businesses such as seed processing and distribution plants, grain storage and distribution, agricultural equipment sales, manufacturing and distribution, fertilizer storage and distribution, agricultural support industries and any other similar uses involving agricultural raw materials or products. This does not include cannabis production and distribution facility.

Airport means any area of land or water, including the frozen surface thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, including any building, installation or equipment in connection therewith, operated by the Department of National Defense or for which an airport license has been issued by the Ministry of Transport.

Alternate Energy means a use producing energy from sources such as sunlight, water, wind, geo-thermal, or organic materials, but not fossil fuels (liquids, gases, or solids) either directly, via conversion, or through bio-chemical / bio-mechanical / chemical mechanical / bio-chemical mechanical processes. Examples of such uses are, but not limited to, anaerobic digester, biodiesel, bioenergy, composting, gasification, geo-thermal facility, micro-hydro, solar energy conversion, solar thermal, wind energy conversion, and waste to energy.

Alternate Energy – Commercial means an Alternate Energy development that is designed for the large-scale production of energy for a commercial market.

Alternate Energy – Individual means an Alternate Energy development that is designed to meet some or all of the energy needs of a dwelling, buildings, agricultural operation, or individual business, either through onsite production or on a site that is immediately adjacent to the consumption site.

Anaerobic Digester means a facility or system designed to process animal manure, organic matter, or septic waste into a bio-gas fuel;

Animal Boarding Facility means a commercial facility used for feeding, grooming, housing, exercising and/or training of domestic animals not owned by the occupant of the premises and for which the occupant of the premises receives remuneration.

Amateur Radio Antenna means an accessory use where an installation consisting of an antenna or antenna array, mounted on a tower or support structure, designed for the purpose of the reception and transmission of radio signals is utilized by licensed amateur radio operators.

Auto Wrecker means any land or building used for the collection, demolition, dismantlement, storage, salvage, recycling, or sale of waste materials including scrap metal, vehicles, machinery, and other discarded materials.

Automotive and Equipment Repair, Service, Sales and Rental means a development used for the repair, servicing, sale or rental of motor vehicles including automobiles, light trucks, utility vehicles, recreational vehicles, tent trailers, boats, motorcycles, snowmobiles and similar vehicles. This use includes transmission shops, muffler shops, tire shops, automotive glass shops, upholstery shops, automobile dealerships and rental agencies.

B

Bed and Breakfast Establishment means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of four (4) bedrooms, with or without meals, are provided for remuneration to members of the public.

Biodiesel means a form of diesel fuel produced from animal fat or vegetable oil using chemical processes.

Bioenergy means the development of energy stored in biological raw materials (wood, wood chips, bark, agricultural residue, animal manure, paper, cardboard, food and food waste, and organic yard waste, etc.), using mechanical, thermal, aerobic, anaerobic, biological, or chemical processes into solid, liquid or gas fuels.

Blade means a part of a Wind Energy Conversion System rotor which acts as a single airfoil, to extract kinetic energy directly from the wind.

Blade Clearance means the distance from grade to the bottom of the rotor's arc.

Buffer means an open green-space or undisturbed natural area; row of trees, shrubs, earth berm, or fencing to provide visual or physical separation and/or noise attenuation between parcels or a public roadway.

Building includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge that forms part of a highway or road.

Building Height means the vertical distance measured from the average grade level at the four corners of the property on which the building is located. This dimension shall include any accessory roof construction such as a chimney, steeple or antenna.

C

Campground means an outdoor area which has been planned and improved to be used and maintained for seasonal, short-term and overnight use for members of the general public. Structures used for camping purposes are temporary in nature and include but are not limited to tents, tent trailers, holiday trailers, campers and motor homes. The permanent or long term placement of recreational vehicles is not allowed in a campground. Accessory facilities may include an administrative office, laundromat, parks, picnic area, beach, and boating area.

Campground, Intensive means an outdoor area which has been planned and improved to be used and maintained for seasonal, long-term and overnight use exclusively for members of said intensive campground. The permanent or long term placement of recreational vehicles may be allowed in an intensive campground. Recreational vehicles are commonly used as seasonal dwellings. Accessory facilities may include an administrative office, laundromat, parks, picnic area, beach and boating area.

Cannabis means cannabis as defined in the Cannabis Act, S.C. 2018, c. 16, as amended, or replaced. Cannabis includes:

1. Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
2. Any substance or mixture of substances that contains or has on it any part of such a plant; or
3. Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

Cannabis does not include:

4. A non-viable seed of a cannabis plant;
5. A mature stalk (without leaves, flowers, seeds, or branches) of a cannabis plant;
6. Fibre derived from a mature cannabis stalk as referred to in subsection (5), above;
7. The root or any part of the root of a cannabis plant; or
8. Industrial hemp

Cannabis Accessory means a thing that is commonly used in the consumption or production of cannabis. A cannabis accessory includes, but is not limited to, rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers.

Cannabis Accessory Retail Sales means a retail outlet which specializes in the sale of cannabis accessories, drug paraphernalia related to consumption of cannabis, other recreational drugs, and new age herbs, as well as counterculture art, magazines, music, clothing and home décor. This does not include cannabis retail sales or cannabis production and distribution facility.

Cannabis Lounge means a development where the primary purpose of the facility is the sale of cannabis to the eligible public, for the consumption within the premises that is authorized by provincial or federal legislation. This use does not include cannabis production and distribution facility.

Cannabis Production and Distribution Facility means a development used principally for one or more of the following activities relating to cannabis:

1. The licenced production, cultivation, and growth of cannabis;
2. The licenced processing of raw materials;

3. The licenced making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished cannabis goods or products;
4. The licenced storage or shipping of materials, goods, or products; or
5. The licenced distribution and wholesale of materials, goods, and products to cannabis retail sales stores.

Cannabis Retail Sales means a development where the retail sale of cannabis and cannabis accessories is permitted through a cannabis licence in accordance with the *Federal Cannabis Act*, and *Alberta Gaming, Liquor and Cannabis Act*. This does not include cannabis production and distribution facility.

Cemetery means land that is used for the burial of human or animal remains and may include such developments as memorial parks, burial grounds and mausoleums.

Child Care Facility means an establishment licensed by the regional Child and Family Services Authority intended to provide care, educational services and supervision for 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.

Club or Lodge means an association of persons, whether incorporated or not, united by some common interest, meeting periodically for cooperation or conviviality. Club shall also mean, where the context requires, premises owned or occupied by members or staff of such association within which the activities of the club are conducted, but does not include a cannabis lounge.

Clustered Farm Dwellings and Associated Uses means one or more detached dwellings, duplexes or multiple family dwellings and such other structures and uses which are associated with the day-to-day operation of a religious colony, including farm buildings as part of an agricultural operation, home occupation, places of worship and schools on agricultural lands that include active Extensive or Intensive Agricultural uses or a Confined Feeding Operation approved by the Natural Resources Conservation Board under the *Agricultural Operation Practices Act*.

Cogeneration means the joint production, in a sequential process, of electricity (or mechanical energy) and useful thermal energy.

Confined Feeding Operation means a confined feeding operation as defined in the *Agricultural Operations Practices Act*. A confined feeding operation does not include extensive agriculture.

Conservation Area, Low Priority means land that is not designated as either a primary or secondary conservation area.

Conservation Area, Primary refers to:

1. The 1:100 year floodplain,
2. Buffer zones of at least 30 m width along all perennial and intermittent streams,
3. Slopes greater than 15%,
4. Habitat for populations of endangered or threatened species, e. wetlands and recharge areas,
5. Environmentally sensitive areas, as identified by Alberta Environment or Alberta Sustainable Resource Development, and
6. Archaeological sites, cemeteries, burial grounds, and historical sites;

Conservation Area, Secondary refers to:

1. Existing healthy, native forests of at least 0.4 ha contiguous area,

2. Other significant natural features and scenic view sheds such as water bodies, ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads or public properties,
3. Agricultural lands with a farmland assessment ratio of 55% or greater of at least 2.0 ha contiguous area, and
4. Existing trails that connect to neighbouring areas.

Conservation Easement means an agreement between a landowner and a qualifying organization to protect the natural values of a specified piece of land for a specified period of time or in perpetuity.

Corner Site means a site at the intersection of two abutting streets provided that the intersection of the two streets is less than 135 degrees. A site abutting upon a curved street or streets shall be considered a corner site if the arc of the inside boundary of the street is less than 45.0m in radius over an angle of more than 135 degrees.

Council means the Council of the County of Two Hills No. 21.

Crematorium means a building or mortuary where corpses are cremated.

Crops means any agricultural product, including trees, but excluding livestock.

D

Day Home means a child care operation within a dwelling unit that serves not more than 6 children and is operated either under contract with a Family Day Home Agency or independently as a private babysitting facility.

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

Development means:

1. An excavation or stockpile and the creation of either of them, including gravel pits, or
2. A building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
3. A change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
4. A change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building; and includes:
5. Any increase in the number of households occupying and living in any building or on any site, and any construction or alterations or additions which would provide for an increase in the number of households which could occupy and live in any building or on any site, including any increase in the number of dwelling units in a building or on a site; or
6. The placing of refuse or waste material on any land; or
7. The use of land for the storage or repair of motor vehicles or other machinery or equipment; or
8. The continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw comes into effect; or
9. The demolition or removal of a building; or
10. The placement of an already constructed or a partially constructed building on a parcel of land; or

11. The use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks, or any other type of portable building whatsoever, whether or not the same has been placed or affixed to the land in any way; or
12. The removal of topsoil.

Development Authority means the Development Authority as established within this Bylaw pursuant to the Act.

Development Authority Officer means the designated officer, as established within this Bylaw pursuant to the Act, and that person appointed as a Development Authority Officer pursuant to a resolution of the Council.

Development Permit means a permit authorizing a development issued pursuant to this Land Use Bylaw.

Discretionary Use means the use of land or a building provided for in this Land Use Bylaw for which a development permit may be issued upon an application having been made.

Drive-in Theatre means a theatre in which customers view motion pictures from their motor vehicles.

Driveway means a vehicle access connection from an individual lot or site to a public road.

Dwelling means any building used exclusively for human habitation, whether or not it is supported on a permanent foundation or base extending below ground level. This definition shall include all single detached dwellings, including all site built homes, modular homes, and manufactured homes, as well as buildings that contain multiple dwelling units.

Dwelling, Apartment means a residential building consisting of three or more dwelling units when two or more units share a common building entrance.

Dwelling, Semi-Detached means two attached dwelling units under one roof where each dwelling has an independent entrance.

Dwelling, Single Detached means a building containing a single dwelling unit as the main use of the building. A single-family dwelling is site-built.

Dwelling Unit means a residential unit within a mixed-use building containing one (1) or more habitable rooms that constitute a self-contained living accommodation unit having sleeping, cooking and toilet facilities and is intended as a permanent residence.

Duplex means two dwelling units sharing a common wall, and located side by side or one above another.

E

Eating and Drinking Establishment means a development where prepared food and beverages are offered for sale to the public, for consumption within the confines of the building or off the site. This use does not include cannabis lounge or cannabis retail sales.

Easement means a right to use land, generally for access to other property, a right-of-way for a utility, and in the case of environmental reserve as defined under the MGA, the dedication of land for environmental reserve purposes.

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

Extensive Agriculture means the use of land or buildings for the production of crops or livestock which require larger tracts of land. This use may include the outdoor cultivation of industrial hemp. Extensive agriculture does not include confined feeding operations or cannabis production and distribution facility.

F

Family Care Facility means a facility which provides resident service in a dwelling to six (6) or fewer individuals who are not related to the resident household. These individuals are handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. This category includes boarding homes for children and family homes.

Farmstead means a habitable dwelling unit, together with improvements which are either accessory to the dwelling unit and/or used in connection with the raising or production of crops or livestock, and situated on a parcel of land used in connection with such farming operations.

Fence means a vertical physical barrier constructed to try to reduce sound or visual intrusion or to limit unauthorized access.

Fermentation means the process of extracting energy from the oxidation of organic compounds.

Floor Area means the total area of all floors of all buildings including accessory buildings located on any parcel of land, excluding the area of basement floors.

Fragmented Parcel of Land means a parcel of land that is separated from the balance of a titled parcel by a natural barrier such as a river or a coulee which prohibits reasonable or normal access, or by a physical barrier such as a highway, road, or railroad.

Front Line means the boundary line of a parcel of land lying adjacent to a highway or road.

Front Yard means a yard extending across the full width of a parcel of land from the front line of the parcel of land to the nearest wall of the main building situated on the parcel of land.

G

Garage means an accessory building or part of the principal building designed and used primarily for storage of non-commercial motor vehicles and includes a carport.

Gasification means the process of converting organic or fossil fuel-based materials into nitrogen, carbon monoxide, hydrogen, and carbon dioxide to produce Syngas.

Geothermal means the production of energy using the internal heat of the Earth.

Group Care Facility means a facility which provides resident services to seven (7) or more individuals of whom one or more may be related. These individuals are handicapped, aged, or disabled, and undergoing rehabilitation, and are provided services to meet their needs. This category includes supervised uses such as halfway houses, resident schools, resident facilities, or boarding homes.

Group Home means a facility that provides special care for individuals who are in need of adult supervision, and that is licensed by the appropriate public authority. A group home shall be limited to six (6) persons excluding staff.

Guest Ranch means a private owner-occupied ranch house which includes sleeping facilities that are rented on a daily basis to registered guests and in which meals are prepared in a residential kitchen.

H

Hamlet means an area designated as a hamlet by a resolution of Council.

Highway means a highway as defined in the *Public Highways Development Act*, R.S.A. 2000.

Highway Commercial Use means commercial development along major roads within Hamlets that is intended to provide a variety of commercial services to the traveling and local public. This use does not include cannabis retail sales.

Home Occupation, Major means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling by at least one permanent resident of said dwelling, and which increases traffic circulation in the area 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 7.23 of this bylaw. A major home occupation does not include day homes, bed and breakfast establishments, guest ranches, or cannabis production and distribution facility, cannabis retail sales, or cannabis lounge.

Home Occupation, Minor means any business, occupation, trade, profession, or craft that is carried on as a secondary use within a dwelling by at least one permanent resident of said dwelling, and which does not increase traffic circulation in the area 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 in Section 7.23 of this Bylaw. A minor home occupation does not include or cannabis production and distribution facility or cannabis retail sales.

Horizontal Axis Rotor means a wind energy conversion system, where the rotor is mounted on an axis parallel to the Earth's surface.

Hotel means a development used for the provision of rooms or suites for temporary accommodation where the rooms obtain access from a common interior corridor but may have a meal service for guests. Hotels may include meeting rooms and minor/major food and beverage establishments.

Hunting Camp means a development including structures used to temporarily accommodate persons engaged in hunting, trapping, fishing or other resource and recreational activities but shall not include a permanent dwelling.

Industrial Hemp means a cannabis plant – or any part of that plant – in which the concentration of THC is 0.3% w/w or less in the flowering heads and leaves, as defined in *Industrial Hemp Regulations*, SOR/2018-145, as amended or replaced.

Industrial Hemp Production and Distribution Facility means the use of land, buildings or structures licensed and/or authorized to process, sell, provide, ship, deliver, transport, destroy, export and/or import industrial hemp, including indoor production and related research, under the *Industrial Hemp Regulations*, SOR/2018-145, as amended or replaced. This use does not include: cannabis retail sales establishments, cannabis production and distribution facility, or the outdoor cultivation of industrial hemp.

Industrial Park means to an area designed and districted for the purpose of accommodating a cluster of industrial development.

Industrial Use, General means the manufacturing, processing, assembling, cleaning, repairing, servicing, testing, storage, warehousing, distribution or shipment of materials, finished goods, products or equipment. General industrial use does not include uses listed under heavy industrial use.

Industrial Use, Heavy means the manufacturing, processing, assembling, cleaning, repairing, servicing, testing, storage, warehousing, distribution or shipment of concrete, asphalt, gravel, cement, lime, brick, and tar or forestry products.

Institutional Use means a development of a public character including governmental, religious, health, social, and cultural facilities having a close affinity with public services to a municipality, area, or region but which is not a place of worship, School: Commercial, School: Private, or School: Public or Separate.

Intensive Agriculture means a commercial agricultural operation other than confined feeding operations which, due to the nature of the operation, may be able to use smaller tracts of land. Without restricting the generality of the foregoing, this shall include nurseries, greenhouses, sod farms, market gardens, kennels and beekeeping. This use does not include cannabis production and distribution facility or industrial hemp production and distribution facility.

K

Kennel means an establishment for the keeping, breeding and raising of 3 or more domestic animals for profit or gain, but shall not apply to the keeping of animals in a veterinary clinic for the purpose of observation and/or recovery necessary to veterinary treatment.

L

Landscaping means lawns, trees, shrubs, ornamental plantings, fences, walks, or other structures and materials used in modern landscape architecture.

Lane means a narrow road intended to give vehicular access to the rear of a building or lot.

Livestock means any animal agricultural product. For the purposes of this Bylaw, livestock shall include, but not be limited to, cattle of all kinds and ages raised for all purposes, hogs, sheep, chickens, turkeys, horses, mink, rabbits, etc.

Loading Space means a space provided on a site to accommodate a commercial vehicle on a temporary basis for loading or unloading of goods and materials.

Lot means:

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

Lot, Corner means a lot that abuts two or more public roads which intersect at an angle not exceeding 135 degrees and creates two or more frontages.

Lot Coverage means the percentage of a lot area that is covered by all buildings on the same lot excluding the area covered by balconies, canopies, and decks.

Lot Depth means the length of a straight-line that joins the middle of the front lot line with the middle of the rear lot line.

Lot, Interior means any lot other than a corner lot.

Lot Line means a legally defined property line of a lot.

Lot Line, Front means the boundary dividing the lot from an abutting public roadway. In the case of a corner lot the shorter lot line shall be the front lot line.

Lot Line, Rear means the lot line that is opposite to the front lot line.

Lot Line, Side means the lot line other than a front or rear lot line.

Lot, Through means a lot, other than a corner lot, having access to two streets.

Lot Width means the average horizontal measurement between the lot line sides as determined by the development authority.

M

Main Building means a building in which is conducted the main or principle use of the parcel of land on which it is erected.

Main Use means the principle or major use on a parcel of land.

Maintenance means the upkeep of the physical form of any building, which upkeep does not require a permit pursuant to the *Safety Codes Act*. Maintenance will include painting, replacing flooring, replacing roofing materials, and repair of any facility related to a development, but will not include any activity that will change the habitable floor area of any dwelling unit or the internal volume of any building.

Manufactured Home (With) means a prefabricated dwelling unit, whether ordinarily equipped with wheels or not, that has been constructed in conformance to the *Alberta Safety Codes Act* and is manufactured to meet or exceed the Canadian Standards Association (CSA) standard CSA Z240 and can be moved in one or more parts from one point to another by being towed or carried and when placed and anchored on a foundation and connected to utilities, is ready for human occupancy. This definition includes a mobile home, a modular home, a park model trailer or an industrial camp trailer.

Manufactured Home (Without) means a prefabricated dwelling unit, whether ordinarily equipped with wheels or not, that has **NOT** been constructed in conformance to the *Alberta Safety Codes Act* and is **NOT** manufactured to meet or exceed the Canadian Standards Association (CSA) standard CSA Z240 and can be moved in one or more parts from one point to another by being towed or carried and when placed and anchored on a foundation and connected to utilities, is ready for human occupancy. This definition includes a mobile home, a modular home, a park model trailer or an industrial camp trailer.

Manufactured Home Park means a parcel of land under a single title which has been or is intended to be divided into rentable spaces for Manufactured Homes. Ownership and responsibility for the maintenance of internal roads, underground services, communal areas and buildings, snow clearance and garbage collection, together with general park management, rests with the management.

Manufactured Home Subdivision means an area designated by a Land Use District that is subdivided by a registered plan into individual lots in order to exclusively accommodate manufactured homes.

Medical Cannabis Facility means any building in which an activity authorized by the medical cannabis production regulations (*Cannabis for Medical Purposes Regulations SOR/2013-119*), or any successor or replacement legislation or regulation, is or may be conducted including such activities as growing, processing, labeling and packaging, storing, and transporting of cannabis.

Micro-hydro means a hydroelectric power facility, producing up to 100 kW of electricity, using the natural flow of water.

Modular Dwelling means a single detached dwelling constructed in large sections, away from the home site, and under controlled conditions. It does not refer to a type of dwelling but rather to a method of construction, and includes both manufactured and mobile homes.

Motel means a development used for the provision of rooms or suites for temporary accommodation where each room or suite has its own exterior access, may be equipped with individual kitchen facilities, and may have a meal service for guests. Motels may include food and beverage establishments.

Municipality means the County of Two Hills No. 21.

Municipal Planning Commission means the Municipal Planning Commission of the County of Two Hills No. 21 which is established by Council pursuant to the Act.

N

Nacelle means the part of a wind energy conversion system that includes a generator, gearbox, or yaw motors and other operating parts that are installed at the top of the tower to which blades are attached, and is responsible for converting wind into energy.

Natural Resource Development means those uses of lands or buildings, which are governed by the location of a natural resource and which involve the extraction, removal, or on-site processing, and/or storage of a natural resource. Typical uses include sand and gravel excavation, sand and gravel processing, logging, forestry operations, petroleum exploration, petroleum extraction, and mining.

Non-Commercial Agriculture means development for small scale, non-commercial agriculture pursuits including the raising of crops for personal consumption, and for the feeding, breeding and raising of livestock. No livestock, other than the types listed under Section 7.11(2) shall be permitted.

Non-Conforming Building means a building:

1. 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
2. That on the date the land use bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use bylaw.

Non-Conforming Use means a lawful specific use:

1. 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
2. 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.

O

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.

Occupancy means the use or intended use of a building or part thereof for the shelter or support of persons or property.

Offensive or Objectionable means, when used with reference to a development,

1. 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
2. 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.

Over Speed Control means a device that prevents excessive rotor speed.

Owner means

1. 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
2. In the case of any other land, the person shown as the owner of land on the municipality's assessment roll prepared in accordance with the *Municipal Government Act*.

P

Parcel of Land 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.

Park means land developed for public recreational activities that do not require major buildings or facilities. A park may include but is not limited to picnic areas, playgrounds, trails, landscaped areas and associated public washrooms.

Permitted Use means the use of land or a building provided for in a land use bylaw for which a development permit shall be issued upon an application having been made.

Place of Worship means a building wherein people regularly gather for worship and related religious, philanthropic or social activities. Typical uses include churches, chapels, convents, kingdom halls, monasteries, mosques, synagogues, and temples. Places of Worship may also contain facilities for food preparation and / or eating and drinking establishments as an accessory use and, from time to time, part of a Place of Worship may be used as an entertainment establishment. This use does not include School: Commercial, School: Private or School: Public or Separate.

Private Club or Lodge means a building or part of a building used exclusively by the members and guests of a club for social, recreational or athletic activities. This use does not include cannabis lounges.

Professional, Financial, Office, Health and Business Support Service means a development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include the following and similar uses as offices of lawyers, accountants, engineers, planners, and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; banks, credit unions, loan offices and similar financial uses; printing establishments, film processing establishments, janitorial firms, medical practitioners and business equipment repair shops.

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

1. Water; wastewater or storm water;
2. Public transportation operated by or on behalf of the County;
3. Communication;
4. Drainage ditch;
5. Natural gas;
6. Electric power; or
7. Heat.

Public Utility Building means a building for a public utility as defined in the *Municipal Government Act* in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in connection with the public utility.

R

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.

Rear Yard means a yard extending across the full width of a parcel of land from the rear line of the parcel of land to the nearest wall of the main building situated on the parcel of land.

Recreational Use means a recreational development conducted 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. This use includes ski slopes, golf courses, archery, trap and rifle ranges, race tracks, boating, riding, swimming, picnicking, and similar uses, and may include a refreshment stand or snack bar incidental to the primary use.

Recreational Vehicle means a vehicle or trailer designed, constructed, and equipped for short-term temporary accommodation for the purpose of travel, vacation or recreational use. The term includes but is not limited to holiday/travel trailers, tent trailers, camper vans, motor homes, slide-in campers and chassis-mounted campers, but does not include manufactured or modular homes.

Retail means a development used for Retail sale of consumer goods on a daily basis in an enclosed building including, but not limited to, food stores, liquor stores, drug stores, video sales and rentals, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter. This use does not include cannabis retail sales.

Road means a government road allowance or road plan under the jurisdiction and control of providing public road access/egress to/from parcels of land. The terms “road-right-of-way” and “road” may have the same meaning.

Rotor’s Arc or Rotor Diameter means the largest circumferential path travelled by a wind energy conversion system’s blade.

Rural Commercial Use means a commercial use that is minor in scale and which serves the farm community in which the use is located, such as farm machinery repair shops, welding shops, lumber yards, or a grocery store with or without gas pumps. This use does not include cannabis retail sales.

Rural Road means a road as defined in the *Public Highways Development Act*, R.S.A. 2000.

S

School: Commercial means a place of instruction for recreational, vocational, skill training or similar purposes operated for profit but does not include a School: Public or Separate under *The Education Act* or a School: Private.

School: Private means a place of instruction not built or maintained primarily with public funds nor operated primarily with public funds by a School Board under *The Education Act*, which may or may not offer courses of study equivalent to those prescribed or approved by the Minister of Education.

School: Public or Separate means a place of instruction operated with public funds pursuant to *The Education Act*.

Secondary Suite means a self-contained additional dwelling unit within a single detached dwelling or within an accessory structure that is located on a residential lot or within the farmstead on an agricultural lot. A secondary suite may be a basement suite.

Service Station means a development used for the sale of motor fuel, lubricating oils, automotive fluids, and associated convenience store products. A Service Station may be self-service, full service, a key lock, a card lock, or other similar operation and may include vehicle-washing facilities as an Accessory Use but does not provide auto repair or servicing. This use does not include cannabis retail sales.

Setback means the distance that a development or a specified portion of it must be set back from a property line. The setback shall be measured perpendicularly from the applicable front, rear or side property line to any portion of the building foundation.

Shelterbelt means trees or other vegetation, whether in a line or in a cluster, which is designed and/or planted to retard or mitigate the effects of wind action.

Shipping Container means a container, generally used for storage purposes, that includes but is not limited to sea, land, and rail shipping containers. For the purposes of this Bylaw a shipping container is considered to be an accessory building.

Side Line means the boundary line of a parcel of land lying between a front line and a rear line of a parcel.

Side Yard means a yard extending between a front yard and a rear yard from the side line of a parcel of land to the nearest wall of the main building situated on the parcel of land.

Sign means any device, erection, or structure used for the display of advertisements, and without in any way restricting the generality of the foregoing, includes posters, notices, panels, boarding’s, and banners.

Site Built means a structure that is constructed primarily on the site on which it is to be located. Although some components may be prefabricated off-site, the home is erected, framed, and finished by workers on location using stock materials.

Solar Energy Conversion System means a system using panels, tubes, or other devices to collect and convert solar energy into electricity or thermal energy.

Storage Facility means a building for the indoor storage and maintenance of vehicles and / or mobile equipment or the storage of building materials, excluding dangerous goods, with or without a dwelling on the site. This definition is specific and exclusive to the Country Residential Estates District.

Structural Alterations means the addition to, deletion from, or change to any building which requires a permit other than a plumbing permit, a gas permit, or an electrical permit pursuant to the *Safety Codes Act*.

Subdivision and Development Appeal Board means the Subdivision and Development Appeal Board of the County of Two Hills No. 21 which is established pursuant to the Act.

T

Total Height means the height from grade (ground level) to the highest vertical extension of a wind energy conversion system. In the case of wind energy conversion system with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.

Tower means the guyed or freestanding structure which supports the rotor above grade.

Trailer Park, Recreational refers to a multi-lot subdivision that has been designed exclusively for recreational vehicles. Accessory facilities may include an administrative office, laundromat, parks, picnic area, beach and boating area.

V

Vertical Axis Rotor means a wind energy conversion system where the rotor is mounted on an axis perpendicular to the Earth's surface.

W

Warehousing means a structure used for the storage and distribution of raw materials, processed or manufactured goods, and establishments providing servicing for those purposes.

Waste Management means a site used primarily for the storage, processing, treatment and disposal of solid and liquid wastes, which may have adverse environmental impact on sites either abutting or in the vicinity by virtue of potential emissions and appearance. Typical uses include sanitary landfills, garbage transfer and compacting stations, facilities for the recycling of materials, incinerators, sewage lagoons and similar uses.

Waste to Energy means a facility that creates electricity and / or heat from the incineration of waste materials.

Wind Energy Conversion System means a machine designed to convert wind energy into mechanical or electrical energy. If the mechanical energy is used directly by machinery (pump or grinding stones) the machine is known as a Windmill. If the mechanical energy is converted to electricity, the machine is a wind energy conversion system.

Wireless Communications Facility means a development involving a structure and components needed to operate wireless transmitters or receivers for television, radio, telephone and internet signals.

Y

Yard means a part of a parcel of land upon or over which no main building is to be erected.

and all other words and expressions have the meanings respectively assigned to them in the Act.

Appendix A

Land Use District Maps

