



Land Use Bylaw 1564

As amended January 14, 2014

PART I - Purpose & Definitions

1. Purpose.....	5
2. Definitions	5

PART II - Administrative Agencies

3. Development Officer.....	21
4. Subdivision and Development Appeal Board.....	23
5. Municipal Planning Commission.....	23

PART III - Development Permit Applications

6. Development Permit Required.....	25
7. Development Permit Not Required	25
8. Application for a Development Permit.....	27
9. Permission for Development.....	28
10. Development Permits & Notices.....	35

PART IV - Appeals

11. Appeal Procedure	37
11a Appeal Hearing	37
12. Decision	39

PART V - Enforcement & Administration

13. Contravention and Enforcement.....	41
14. Offences and Penalties	41
15. Amendments to the Bylaw.....	42
16. Land Use Bylaw No. 1440.....	42

PART V - Enforcement & Administration

17. Districts	43
18. District Boundaries.....	43
19. A – Agriculture District.....	45
20. CR – Country Residential District.....	51
21. HR – Hamlet Residential District	55
22. HC – Hamlet Commercial District.....	59
23. HI – Hamlet Industrial District.....	61
24. HG – Hamlet General District.....	63
24a XH – EX-Hamlet District.....	65
25. HWY-C – Highway Commercial District.....	69
26. LRC – Local Rural Commercial District	73
27. LI – Light Industrial District	75
28. I – Industrial District.....	79
29. R – Recreation District	83
30. MH – Manufactured Home District	85
31. DC – Direct Control District	89

PART VII - General Land Use Regulations

32. Floodplain Development	101
33. Development Near Water.....	101
34. Non-Conforming Buildings & Uses	102
35. Home Occupations.....	102

36. Relocation of Buildings	103
37. Drainage	104
38. Agricultural Land.....	104
39. Rural Subdivision and Development Policies	104
40. Highway Commercial Development	109
41. Topographic Features.....	109
42. Signs	112
43. Parking	114
44. Objects Prohibited or Restricted in Yards.....	114
45. Site Development	115
46. Mobile Homes.....	115
47. Manufactured Homes.....	116
48. Hamlet Development	116
49. Shelterbelts & Fences.....	116
50. Campgrounds	116
51. Local Rural Commercial Development.....	117
52. Wrecking Yard (Auto and Equipment Wreckage Site)	117
53. Bed and Breakfast Establishments	118
54. Secondary Suites.....	119
55. Dwelling Units per Lot.....	119
56. Dugouts	119
57. Recreational Trails.....	120
58. Livestock Allotted per Acre on Residential Parcels (20 Acres or less).....	121
59. Landscaping	121
60. Hamlet General District.....	124
60a Ex-Hamlet District	124
61. Wind Energy Conversion Systems.....	124

Part VIII Land Use Maps

1. Purpose

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve orderly and economic development.

2. Definitions

In this Bylaw:

“Accessory Building” or **“Accessory Use”** means a building or use which is subordinate or incidental to the principal building or use located on the same parcel.

“Accommodation Unit” means one or more rooms that provide sleeping accommodation and bathroom facilities for not more than two persons, but is not equipped with self-contained cooking facilities.

“Act” means the *Municipal Government Act, RSA 2000, c M-26*, as amended.

“Adult Care Residence” means a residential building with two or more accommodation units designed to provide long term housing wherein adult residents, who because of their circumstances cannot or do not wish to maintain their own households, are provided with meal services and may receive such services as housekeeping and personal care assistance.

“Agricultural Operation” means an agricultural activity (other than a confined feeding operation) conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes:

- (a) the cultivation of land,
- (b) the raising of livestock, including game-production animals within the meaning of the *Livestock Industry Diversification Act* and poultry,
- (c) the raising of fur-bearing animals, pheasants or fish,
- (d) the production of agricultural field crops,
- (e) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops,
- (f) the production of eggs and milk,
- (g) the production of honey,

- (h) the operation of agricultural machinery and equipment, including irrigation pumps,
- (i) the application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides, including application by ground and aerial spraying for agricultural purposes,
- (j) the collection, transportation, storage, application, use, transfer and disposal of manure, and
- (k) the abandonment and reclamation of confined feeding operations and manure storage facilities.

“Agricultural Processing” means the use of land or a building for adding value to or the upgrading of a primary agricultural product. This includes, but is not limited to such things as honey production / packaging, cleaning, sorting or packaging of produce, the production of jam / preserves.

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

“Area Structure Plan” means a statutory plan, adopted by Council pursuant to the *Municipal Government Act*, providing a framework for subsequent subdivision and development of an area.

“Auction Mart” means a parcel and/or building used for the temporary storage of goods, excluding animals / livestock, which are sold on the premises by public auction from time to time.

“Auction Mart, Livestock” means a parcel and/or building used for the temporary storage of goods, including animals / livestock, which are sold on the premises by public auction from time to time.

"Automotive and Recreational Vehicle Sales and Rentals" means a place where motor vehicles and recreational vehicles are sold or leased and where vehicles may only be displayed or stored on portions of the site approved exclusively for storage or display.

“Basement” means that portion of a building which is partly underground but which has two feet of its height from finished floor to finished ceiling above the adjacent finished grade.

“Bed and Breakfast Establishment” means a secondary commercial use wherein breakfast together with the short term (i.e. less than 15 days) rental of one or more bedrooms and bathroom facilities is provided within a private detached dwelling permanently occupied by the provider of the service.

“Better Agricultural Land” means Canada Land Inventory Capability for Agriculture classifications 1 to 4 and/or a Farmland Assessment Rating (FAR) of 28 percent or more. These ratings are subject to confirmation by detailed site and soil investigation and interpretation by the Development Authority.

“Boarding or Lodging House” means a building where meals are served for remuneration or rooms are rented to at least two, but not more than four persons, not including the proprietor and his immediate family, but does not include a hotel, motel, or other similar use.

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

“Building Demolition” means the pulling down, tearing down or razing of a building.

“Campground” means a commercial recreational development for the purpose of providing temporary tourist accommodation for recreational vehicles or tents. A campground is not construed to mean a development for the purpose of accommodating long-term or permanent occupancy by recreational vehicles or manufactured homes.

“Commercial Recreation and Entertainment Facility” means a facility or establishment that provides recreation or entertainment for gain or profit, including such things as, but not limited to, bowling alleys, paintball facilities, theatres, and video arcades.

“Compressor Station” means any building or structure that contains a compressor that is related to a natural gas line. Compressor Stations are regulated by their horsepower not by their floor area size.

“Confined Feeding Operation” means a confined feeding operation as defined in the *Agricultural Operations Practices Act*.

“Corner Parcel” means a parcel having frontage on two or more streets at their intersection (See “Yard”)

“Council” means the Council of Kneehill County.

“Country Recreational Lodge” means a country recreational centre which provides for the short-term or occasional lodging and boarding of patrons and may include a guest ranch or similar development with a central services building with or without guest cottages, and including accessory facilities or other services operated incidentally only as a service to the prime or principal use and intended for patrons of the recreational development, but excluding campgrounds, motels, hotels, or the use of lodging facilities for permanent habitation or residence other than caretaker purposes.

“Country Residential” means a detached dwelling or manufactured home situated on a parcel of land used principally for private residential purposes within an otherwise rural area.

“Day Care Facility” means a facility that provides care and supervision for seven (7) or more children for more than three (3) but less than twenty-four (24) consecutive hours in each day that the facility is operating, and is intended to be operated for at least twelve (12) consecutive weeks per year.

“Detached Dwelling” means a building containing one dwelling unit, physically separate from any other residential building, but does not include manufactured homes.

“Development” means:

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

“Development Authority” means the person or persons appointed pursuant to Bylaw 1340, as amended.

“Development Officer” means a person appointed as Development Officer pursuant to Section 2 of this Land Use Bylaw

“Development Permit” means a document authorizing development issued under this Bylaw.

“Discretionary Use” means a use which may be compatible with the other uses in the districts, for which a development permit may be issued at the discretion of the Development Authority.

“Drinking Establishment” means an establishment the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purposes of which may include entertainment, dancing, the preparation and sale of food for consumption on the premises, takeout food services and the sale of alcoholic beverages for consumption away from the premises. A drinking establishment includes any premises for which a “Class A” liquor license has been issued and where minors are prohibited by the terms of the license;

“Drive-Through Business” means an establishment with facilities for on-site service to customers who remain in their vehicles. Service station is a separate use.

“Duplex” means a residential building containing two dwelling units, excluding detached dwellings with an approved secondary suite.

“Dwelling Unit” means a building or a self-contained portion of a building for the residential use of one or more people living as a single housekeeping unit, and containing complete sleeping, cooking and toilet facilities, and intended as a permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms.

“Easement” means the right to use land generally for access to other property or as a rights-of-way for a public utility.

“Existing” means existing as of the date of adoption of this Bylaw.

“Extensive Agriculture” means the production of crops or livestock or both by extensive cultivation or open grazing.

“Farm and Industrial Equipment and Machinery Sales and Service” means the sales, rental, assembly, and servicing of farm and industrial type equipment and machinery.

“Farm Building” means a building that:

- does not contain a residential occupancy,
- is located on land used as a farm, or is designated for agricultural; use and directly supports the primary farm operation,
- has a low occupant load, and
- is not used or occupied by, or expected to be used or occupied by, the public or persons other than the farmer or farmers that own the building, their immediate family, and/or their employees, that may be in the building from time to time,

And the building is used for:

- housing livestock,
- storing, sorting, grading or bulk packaging primary agricultural products, or
- housing, storing or maintaining machinery associated with the operation of the farm on which it is located.

“Farmstead Separation” means the approval by the Subdivision Authority of a parcel of land for an existing dwelling and related improvements which normally are associated with a farm operation.

“Feed Mills, Grain Elevators and Seed Cleaning Plants” means facilities in which grains and/or animal feeds are prepared and/or stored during shipment to or from farms.

“Fence” means a vertical physical barrier constructed out of typical building material (wire, wood, plastic, or tubular steel) to prevent visual or unauthorized access or both.

“Fertilizer Storage and Distribution Facility” means a development used to store bulk fertilizer for distribution. This use class does not include the sales of bagged fertilizer in a retail shop.

“First Parcel Out” means the first parcel to be subdivided from an unsubdivided quarter section. It is not necessary for a habitable residence to be located on the site.

“Flood Plain” means the area of land bordering a water course or water body that would be inundated by a 1 in 100 year flood.

“Floor Area” means the total floor area of every room and passageway contained in a building, not including the floor areas of basements, attached garages, sheds, open porches, patios, open decks, verandas or breezeways.

“Front Parcel Boundary” means in the case of an interior parcel, the boundary which abuts a street and in the case of a corner parcel, means the shortest parcel boundary abutting a street (See “Yard”).

“Funeral Home” means development used for the preparation of the deceased for burial, the provision of funeral services, and the purification and incineration of human remains.

"Gas and Oilfield Services Business - Minor" means a business that provides limited support services to oilfield and pipeline operations. Typical services in this use include, but are not limited to, hot shots, inspection, maintenance, testing, well conditioning, well logging, x-ray and diagnostic, cathodic protection, wireline services or other such similar services. This use does not include the use or storage of toxic, explosive or radioactive materials.

“Gas Bar” means a facility where vehicle fuels, lubricant and fluids are sold to the public, but vehicle maintenance and repairs are not done. Service station is a separate use.

“Golf Course” means the a golf playing area and ancillary buildings and uses related to the playing of the game of golf, including, for example, pro shop, club house, restaurant, licensed dining area, lounge, driving range and picnic area.

“Greenhouse” means a building designed and used for the growing of vegetables, flowers and other plants for transplanting or for sale.

“Groundwater” means all water under the surface of the ground.

"Guest Child Care Facility" means an accessory building or accessory use for the care, entertainment and supervision of children associated with the users of a Principal Use.

“Height” means when used with reference to a building or structure, the vertical distance between a horizontal plane through grade level and a horizontal plane through:

- (a) the highest point of the roof in the case of a building with a flat roof or a deck roof;
- (b) the average level of a one-slope roof;
- (c) the highest point in the case of a pitched, gambrel, mansard, or hipped roof.

“Highway” means a primary highway and a secondary road designated under the *Public Highways Development Act* or by *Transport Canada*.

“Home Occupation, Major” means an occupation, trade, profession or craft carried on by a resident of a dwelling that is secondary to the residential use of the dwelling and may include the use of accessory buildings. It does not include a bed and breakfast establishment.

“Home Occupation, Minor” means an occupation, trade, profession or craft carried on by a resident of a dwelling that is secondary to the residential use of the dwelling. The home occupation shall be wholly contained within the dwelling unit. It does not include a bed and breakfast establishment.

“Hotel” or “Motor Hotel” means a building used primarily for temporary sleeping accommodations and ancillary services provided in rooms or suites of rooms which may contain bar/kitchen facilities.

“Industrial Park” means the development of three or more contiguous parcels of land for industrial purposes.

“Intensive Vegetative Operation” means a system of tillage for the concentrated raising of specialty crops including, but not limited to tree farms, greenhouses, plant nurseries, sod farms, and similar uses.

“Kennel” means any place where three or more dogs and/or cats over six months of age are maintained, boarded, bred, trained, or cared for remuneration or sale.

“Lane” means a public road providing secondary access to one or more parcels.

“Livestock” means animals such as poultry, horses, cattle, bison, sheep, swine, goats, bees, llamas, fur bearing animals raised in captivity, and domestic cervids within the meaning of the *Livestock Industry Diversification Act*,

“Lot” means:

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

“Main Building” means a building in which is conducted the main or principal use of the parcel on which it is erected.

“Manufactured Home” means a residential building containing one dwelling unit built off-site in a factory in one or more sections, suitable for long term occupancy designed to be transported on either its own wheels and chassis or other means to a suitable site.

“Manufactured Home Park” means a parcel comprehensively designed, developed and operated to provide sites and facilities for the placement and occupation of manufactured homes on a long term basis.

“Manufacturing / Processing Facility” means a facility in which the manufacturing or assembly of goods, or processing of materials is conducted and includes other accessory uses related to or supportive of the manufacturing, processing or assembly activity, such as offices, storage areas, display areas, and limited sales of goods produced on site.

“Motor Vehicle Racing Track” means a paved motor vehicle course or courses specifically designed, constructed and maintained for racing, testing and demonstrating motor vehicles and motorcycles.

"Motor Vehicle Servicing, Repair and Storage" means a facility or area for the maintenance of motor vehicles and includes the supply and sale of fuels, oils, lubricants, tires and other parts and accessories and the storage and protection of vehicles, both indoors and in secured and screened compounds.

"Multi-Attached Dwellings" means a residential building containing three or more dwelling units separated by common walls and located either on a single parcel or on separate lots.

"Municipal Development Plan" means a statutory plan adopted by Council as a municipal development plan pursuant to the *Municipal Government Act*, which contains policies for the future development and use of land in the municipality.

"Municipal Planning Commission" means the Municipal Planning Commission established by Bylaw 1340, as amended.

"Municipality" means Kneehill County.

"Natural Resource Extractive Industry" means the extraction of natural resources such as clay, sand, gravel, limestone, coal, petroleum and other minerals, and may include primary treatment into a raw marketable form.

"Non-conforming Building" means a building:

- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
- (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw.

"Non-conforming Use" means a lawful specific use:

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

"Office" means a facility providing for the administration of business, or government, or the provision of professional services;

“Oilfield Building” means any building or structure related to the operation of an oilfield, which may include but not limited to dehydrator buildings, separator buildings, and motor control centres. Compressor stations and well heads are not included in this classification.

“Outdoor Boiler” means any type of solid fuel burning unit located separate from the principle building or accessory buildings or as a standalone building for the generation of space or water heating.

“Outdoor Storage Facility” means land and/or buildings used for the outdoor storage of goods and materials and may include the collection and distribution of goods and materials, excluding dangerous or hazardous goods and materials.

“Owner” means the person(s) registered under the *Land Titles Act* as the owner of the fee simple estate in land and, in respect of any other property other than land, the person in lawful possession of it.

“Parcel” means the aggregate of one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

“Permitted Use” means a use which is compatible with other uses in the district and for which a development permit has been issued provided it otherwise conforms to this Land Use Bylaw.

“Personal Services” means the provision of a service to individuals on a commercial basis and includes such services as photographers, travel agencies, beauty salons, dry cleaners, medical and health related services including their associated offices;

“Place of Worship” means a building used for religious worship by an association of persons that is organized for the conduct of religious services, rites and worship and is permanently established as to the continuity of its existence. Accessory uses may include, but not limited to, residence for a caretaker or head of the congregation and an assembly hall.

“Principal Use” the main purpose for which a building or parcel is used.

"Private Recreation Facility" means an area of land or a building used:

- where members of a club or group assemble to participate in recreation, social or cultural activities
- where there are sports, recreation, cultural, or social events for the members of the group
- where there may be an area for the preparation or consumption of food
- that may have meeting rooms for the administration of the group
- where members of the club or group have restricted access to the land or building through ownership, membership or invitation

"Public or Quasi-public Use" means a use of land and/or a building for the purposes of public administration and service and shall also include the use of land and/or a building for the purpose of assembly, worship, instruction, culture, recreation or other community activity.

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

- (a) water or steam;
- (b) sewage disposal;
- (c) public transportation operated by or on behalf of the municipality;
- (d) irrigation;
- (e) drainage
- (f) fuel;
- (g) electric power;
- (h) heat;
- (i) waste management;
- (j) telecommunications

and includes the thing that is provided for public consumption, benefit, convenience or use.

"Public Utility Building" means a building in which the proprietor of a public utility

- (a) maintains its offices, or
- (b) maintains or houses equipment used in connection with the public utility.

“Recreation Area” means an area of land used by the public for recreational purposes. Activities may include, but are not limited to walking, running, cycling, horseback riding, cross country skiing, and riding of all terrain vehicles and snowmobiles.

“Recreation Vehicle” means a motor home, camper, trailer, tent trailer or any form of a vehicle used or intended to be used for recreational or holiday accommodation, excluding park model recreation vehicles.

“Recreation Vehicle, Park Model” means a recreation vehicle that conforms to either CAN/CSA-Z240 or CAN/CSA-Z241 series standards and is used or intended to be used for seasonal or recreational accommodation only. “Park Model” excludes recreational vehicles or units built to CAN/CSA-A277 standard or the Alberta Building Code.

“Restaurant” means an establishment for the preparation or sale of food for consumption on the premises and may include takeout food service and entertainment, excluding adult entertainment, as accessory uses. A restaurant may include premises for which a “Class A” liquor license has been issued and minors are not prohibited by the terms of the license. Drinking establishments are a separate use;

“Retail Store” means a building where merchandise is offered for retail sale and is stored only in reasonably sufficient quantities to supply normal retail needs. It may include limited outdoor display of goods for sale.

“Road” means land:

- (a) shown as a road on a plan or survey that has been filed or registered in a Land Titles Office, or
- (b) used as a road,

and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a highway.

“Screening” means a fence, wall, berm, hedge or other barrier providing visual and/or acoustic separation of sites.

“Seasonal” means the use or occupation of a site, dwelling, recreational vehicle or park model recreation vehicle between May 1st and October 31st of a calendar year.

“Secondary Suite” means a separate and subordinate dwelling unit contained within a detached dwelling. A secondary suite must have a separate entrance from the principle building, either from a common indoor landing or directly from the exterior of the building.

“Service Station” means a building or a portion thereof for the servicing and repair of motor vehicles and includes the sale of fuel, oils and other accessories for motor vehicles.

“Service Station, Commercial Vehicle” means a building or land for the servicing, maintenance or repair of commercial motor vehicles and may include the sales of fuel, oils and other accessories for commercial motor vehicles, the sale of retail

“Sign” means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any structure, or portion thereof, which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign, and except as provided for in this bylaw, is subject to all regulations governing signs.

- (a) **“A-board Sign”** means a self supporting A-shaped local advertising sign set upon the ground.
- (b) **“Area of Sign”** means the total surface area within the outer periphery of the said sign, and in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface area;
- (c) **“Billboard”** means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located;
- (d) **“Fascia Sign”** means a sign placed flat and parallel to the face of the building so that no part projects more than one foot from the building;

- (e) **“Free-standing Sign”** means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure;
- (f) **“Portable Sign”** means a sign, excluding A-board and temporary signs that can be carried or transported from one site to another.
- (g) **“Projecting Sign”** means a sign which is attached to a building or structure so that part of the sign projects more than one foot from the face of the building or structure;
- (h) **“Roof Sign”** means any sign placed on or over a roof.
- (i) **“Temporary Sign”** means a sign or banner that is not permanently installed or affixed, advertising a product, activity or event on a limited time basis and does not include a portable sign.

“Social Care Facility” means a building or part of a building wherein occupants reside while being provided with specialized care, such as supervisory, medical, counseling or psychiatric services, on a short term basis.

“Street” means a road other than a lane.

“Subdivision and Development Appeal Board” means the board established by Bylaw 1339, as amended.

“Subdivision and Development Regulation” means the *Subdivision and Development Regulation (AR 43/202)*, as amended.

“Surveillance Suite” means a non-permanent, portable dwelling unit or suite above the first floor of the commercial establishment, which is secondary to the principal commercial use and used solely for the purpose of providing surveillance for the maintenance, security and safety of the principle commercial use.

“Temporary” means a period of time up to 1 year, unless otherwise specified in a development permit.

“Unsubdivided Quarter Section” means a titled area of 160 acres (64.7 hectares) more or less but excluding previous subdivision for road widening, school sites and other public and quasi-public uses.

“Veterinary Clinic” means a facility for the medical care and treatment of animals and includes the provision for their overnight accommodation but does not include kennels, outdoor pens, and enclosures.

“Veterinary Hospital” means a facility for the medical care and treatment of animals and includes provision for their accommodation and confinement in outdoor pens, runs, and enclosures.

“Warehousing” means a facility for the indoor storage of goods and merchandise and may include offices related to the administration of the warehouse facility as an accessory use. Warehousing includes mini or self-storage facilities.

“Watercourse” means the bed and shore of a river, stream, lake, creek, lagoon, swamp, marsh or other natural body of water, or a canal, ditch, reservoir or other man-made feature, whether it contains or conveys water continuously or intermittently.

“Work Camp” means a complex used to accommodate natural resource industry/construction employees on a temporary basis, which may consist of mobile units that provide sleeping, eating, and other basic living facilities.

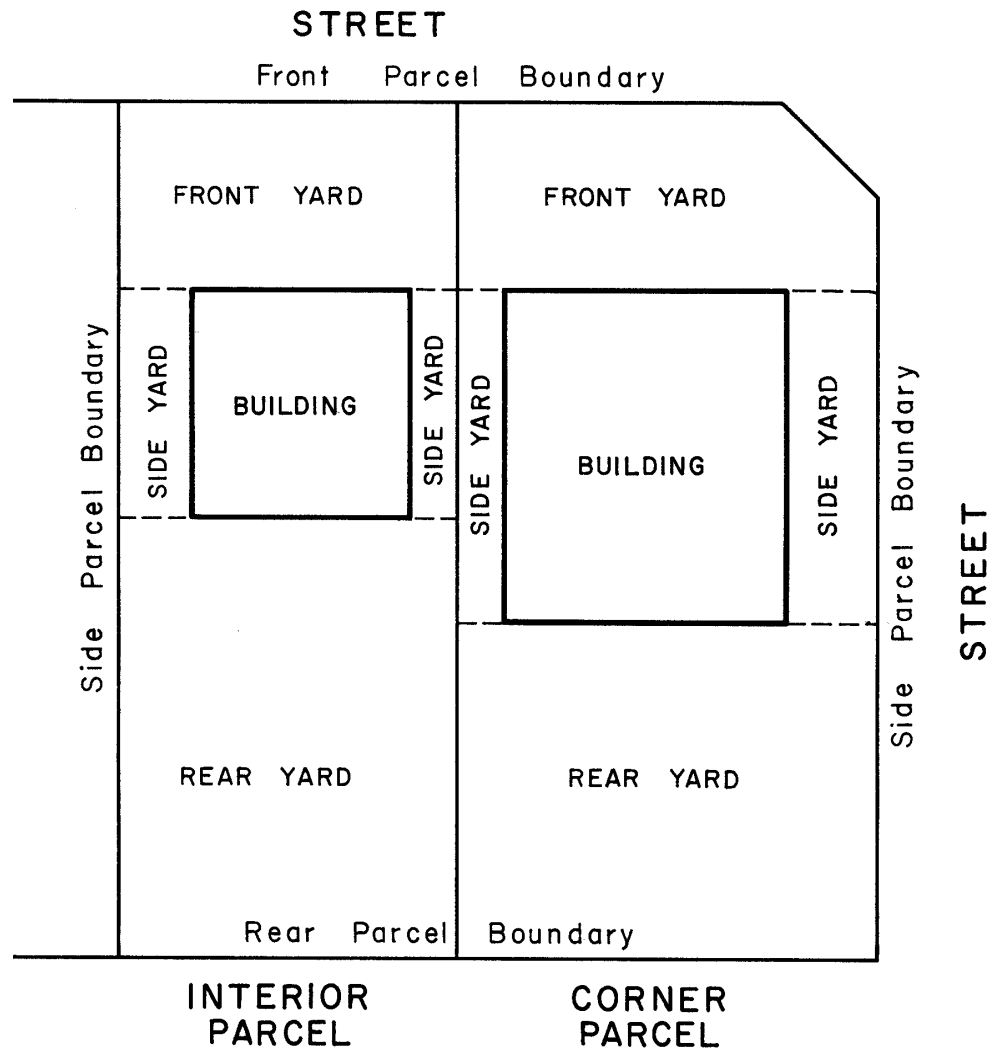
“Wrecking Yard” means land and buildings that are used for the storage and dismantling of old or wrecked vehicles and / or machinery for the purpose of recycling their components.

“Yard” means an open space on the same parcel as a building and which is unoccupied and unobstructed from the ground upward except as otherwise provided for in this Bylaw.

“Yard – Front” means a yard extending across the full width of a parcel measured perpendicular from the front parcel boundary to the front wall(s) of the main building situated on the parcel.

“Yard – Rear” means a yard extending across the full width of a parcel measured perpendicular from the rear parcel boundary to the rear wall(s) of the main building on the parcel.

“Yard – Side” means a yard extending from the front yard to the rear yard between the side boundary of the parcel to the wall of the main building thereon.



All other words and phrases mean the same as they do in the *Municipal Government Act*, or the *Subdivision and Development Regulation*. Where words and phrases are not defined, they are given their common dictionary definitions.

3. *Development Officer*

- (1) The Office of the Development Officer is hereby established and shall be filled by a person or persons appointed by Council.
- (2) The Development Officer Shall:
 - (a) perform such duties as are required pursuant to this bylaw and amendments thereto;
 - (b) refer at his or her discretion, a permit application for comments to those authorities whose interest or jurisdiction may be affected;
 - (c) keep and maintain for the inspection of the public during office hours, a copy of this Bylaw and all amendments thereto and ensure that copies of same are available to the public at a reasonable charge;
 - (d) keep a register of all applications for development including the decisions thereon and the reasons therefore, and all orders for a minimum period of seven (7) years.
- (3) The Development Officer may:
 - (a) refer development permit applications to the Municipal Planning Commission.
 - (b) refer any other planning or development matters to the Municipal Planning Commission for its review, support or advice.
- (4) The Development Officer is a designated officer pursuant to the Act.

4. *Subdivision and Development Appeal Board*

The Subdivision and Development Appeal Board established by Bylaw of the municipality of Kneehill County shall perform all duties so specified in that Bylaw.

5. *Municipal Planning Commission*

The Municipal Planning Commission established by Bylaw of the municipality of Kneehill County shall perform all duties as specified in that Bylaw.

6. *Development Permit Required*

No development other than that designated in Section 7 shall be undertaken within the municipality unless a development permit authorizing the use and development has been approved and issued.

7. *Development Permit Not Required*

- (1) 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.
- (2) All shelterbelts greater than 10.67 m (35 ft.) from the right of way of a local road and 41.15 m (135 ft.) from the right of way of a highway.
- (3) In all districts, excluding the Agriculture District:
 - (a) the erection or construction of gates, fences, walls or other means of enclosure, except on corner lots or where abutting on a road used by vehicular traffic, less than 0.92 m (3 ft.) in height in front yards and less than 1.83 m (6 ft.) in side and rear yards.
 - (b) the construction of an accessory building no more than 10.0 m² (107 ft.²) in floor area.
- (4) In the Agricultural District:
 - (a) the erection or construction of any gates, open fences (non- opaque), walls, or other means of enclosure less than 2.7 m (9.0 ft.) in height provided that such gates, fences, walls, or other means of enclosure do not impede site lines of vehicular traffic on roads;
 - (b) the erection of any sign used to identify a farming operation;
 - (c) construction or excavation of a dugout deemed accessory to the principal use;
- (5) The completion of a building which would be prohibited by this Bylaw, but was lawfully begun on or before the date of the first official notice of this Bylaw provided the building:
 - (a) is completed within 12 months of the notice, and

- (b) complies with any development permit issued for it.
- (6) The use of a building referenced in subsection (5) for the purpose for which construction was started.
- (7) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a permit was issued under this Bylaw.
- (8) The maintenance or repair of public works, services or utilities carried out by a federal, provincial or municipal government.
- (9) The construction, maintenance and repair of private walkways, pathways, driveways and similar works. Approval from the County is required for access onto a municipal road
- (10) The use of a building or part thereof as a temporary polling station for a Federal, Provincial, or Municipal election, referendum or plebiscite.
- (11) The erection of an on-site sign offering any residential, commercial, or industrial site for development, sale, lease or rent, provided the sign does not exceed 3.0 m² (32 ft.²) in area;
- (12) Non-illuminated signs not exceeding 1.5 m² (16ft.²) in area for the purpose of identification, direction, or warning or relating to a person, partnership or company operating a profession, business or trade, or relating to an institution of a religious, educational, cultural, recreational or similar character, or to a residential block, club or similar institution, and, with the exception of “no hunting” , “no trespassing”, or similar type of warning signs, there shall only be two signs per lot without a development permit;
- (13) Temporary advertisement not exceeding 1.9 m² (20 ft.²) in area relating to the sale or renting of land, the sale of goods or livestock, the carrying out of building or similar work, announcement of any local event of a religious, educational, cultural, political or similar character provided that all such temporary advertisements must be removed by the advertiser within fifteen (15) days of the completion of the event or works to which such signs relate;

- (14) Those developments specified in Section 618 the Municipal Government Act including:
- (a) a highway or road; or
 - (b) a well or battery within the meaning of the *Oil and Gas Conservation Act*; or
 - (c) a pipeline or an installation or structure incidental to the operation of a pipeline; or
 - (d) any other action, person or thing specified by the Lieutenant Governor in Council or by regulation.
- (15) Those developments not subject to municipal assessment.

8. *Application for a Development Permit*

- (1) For the purpose of administering this Land Use Bylaw, the Development Officer shall prepare such forms and notices as he or she may deem necessary.
- (2) Any such forms or notices are deemed to have the full force and effect of this Land Use Bylaw in the execution of the purpose for which they were designed, authorized and issued.
- (3) An application for a development permit shall be made to the Development Authority, in writing on a form prescribed by Council and shall be accompanied by:
- (i) two (2) copies of a fully dimensioned, scaled site plan, indicating, site grades, the front, rear and side yards, off-street loading and vehicle parking as required, landscaped areas and access and exit points to the site;
 - (ii) floor plans and elevations and sections if required by the Development Officer;
 - (iii) a statement of uses;
 - (iv) If the applicant is not the registered owner, a statement of the applicant's interest in the land accompanied by the written consent of the registered owner(s) must be submitted;

- (v) the estimated commencement and completion dates;
 - (vi) the estimated cost of the project or contract price;
 - (vii) a non-refundable development permit administration fee, as established by Council;
 - (viii) any other plans and information the Development Authority may deem necessary to properly evaluate the proposed development.
- (4) The Development Officer may refuse to accept an application for a development permit where the information required by subsection (3) has not been supplied or where, in the opinion of the Development Officer, the quality of the material supplied is inadequate to properly evaluate the application.
- (5) The Development Officer may consider an application and render a decision without all of the information required by subsection (3) if, in the opinion of the Development Officer, a decision on the application can be properly made without such information.

9. *Permission for Development*

(1) The Development Officer:

- (a) shall receive all completed applications for a development permit;
- (b) shall consider and decide on all complete applications for a development permit for those uses, which constitute a permitted use in a District;
- (c) shall refer any application to an adjacent municipality or any other agency or person which in his/her opinion may provide relevant comments or advice with respect to the application;
- (d) shall refer all such applications to the Alberta Energy and Utilities Board within 1.5 km (0.93 mi.) of a sour gas facility;
- (e) may refer any such application to adjacent landowners to provide comment respecting the application.

- (f) shall refer any permit application for comments to those authorities whose interest or jurisdiction may be affected as determined by the Development Officer;
 - (g) shall refer, to adjacent urban centers any application for a permitted or discretionary use falling within a 1.61 km (1 mile) radius of the relevant municipality, unless otherwise stated in an Intermunicipal Development Plan;
 - (h) shall refer any such application to adjacent land owners for a discretionary use or for a proposed development requesting a variance/relaxation in excess of 10% of any listed maximum or minimum standard;
 - (i) shall refer with recommendations, to the Municipal Planning Commission for its consideration and decision, applications for a development permit for those uses listed in Part IV Land Use Districts which constitute a discretionary use in a District; and
 - (j) may refer to the Municipal Planning Commission at his or her discretion any application which in his or her opinion should be decided by the Commission.
- (2) For a permitted use in any District other than a Direct Control District
- (a) the Development Authority shall approve an application for a development permit for a permitted use if the application conforms to the requirements of the Land Use Bylaw, the Act and the Subdivision and Development Regulation and statutory plans, and the Development Authority may attach conditions to the permit necessary to ensure any of the following:
 - (i) arrangements satisfactory to the development authority for the supply of utilities including, but not limited to, water, electric power, sanitary sewer, storm sewer, natural gas, cable, or any one or more of them, including payment of the cost of installation or construction of any such utility or facility by the applicant;

- (ii) arrangements satisfactory to the development authority for vehicular and pedestrian access from public roads and trails, on-site vehicular and pedestrian circulation, parking, loading, landscaping or drainage, or any one or more of these matters, including payment of the costs of installation or constructing any such facility by the applicant;
- (iii) that the developer enters into a development agreement or an interim agreement, which shall form part of such a development permit and may be required to be registered by caveat against title to the site at the Land Titles Office, to do any or all of the following:
 - (a) to construct or pay for the construction of a road required to give access to the development;
 - (b) to construct, or pay for the construction of:
 - (i) a pedestrian walkway system to serve the development;
 - (ii) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;
 - (c) to install or pay for the installation of public utilities, other than telecommunications systems or works and landscaping, that are necessary to serve the development;
 - (d) to construct or pay for the construction of:
 - (I) off-street or other parking facilities; and
 - (II) loading and unloading facilities;
- (b) that the developer pays an off-site levy or redevelopment levy imposed by a bylaw adopted pursuant to the Municipal Government Act;

- (c) that the developer provides security to ensure compliance with this Bylaw, a development permit, an agreement under this clause and/or a statutory plan, which security may include, but is not limited to, an irrevocable letter of credit or charge against the title to the site;
 - (d) that the developer provide a real property report to the satisfaction of the Development Authority.
- (3) If an application for a development permit for a permitted use in any district, other than a Direct Control District, does not conform to the requirements of the Land Use Bylaw, the Municipal Government Act and the Subdivision and Development Regulation and statutory plans, the Development Officer:
 - (a) may refuse the application stating the reasons for refusal; or
 - (b) may approve the application subject to conditions to ensure that the application conforms to the requirements of the Land Use Bylaw, the Municipal Government Act and the Subdivision and Development Regulation and statutory plans; or
 - (c) may approve the application, subject to those regulations of this Bylaw that pertain to an application for a permitted use, if in the opinion of the Development Officer, the proposed development:
 - (i) would not
 - (a) Unduly interfere with the amenities of the neighbourhood; or
 - (b) Materially interfere with or affect the use enjoyment or value of the neighbouring sites, and
 - (II) conforms to the use prescribed for that land or building in the Land Use Bylaw; and
 - (III) would not require a variance of any minimum or maximum standard within the district in excess of 10%.

- (IV) would not require a variance of the rear yard setback standard in excess of 100% in the Hamlet Residential (HR) District.
 - (V) For a discretionary use in any District other than a Direct Control District,
 - (a) The Municipal Planning Commission, at its discretion, may approve the application for a discretionary use subject to conditions listed under 2(a) and any conditions that the development authority may deem appropriate to ensure compatibility with the amenities of the neighbourhood and the use, enjoyment and value of neighbouring parcels of land, including, but not limited to the following:
 - (i) limiting the time of operation including hours of the day, days of the week, and parts of the year;
 - (ii) specifying the period of time during which the development may continue;
 - (iii) limiting the number of patrons;
 - (iv) requiring attenuation or mitigation of noise or any other nuisances that may be generated by the proposed development;
 - (v) regarding the location, character and appearance of buildings;
 - (vi) regarding the grading of the site or such other matters as are necessary to protect the site from other developments or to protect other developments from the site;
or;
 - (b) The Municipal Planning Commission, in its discretion, may refuse an application for a discretionary use permit stating the reasons for its refusal.
- (5) The Municipal Planning Commission may approve an application for a development permit where the proposed development does not comply with this Bylaw or is a non-conforming building if, in the opinion of the Municipal Planning Commission:

- (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 with the use prescribed for that land or building in this Bylaw
- (6) Where the proposed use is not listed in a land use district, the Development Officer or the Municipal Planning Commission may consider it to be so listed if, in their opinion, it is sufficiently similar in character and purpose to a listed use.
 - (7) The municipality may register a caveat pursuant to the provisions of the Land Titles Act and the Municipal Government Act in respect of an agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with.
 - (8) In the case where an application for a development permit has been refused pursuant to this Part or ultimately after appeal, the submission of another application for a permit on the same parcel and for the same or similar use of land by the same or any other applicant may not be accepted by the Development Officer for at least six (6) months after the date of the final decision, unless in the opinion of the development authority, the reasons for refusal have been adequately addressed or circumstances of the application have changed significantly.
 - (9) The Municipal Planning Commission may require, as a condition of issuing a development permit, the applicant to enter into an agreement to construct or pay for the construction of public roadways or parking facilities, to install or pay for the installation of utilities and/or to pay an off-site levy imposed by Bylaw. This may involve the applicant posting security with respect to the development and paying for construction, where the development requires a road or traffic infrastructure improvement specifically to accommodate the development. The applicant for a development permit may be required to provide dust control adjacent to existing residences located on roads impacted by the development. The Municipal Planning Commission may require that commercial

vehicular traffic be limited to certain roads when gaining access to and from a site.

- (10) If a decision is not made on a development permit application within 40 days after its receipt by the Development Officer, the applicant may deem it to be refused at the end of the 40 day period, unless the applicant for a development permit enters into an agreement with the Development Officer to extend the 40 day period. The 40-day time period begins when the application is deemed complete by the Development Officer.
- (11) The Development Authority may issue a temporary Development Permit, for a period not exceeding one year.
- (12) Where the Municipality is requested to provide comments on a Real Property Report with respect to legally established or non-conforming development, the Development Officer may at his or her discretion:
 - (a) grant a relaxation of development standards by up to 40% without the issuance of a development permit where no permit has been issued for development prior to 1985;
 - (b) grant a relaxation of a previously approved development permit by 15% of the approved setback;
 - (c) otherwise require the issuance of a development permit for reasons of safety, hazard or general public concern, or additional relaxation.
- (13) The Development Officer or the Municipal Planning Commission may by notice in writing suspend a Development Permit where development has occurred in contravention to the terms of the permit and/or Land Use Bylaw.
- (14) The Municipal Planning Commission may approve an application for a development permit notwithstanding the proposed development does not comply with this Bylaw or is a non-conforming building if, in the opinion of the Municipal Planning Commission:
 - (a) the proposed development would not:
 - (i) unduly interfere with the amenities of the neighborhood, or

- (ii) materially interfere with or affect the use, enjoyment or value of neighboring parcels of land, and
 - (b) the proposed development conforms with the use prescribed for that land or building in this Bylaw.
- (15) Applicants for development permits will acknowledge that in a rural municipality, issues related to dust, noise, and odour will arise, and these issues are part of living in a rural area. Similar notices will also be published by the County at regular intervals throughout the year and be included on compliance certificates issued by the County.

10. *Development Permits & Notices*

- (1) The development permit granted pursuant to this Bylaw does not come into effect until 14 days after the date an order, decision or development permit is communicated as described in Section 10(3) of this Bylaw and any development proceeded with by the application prior to the expiry of this period is done solely at the risk of the applicant.
- (2) Where an appeal is made pursuant to Section 11 of this Bylaw, a development permit shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- (3) When a permit has been granted, the Development Officer shall:
 - (a) immediately post a notice of the decision conspicuously on the property for which the application has been made; and/or
 - (b) a notice in writing shall be immediately mailed to all registered owners of land who in the opinion of the Development Officer may be affected and/or;

- (c) a notice shall be immediately published in a newspaper circulating in the municipality stating the location of the property which the application has been made and the use approved.
- (4) If the Development authorized by a permit is not commenced within the 12 months from the date of its issue, or carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period has been granted by the Development Officer.
- (5) A decision by the Development Officer/Municipal Planning Commission on an application for a development permit shall be given in writing and a copy of it sent to the applicant.
- (6) When the Development Officer/Municipal Planning Commission refuses an application for a development permit, the decision shall contain reasons for the refusal.
- (7) Notwithstanding anything contained herein to the contrary, the granting of a development permit shall:
 - (a) indicate only that the development to which the permit relates is authorized in accordance with the provisions of this Bylaw and shall in no way relieve or excuse any person from complying with this or any other bylaws, order and regulations affecting such works;
 - (b) be without prejudice to the Development Officer's rights to refuse any other permit or approval that may be required of it in respect of the development by this or any other bylaw.

11. *Appeal Procedure*

- (1) An appeal may be made to the Subdivision and Development Appeal Board, in accordance with the Act, where the Development or Subdivision Authority:
 - (a) refuses or fails to issue a development permit to a person within forty (40) days of receipt of the completed application (or when deemed complete by the Development Authority) or refuses or fails to issue a decision on a subdivision application within sixty (60) days of receipt of the application, or such time longer granted by the applicant in writing;
 - (b) issues a development permit or approves a subdivision subject to conditions;
 - (c) issues an order under the Act and Section 13 of this Bylaw.
- (2) The person applying for the permit or affected by the order, under Subsection (1), or any other person affected by an order, decision or a development permit may appeal to the Subdivision and Development Appeal Board.
- (3) An appeal shall be made by serving a written notice of appeal to the Secretary of the Subdivision and Appeal Board within 14 days after:
 - (a) the date on which the applicant is notified, or
 - (b) the date on which the notice was advertised or posted in accordance with this Bylaw or as required by the Act.

11a. *Appeal Hearing*

- (1) The Board shall hold a public hearing respecting the appeal within 30 days of receipt of a notice of appeal.
- (2) The Subdivision and Development Appeal Board shall give a minimum of 5 days notice in writing of the public hearing to:
 - (a) the appellant;

- (b) the Development Officer/Municipal Planning Commission from whose order, decision or development permit the appeal is made;
 - (c) those registered owners of land in the municipality and other persons who in the opinion of the Subdivision and Development Appeal Board are affected by the order, decision or permit; and
 - (d) such other persons as the Subdivision and Development Appeal Board specifies.
- (3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the appeal including:
 - (a) the application for the development permit, its refusal and the appeal therefrom; or
 - (b) the order of the Development Officer under Part V Section 13, as the case may be.
- (4) At the public hearing referred to in subsection (1), the Board shall hear:
 - (a) the appellant or any person acting on his or her behalf;
 - (b) the Development or Subdivision Authority from whose order, decision or development permit the appeal is made, or any person designated to act on behalf of the Development or Subdivision Authority;
 - (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his or her behalf, and
 - (d) any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his or her behalf.

12. *Decision*

- (1) The Subdivision and Development Appeal Board shall give a written decision (with the reasons for the decision) within 15 days after the hearing.
- (2) The Board's decision is final, subject only to an appeal, within 30 days, on questions of law or jurisdiction to the Court of Appeal (see Section 688 of the Municipal Government Act).

13. *Contravention and Enforcement*

- (1) Where the Development Officer determines a development or use of land or building does not conform with/to:
 - (a) The Land Use Bylaw, the Municipal Government Act or the Subdivision and Development Regulations; or
 - (b) a development permit or subdivision approval;

The Development Authority shall issue a stop order, pursuant to the Act, to the owner of the subject property, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them in order to ensure conformity with the respective regulations, document or approval.

- (2) If a person fails to comply with the stop order under subsection (1) or an order of the Subdivision and Development Appeal Board, pursuant to the Act, the County shall pursue any action necessary to perform and complete the stop order.
- (3) If the County is required to perform a stop order, the County shall, in accordance with the Act, register the stop order against the certificate of title of the land that is the subject of the stop order.
- (4) If the County is required to perform a stop order, the County shall, in accordance with the Act, register all such costs incurred in executing the stop order against the tax roll of the land that is the subject of the stop order.

14. *Offences and Penalties*

- (1) Any person who contravenes or does not comply with a provision of the Municipal Government Act, the Subdivision and Development Regulation, the Land Use Bylaw, as stop work order issued under this Bylaw, a development permit or subdivision approval, or a decision of the Subdivision and Development Appeal Board or anyone who obstructs or hinders any person in the exercise or performance of their powers or duties under the Municipal Government Act, the Subdivision and Development Regulation, or this Bylaw is guilty of an offence and is liable to a fine up to a maximum \$10,000 or imprisonment or both and, in addition, a fine up to \$100 per day for everyday the offence continues after conviction.

- (2) Development Permit applications submitted after development has commenced, as determined by the Development Authority and includes but is not limited to site preparation or construction of buildings, shall be subject to double fee provisions, as determined in the fee schedule established and revised from time to time by Council.

15. *Amendments to the Bylaw*

- (1) Any person may apply to have this Bylaw amended.
- (2) The Council may initiate amendments by its own motion.
- (3) All applications for amendments of this Bylaw shall be made using the approved form accompanied by:
 - (a) the fee as determined by Council;
 - (b) a statement of the applicant's interest in the land; and
 - (c) any drawing, plans or maps required by the Development/Planning Officer; and
 - (d) any documents as required by the Development/Planning Officer.
- (4) All amendments of this Bylaw shall be made by the Council by bylaw in conformity with the Act.
- (5) If an amendment to the Bylaw is refused, a similar application may not be received for six months following the final date of the decision.

16. *Land Use Bylaw No. 1440*

- (1) Bylaw No. 1440 and amendments thereto are hereby repealed.

17. Districts

- (1) For the purpose of this Bylaw, the municipality is divided into the following Districts.

A	Agricultural District
CR	Country Residential District
HR	Hamlet Residential District
HC	Hamlet Commercial District
HI	Hamlet Industrial District
HG	Hamlet General District
XH	EX-Hamlet District
HWY-C	Highway Commercial
LRC	Local Rural Commercial District
LI	Light Industrial
I	Industrial District
R	Recreation District
DC	Direct Control District

18. District Boundaries

- (1) The locations and boundaries of the land use districts are shown on the Land Use District Maps, which form Part VIII of this Bylaw.
- (2) The locations of boundaries shown on the Land Use District Maps shall be governed by the following rules:

- Rule 1. Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centre line thereof.
- Rule 2. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
- Rule 3. In circumstances not covered by Rules 1 and 2 the location of the district boundary shall be determined:
- (a) using any dimensions given on the map,
 - or
 - (b) where no dimensions are given, measurement using the scale shown on the map.

- (3) Where the exact location of the boundary of a land use district cannot be determined, using the rules in Subsection (2), the Council, on its own motion or on a written request, shall fix the location:
 - (a) in a manner consistent with the provisions of this Bylaw; and
 - (b) with the appropriate degree of detail required.
- (4) The location of a district boundary, once fixed, shall not be altered except by an amendment of this Bylaw.
- (5) The Council shall keep a list of its decisions fixing the locations of district boundaries.

19. A – Agriculture District

(1) Purpose

To preserve better agriculture lands and to provide areas for the conduct, accommodation, and continuation of a wide-range of agricultural and compatible uses.

(2) Permitted Uses

- Accessory building(s)
- Extensive agriculture
- Compressor Station less than or equal to 300 horsepower
- Detached dwelling
- Home occupation, minor
- Manufactured home
- Oilfield buildings less than or equal to 2000 ft² in total floor area
- Secondary suite

(3) Discretionary Uses

- Additional detached dwelling on parcels greater than eighty (80) acres (32.37 hectares)
- Adult Care Residence
- Airports
- Auction mart
- Auction mart, livestock
- Bed and breakfast establishment
- Boarding or lodging house
- Cemetery
- Community hall
- Compressor Station greater than 300 horsepower
- Country recreational lodge
- Day care facility
- Farm and industrial equipment and machinery sales and service
- Feed mills, grain elevators, seed cleaning plants and fertilizer storage and distribution
- Gas and Oilfield Services Business - Minor

- Greenhouse
- Home occupation, major
- Intensive vegetative operation
- Kennel
- Natural resource extractive industry
- Oilfield buildings greater than 2000 ft² in total floor area
- Place of worship
- Public & quasi-public installations & facilities
- Sign
- Wind Energy Conversion System (WECS)
- Work camp
- Wrecking Yard

(4) Minimum Requirements

(a) Site Area:

- (i) 3 acres (1.2 hectares) for a residential use;
- (ii) Other uses at the discretion of the Development Authority;

(b) Front Yard:

- (i) 41 m (135 ft.) from the rights-of-way of a primary highway or as required by Alberta Infrastructure and Transportation;
- (ii) 30.5 m (100 ft.) from the rights-of-way of all other roads.

(c) Side Yard:

- (i) 7.6 m (25 ft)

(d) Rear Yard:

- (i) 7.6 m (25 ft)

(e) Floor Area:

- (i) 74 m² (800 sq. ft) for a single detached dwelling;
- (ii) other uses at the discretion of the Development Officer / Municipal Planning Commission.

(5) Maximum Limits

(a) Site Area:

- (i) 5 acres (2.0 hectares) for a non-developed residential use;
- (ii) As determined by the Subdivision Authority for an existing farmstead;
- (iii) Other uses at the discretion of the Subdivision Authority.

(b) Parcel Density:

- (i) 2 parcels per quarter section. The balance of the quarter section is one lot. Lots for public uses are not included.
- (ii) 3 parcels per quarter section may be considered subject to Section 39.

(c) Height:

- (i) 8.5 m (28 ft.) or three storeys the lesser thereof for a dwelling.

(d) Detached Dwelling Density:

- (i) Three (3) per quarter section

(6) Special Requirements

- (a) The Municipal Planning Commission may impose conditions on any development permit to ensure that safe and proper access to the lot(s) is provided. The development permit conditions may also address the control of animals and livestock on lots.

(b) Work Camp:

Development permit applications for a work camp shall be accompanied with a comprehensive plan written to the satisfaction of the Development Authority and shall include but not be limited to the following:

- (i) comprehensive site plan including, total area of the camp, camp boundary lines, building locations sizes and uses, access location, driveways, parking and landscaping;
- (ii) detailed building plans, including the type and number of rooms, and building elevations;

- (iii) detailed servicing plan including drainage and grading;

(c) Additional Detached Dwelling on Parcels Greater than Eighty (80) Acres (32.37 hectares):

The Development Authority shall not approve an additional detached dwelling where three (3) or more detached dwellings exist or where there is existing potential for development of three detached dwellings within the same quarter section. For the purpose of this section “existing potential for development of a detached dwelling” means there is an existing undeveloped parcel within the quarter section.

(d) Home Occupations:

Standards listed in Section 35 of the General Land Use Regulations.

(e) Secondary Suites:

Standards listed in Section 54 of the General Land Use Regulations.

(f) Manufactured Homes:

Design guidelines listed in Section 47 of the General Land Use Regulations.

(g) Corner Sites:

No person shall erect or place a wall, fence, shrub, tree, hedge or another such object over three (3) feet in height above the lowest street grade in the area of a triangle formed by the boundaries of the site common with the street abutting them and a straight line connecting points of each of the said boundaries of a distance of 20 feet from the point where they intersect in this District.

(h) Parking:

Minimum parking shall be provided according to the following:

- (i) Detached dwelling and manufactured home: Two (2) parking or garage spaces per dwelling unit;

- (ii) Bed and Breakfast: one (1) parking space per bed used to accommodate guests of the bed and breakfast in addition to parking required by subsection (i).
- (iii) Secondary suite: one (1) parking space in addition to parking required by subsection (i).
- (iv) Others at the discretion of the Development Officer.

(i) Subdivision

The subdivision of property in the Agriculture District shall conform to the requirements of Section 38 and Section 39 of the General Land Use Regulations.

(j) Wind Energy Conversion Systems (WECS):

Standards listed in Section 61 of the General Land Use Regulations

(k) Gas and Oilfield Business - Minor

- (i) The business shall be contained within an enclosed building(s) and the outdoor storage of any materials, heavy vehicles, equipment and/or pipes is restricted to 20% of the total parcel size or an area within the subject Agriculture parcel of 1 hectare (2.5 Acres more or less) whichever is the lesser (excluding any access road required to access the same).
- (ii) Shall not include the use or storage of toxic, explosive or radioactive materials.
- (iii) The subject parcel and all outdoor storage shall be screened at the discretion and to the satisfaction of the Development Authority.
- (iv) At the discretion of the Development Authority, the developer may be required to landscape and screen the area in a similar fashion to those required in Light Industrial and Industrial Districts of this bylaw.
- (v) At the discretion of the Development Authority, the parking requirements shall be that as described in this bylaw's LI – Light Industrial and Industrial Districts.

- (vi) The landowner/applicant shall comply with all applicable Provincial and Federal legislation and regulations including but not limited to the Safety Codes Act; the Alberta Building Code, and the Alberta Private Sewage Disposal Systems Regulation.
- (vii) Shall not generate a nuisance such as smell, smoke, dust, noise, traffic, vibrations, heat, and intense light sources and shall not be unsightly in appearance.
- (viii) Any intensification of use shall require a new development permit. Should the Development Authority consider an application for intensification as potentially generating a nuisance, the business may be required to relocate to more suitable non-agricultural lands.

20. CR – Country Residential District

(1) Purpose

The purpose of this district is to provide for residential development at rural densities.

(2) Permitted Uses

- Accessory building
- Detached dwelling
- Home occupation, minor

(3) Discretionary Uses

- Bed and breakfast establishment
- Day care facility
- Keeping of livestock as per Section 58
- Manufactured home
- Public and quasi-public use
- Secondary Suite
- Sign

(4) Minimum Requirements

(a) Density:

- (i) 5 Country Residential parcels per quarter section

(b) Site Area:

- (i) 0.5 acres (0.20 hectares)

(c) Front Yard:

- (i) 41 m (135 ft.) from the rights-of-way of a primary highway or as required by Alberta Infrastructure;
- (ii) 30.5 m (100 ft) from the rights-of-way of all other roads except as in (iii).
- (iii) 7.6 m (25 ft.) from the property line for internal roads in a cluster development.

(d) Side Yard:

- (i) 7.6 m (25 ft)

(e) Rear Yard:

- (i) 7.6 m (25 ft.)

(f) Floor Area:

- (i) 93 m² (1000 ft²)

(5) Maximum Limits

(a) Site Area:

- (i) 4 acres (1.62 ha)

(6) Special Requirements

(a) Accessory Buildings and Uses (including satellite dishes):

- (ii) may be erected or placed within the front yard at the discretion of the Development Authority;
- (iii) shall be so situated on a corner lot so that the side yard which abuts the street shall be not less than the side yard;
- (iv) shall be no more than 20 feet in height;
- (v) shall not be used as a dwelling;
- (vi) where a structure is attached to the main building by a roof, a floor, or a foundation, it is considered to be part of the main building.
- (vii) Landscaping may be required along the front and side of the accessory development. Notwithstanding the requirements in Section 59, landscaping requirements within the front yard may include the planting of trees, shrubs, and/or other vegetation to the satisfaction of the Municipal Planning Commission.

(b) Projections Over Yard:

The portion of, and attachments to, a main building which may project over or on a minimum yard are:

- (i) an enclosed veranda, deck, porch, balcony or eaves which projects not more than eight feet over or on the minimum front, rear, or side yard;
- (ii) a chimney which projects one foot or less;
- (iii) unenclosed steps with or without a landing and above the surface of the yard if they do not project more than eight feet over or on a minimum front, rear or side yard.

(c) Holiday Trailer Restrictions:

- (i) A holiday trailer parked on a parcel may be used for sleeping accommodation by a visitor for a period not to exceed three weeks unless otherwise approved by the County.
- (ii) Not more than two (2) holiday trailers shall be stored or parked on a parcel at one time unless otherwise approved by the County.

(d) Corner Sites:

No person shall erect or place a wall, fence, shrub, tree, hedge or another such object over 0.91 m (3 ft.) in height above the lowest street grade in the area of a triangle formed by the boundaries of the site common with the street abutting them and a straight line connecting points of each of the said boundaries of a distance of 6.1 m (20 ft.) from the point where they intersect in this District.

(e) Removal of Vegetation:

The removal of trees and/or shrubs or the destruction thereof without a development permit is prohibited.

(17) Screening:

Garbage and waste material must be stored in weather and animal proof containers and screened from adjacent sites and public thoroughfares.

(18) Manufactured Homes:

Design guidelines listed in Section 47 of the General Land Use Regulations.

(19) Parking:

Minimum parking shall be provided according to the following:

- (i) Detached dwelling and manufactured home: Two (2) parking or garage spaces per dwelling unit;
- (ii) Bed and Breakfast: one (1) parking space per bed used to accommodate guests of the bed and breakfast in addition to parking required by subsection (i).
- (iii) Secondary suite: one (1) parking space in addition to parking required by subsection (i).

- (iv) Others at the discretion of the Development Officer.
- (i) Home Occupations: standards listed in Section 35 of the General Land Use Regulations.
- (j) Secondary Suites: standards listed in Section 54 of the General Land Use Regulations.

21. HR – Hamlet Residential District

(1) Purpose

The purpose and intent of this district is to provide for hamlet residential uses having regard to the essentially rural character of the area.

(2) Permitted Use

- Accessory building(s)
- Detached dwelling

(3) Discretionary Uses

- Accessory use(s)
- Bed and breakfast
- Boarding /lodging facility
- Duplex dwelling
- Home occupation minor
- Manufactured home
- Mobile home
- Multiple attached dwelling
- Park and/or playground
- Public & quasi-public installations & facilities
- School
- Secondary suite

(4) Minimum Requirements

(a) Site Area:

- (i) Unserved lots: 1858 m² (20,000 ft.²);
- (ii) Lots serviced by public water system but not a public sewer system: 1394 m² (15,000 ft.²);
- (iv) Lots serviced by public sewer system but not a public water system: 929 m² (10,000 ft.²);
- (v) Fully serviced lots: 464 m² (5,000 ft.²);
- (vi) Non-residential uses at the discretion of the Development Officer/Municipal Planning Commission.

(b) Front Yard:

- (i) 7.6 m (25 ft.) for residences;
- (ii) Other uses at the discretion of the Development Authority.

- (c) Side Yards:
 - (i) 1.5 m (5 ft.) for residences;
 - (ii) 4.6 m (15 ft.) abutting the flanking street on corner lots;
 - (iii) 1.0 m (3.2 ft.) for accessory buildings;
 - (iv) 3.0 m (10 ft.) for accessory buildings on street side of a corner;
 - (v) One 3.0 m (10 ft.) side yard (excluding corner lots) to provide alternate access to the rear of buildings in a laneless subdivision;
 - (vi) Others at the discretion of the Development Authority.
- (d) Rear Yards:
 - (i) 7.6 m (25 ft.);
 - (ii) 1.0 m (3.2 ft.) for accessory buildings.
- (e) Floor Area:
 - (i) 74 m² (800 ft.²) for detached dwellings, including manufactured homes.

(5) Maximum Limits

- (a) Height:
 - (i) 10.6 m (35 ft.) or 2 1/2 stories for detached dwellings;
 - (ii) 4.6 m (15 ft.) for accessory buildings;
 - (iii) Other uses at the discretion of the Development Authority.
- (b) Coverage:
 - (i) 30% of the site for detached dwellings;
 - (ii) 15% of the site area for accessory buildings;
 - (iii) Other uses at the discretion of the Development Officer/Municipal Planning Commission.

(6) Parking: (Minimum Standards)

Minimum parking shall be provided according to the following:

- (a) Detached dwellings/duplex dwelling/multiple attached dwellings: Two (2) parking or garage spaces per dwelling unit;

- (b) Bed and breakfasts: one (1) off-street parking space per bed used to accommodate guests of the bed and breakfast space in addition to parking required by subsection (a).
- (c) Secondary suites: one (1) off-street parking space in addition to parking required by subsection (a).
- (d) Others at the discretion of the Development Officer.

(7) Special Requirements

- (a) Manufactured Homes: design guidelines listed in Section 47 of the General Land Use Regulations.
- (b) Home Occupations: standards listed in Section 35 of the General Land Use Regulations.
- (c) Secondary Suites: standards listed in Section 54 of the General Land Use Regulations.
- (d) At the discretion of the Development Authority, the rear yard setback may be reduced up to 100%.

22. HC – Hamlet Commercial District

(1) Purpose

To provide a range of commercial uses within hamlets which caters to the needs of local residents and the surrounding rural area.

(2) Permitted Uses

- Bank
- Office
- Personal service
- Retail store
- Restaurant

(3) Discretionary Uses

- Accessory building
- Drinking establishment
- Dwelling unit above the main floor
- Funeral home
- Gas bar
- Hotel or motor hotel
- Museum
- Public & quasi-public use
- Service station
- Sign
- Tire sales, service & storage
- Warehousing
- Workshops – cabinet maker, carpenter, decorator, electrician, gas fitter, metal worker, painter, plumber, printer, pipe fitter, tinsmith, and welder

(4) Minimum Requirements

(a) Site Area:

As required by the Development Officer

(b) Front Yard:

As required by the Development Officer

(c) Side Yard:

- (i) 1.5 m (5 ft.) when adjacent to residential district;

- (ii) No side yard is required where a firewall is provided, but if a side yard is provided it must be 1.5 m (5 ft.).

(5) Parking (Minimum Standards)

Parking shall be provided according to the following:

- (a) Restaurants, one (1) parking space per 10 seats.
- (b) Hotels & Motels, one (1) parking space per guest suite.
- (c) Drinking Establishments One (1) parking space per four (4) seats plus a minimum two (2) employee parking spaces.
- (d) Funeral Homes, one parking space per four (4) seats.
- (e) All other uses, one (1) parking space per 93 m² (1,000 ft.²) of gross floor area of the building or at the discretion of the Development Authority.

(6) Landscaping

- (a) Notwithstanding requirements listed in Section 59, a minimum 3.0 m (10 ft.) wide landscaped buffer shall be provided along the rear and side parcel boundaries adjacent any residential land use. Landscaping shall be provided to the satisfaction of the Development Authority and shall include the planting of trees and shrubs and may include the construction of a 1.80 m (6ft.) solid screened fence, the planting of other vegetation and/or the construction of a landscaped berm.
- (b) Notwithstanding (a) above, at the discretion of the Development Authority, screening may be provided along the rear and side parcel boundaries adjacent non-residential land uses and may include the construction of a 1.80 m (6 ft.) tall solid screened fence and the planting of trees, shrubs and other vegetation.
- (c) Landscaping requirements within the front yard may include the planting of trees, shrubs and/or other vegetation to the satisfaction of the Development Authority.
- (d) Landscaping must not impede sight triangles of intersections of roads and approaches.

23. HI – Hamlet Industrial District

(1) Purpose

To provide a suitable range of light industrial uses having regard to the rural character of the hamlet.

(2) Permitted Uses

- Accessory building
- Farm and industrial equipment machinery sales and service
- Office
- Veterinary Clinic

(3) Discretionary Uses

- Bulk oil depot & sales
- Feed Mill, Grain Elevator and Seed Cleaning Plant
- Fertilizer storage and distribution
- Gas and Oilfield Services Business - Minor
- Lumber yard
- Manufacturing/Processing facility
- Outdoor storage facility
- Public & quasi-public use
- Sign
- Warehousing

(4) Minimum Requirements

(a) Site Area:

- (i) as required by the Development Authority

(b) Front Yard:

- (i) 7.6 m (25 ft.)

(c) Side Yard:

- (i) 1.5 m (5 ft.);
- (ii) 7.6 m (25 ft.) where abutting a residential district

- (d) Rear Yard:
 - (i) 7.6 m (25 ft.)

(5) Landscaping Requirements

- (a) Notwithstanding requirements listed in Section 59, a minimum 3.0 m (10 ft.) wide landscaped buffer shall be provided along the rear and side parcel boundaries adjacent any residential land use. Landscaping shall be provided to the satisfaction of the Development Authority and shall include construction of a 1.80 m (6ft.) solid screened fence or the planting of trees and may include the planting of shrubs and/or other vegetation and the construction of a landscaped berm.
- (b) Notwithstanding (a) above, at the discretion of the Development Authority, screening may be provided along the rear and side parcel boundaries adjacent non-industrial use land uses and may include the construction of a 1.80 m (6 ft.) tall solid screened fence and the planting of trees, shrubs and other vegetation.
- (c) Landscaping requirements within the front yard shall be at the discretion of the Development Authority.
- (d) Landscaping must not impede sight triangles of intersections of roads and approaches.

(6) Special Requirements

- (a) All uses which involve outdoor storage of goods, machinery, vehicles, building materials, waste materials, etc shall be screened to the satisfaction of the Development Authority.
- (b) No variance to setbacks shall be given if the site is located adjacent a residential district.

(7) Parking

- (a) Veterinary Clinic & Office, 2.5 parking spaces per 1,000 ft.² (93 m²) of gross floor area plus 0.5 parking spaces per employee.
- (b) For all other uses, parking requirements shall be determined by the Development Authority based on the evaluation of each individual application.

24. HG – Hamlet General District

(1) Purpose

The purpose and intent of this district is to provide for a mixture of hamlet commercial, residential and industrial uses in hamlets whose small size and/or existing mixture of land uses is such that it is not deemed practical for their detailed designation into several land use districts.

(2) Permitted Uses

- None

(3) Discretionary Uses

- All permitted and discretionary uses outlined in the HR, HC, and HI districts.
- Adult Care Residence
- Campgrounds
- Cemeteries
- Churches
- Community Halls
- Museums
- Playgrounds & Parks
- Public & quasi public installations & facilities
- Schools

(4) Development Regulations

- (a) Every development in the HG district shall conform to regulations governing site coverage, yards, setback, height, etc. outlined in the appropriate Hamlet Residential, Commercial or Industrial district schedules elsewhere in this Bylaw.
- (b) The design, siting, external finish and architectural appearance of all buildings including accessory buildings or structures and all signs and landscaping shall be to the satisfaction of the Development Officer/Municipal Planning Commission to ensure that adequate protection is afforded to the amenities of the area.

- (c) Outside storage shall be visually screened from all adjacent sites and public thoroughfares.
- (5) The provisions contained in Section 60 shall apply to all applications for re-designation to Hamlet General District.

24a. XH – EX-Hamlet District

(1) Purpose

The purpose and intent of this district is to provide for appropriate uses and development of land that are ostensibly residential in nature and are located within neighborhoods that are no longer considered hamlets.

The rationale behind the creation of the Ex-Hamlet District is to allow for the development of parcels in ex-hamlets that are now legally non-conforming and as such are subject to restrictions as per Section 643 of the Municipal Government Act and Section 34 of the Land Use Bylaw.

(2) Permitted Uses

- None

(3) Discretionary Uses

- Accessory building(s)
- Accessory use(s)
- Bed and breakfast
- Detached dwelling
- Home occupation minor
- Manufactured home
- Park and/or playground
- Public & quasi-public installations & facilities
- School
- Secondary suite

(4) Minimum Requirements

(a) Site Area:

- (i) Unserved lots: 1858 m² (20,000 ft.², 0.459 acres, 0.185 hectares);
- (ii) Lots serviced by public water system but not a public sewer system: 1394 m² (15,000 ft.²);
- (iii) Lots serviced by public sewer system but not a public water system: 929 m² (10,000 ft.²);
- (iv) Fully serviced lots: 464 m² (5,000 ft.²);
- (v) Non-residential uses at the discretion of the Development Authority.

- (b) Front Yard:
 - (i) 7.6 m (25 ft.) for residences;
 - (ii) Other uses at the discretion of the Development Authority.
- (c) Side Yards:
 - (i) 1.5 m (5 ft.) for residences;
 - (ii) 4.6 m (15 ft.) abutting the flanking street on corner lots;
 - (iii) 1.0 m (3.2 ft.) for accessory buildings;
 - (iv) 3.0 m (10 ft.) for accessory buildings on street side of a corner;
 - (v) One 3.0 m (10 ft.) side yard (excluding corner lots) to provide alternate access to the rear of buildings in a laneless subdivision;
 - (vi) Others at the discretion of the Development Authority.
- (d) Rear Yards:
 - (i) 7.6 m (25 ft.);
 - (ii) 1.0 m (3.2 ft.) for accessory buildings.
- (e) Floor Area:
 - (i) 74 m² (800 ft.²) for detached dwellings, including manufactured homes.
- (5) Maximum Limits
 - (a) Height:
 - (i) 10.6 m (35 ft.) or 2 1/2 stories for detached dwellings;
 - (ii) 4.6 m (15 ft.) for accessory buildings;
 - (iii) Other uses at the discretion of the Development Authority.
 - (b) Coverage:
 - (i) 30% of the site for detached dwellings;
 - (ii) 15% of the site area for accessory buildings;
 - (iii) Other uses at the discretion of the Development Authority.

(6) Parking: (Minimum Standards)

Minimum parking shall be provided according to the following:

- (a) Detached dwellings: two (2) parking or garage spaces per dwelling unit;
- (b) Bed and breakfasts: one (1) off-street parking space per bed used to accommodate guests of the bed and breakfast space in addition to parking required by subsection (a).
- (c) Secondary suites: one (1) off-street parking space in addition to parking required by subsection (a).
- (d) Others at the discretion of the Development Officer.

(7) Special Requirements

- (a) Manufactured Homes: design guidelines listed in Section 47 of the General Land Use Regulations.
- (b) Home Occupations: standards listed in Section 35 of the General Land Use Regulations.
- (c) Secondary Suites: standards listed in Section 54 of the General Land Use Regulations.
- (d) At the discretion of the Development Authority, the rear yard setback may be reduced up to 100%.

25. HWY-C – Highway Commercial District

(1) Purpose

To provide a range of essential services adjacent highways to serve the motoring public.

(2) Permitted Uses

- Gas bar
- Hotel & motor hotel
- Restaurant
- Service station

(3) Discretionary Uses

- Accessory buildings
- Auto sales & services
- Campground
- Commercial recreation and entertainment facility
- Drinking establishment
- Drive-through business
- Farm and industrial machinery sales & service
- Greenhouse
- Public & quasi-public use
- Sign

(4) Minimum Requirements

(a) Site Area:

- (i) 1 acre (0.4 ha) or as otherwise required by the Development Officer/Municipal Planning Commission.

(b) Width of Site:

- (i) 30.5 m (100 ft.) or as otherwise required by the Development Officer/Municipal Planning Commission.

(c) Front Yard:

- (i) 41 m (135 ft) adjacent to a highway without a service road, or as required by Alberta Infrastructure.
- (ii) 7.6 m (25 ft.) adjacent to a highway with a service road, or as required by Alberta Infrastructure.

- (d) Side Yard:
 - (i) 9.1 m (30 ft.) adjacent to residential districts;
 - (ii) 1.5 m (5 ft.);
 - (iii) in a laneless subdivision one (1) side yard shall be 4.6 m (15 ft.) to provide alternate access to the rear of the buildings.
- (e) Rear Yard:
 - (i) 6.1 m (20 ft.) or as required by the Development Officer/Municipal Planning Commission.
- (5) Parking (Minimum Standards)
 - (a) Restaurants: One (1) parking space per 10 seats.
 - (b) Hotels & Motels: One (1) parking space per guest suite.
 - (c) Drinking Establishments: One (1) parking space per four (4) seats plus a minimum two (2) employee parking spaces.
 - (d) Drive-through Business:
 - (i) For developments having a service window, a minimum of six (6) queuing spaces shall be provided prior to the ordering tower position and a minimum of two (2) queuing spaces prior to the service window.
 - (ii) For developments having service bays, a minimum of five (5) inbound queuing spaces shall be provided per service bay. In the case of automatic, complete service developments, a minimum of nine (9) inbound queuing spaces shall be provided per bay and a minimum of four (4) outbound queuing spaces shall be provided prior to exiting onto a public roadway.
 - (iii) queuing lanes shall provide sufficient room for turning and maneuvering and each queuing space shall be a minimum of 5.5 m (18 ft.) long and 3.05 m (10 ft.) wide
 - (e) All other uses, One (1) parking space per 1,000 sq. ft. (93 m²) of gross floor area of the building or at the discretion of the Development Authority.

(6) Landscaping

- (a) Landscaping requirements within the front yard shall include the planting of trees, shrubs and/or other vegetation to the satisfaction of the Development Authority.
- (b) Landscaping requirements within the rear and side yards shall be at the discretion of the Development Authority having regard for adjacent land use and development.
- (c) Landscaping must not impede sight triangles of intersections of roads and approaches

(7) Special Requirements

- (a) The exterior finish shall be brick, stucco, wood, metal, or other siding to the satisfaction of the Development Officer/Municipal Planning Commission.
- (b) The provisions contained in Section 40 of the Bylaw shall apply to all Highway Commercial developments and subdivisions.

26. LRC – Local Rural Commercial District

(1) Purpose

To provide for commercial development within the Municipality, including tourist uses which charge a fee.

(2) Permitted Uses

- Public and quasi-public use.

(3) Discretionary Uses

- Accessory building(s)
- Auction mart
- Farm and industrial machinery sales and service
- Grain elevator
- Greenhouse
- Market garden
- Retail Store
- Signs
- Surveillance suite
- Wrecking Yard

(4) Minimum Requirements

(a) Site Area:

- (i) 0.4 ha (1 acre) or as otherwise required by the Development Authority.

(b) Width of Site:

- (i) 30.5 m (100 ft.) or as otherwise required by the Development Authority.

(c) Front Yard:

- (i) for primary highways, as required by Alberta Infrastructure, and
- (ii) 30.5 m (100 ft.) from the rights-of-way of all other roads.

(d) Side Yard:

- (i) 7.6 m (25 ft.)

- (e) Rear Yard:
 - (i) 25 ft. (7.6 m) or as required by the Development Authority.

(5) Parking

- (a) On site parking requirements shall be determined by the Development Authority based on the evaluation of each individual application.

(6) Landscaping

- (a) Landscaping requirements within the front yard shall include the planting of trees, shrubs and/or other vegetation to the satisfaction of the Development Authority.
 - (b) Landscaping requirements within the rear and side yards shall be at the discretion of the Development Authority having regard for adjacent land uses.
- (c) Landscaping must not impede sight triangles of intersections of roads and approaches

(7) Special Requirements

- (a) The exterior finish of any building shall be brick, stucco, wood, metal, or other siding to the satisfaction of the Development Authority.
- (b) The provisions contained in Section 51 of this Bylaw shall apply to all Local Rural Commercial developments and subdivisions.
- (c) Redesignation of any parcel to the “LRC” – Local Rural Commercial District shall only apply to the immediate area required to develop the intended use. The approximate boundaries can be used for redesignation purposes where subdivision is required to legally establish the property boundaries. If the subdivision is approved, the dimensions of the redesignation parcel will automatically conform to the subdivision parcel, irrespective of dimensions otherwise approved.

27. LI – Light Industrial District

(1) Purpose

To provide for a wide range of low intensive industrial and commercial land uses in the rural areas which are easily accessible.

(2) Permitted Uses

- Accessory building
- Farm and industrial equipment machinery sales and service
- Gas and Oilfield Services Business - Minor
- Greenhouse
- Intensive vegetative operation
- Veterinary clinic

(3) Discretionary Uses

- Auction mart
- Commercial recreation and entertainment facility
- Feed Mill, Grain Elevator and Seed Cleaning Plant
- Fertilizer storage and distribution (including ammonia)
- Light industrial park
- Kennel
- Manufacturing/Processing facility
- Outdoor Storage Facility
- Public & quasi-public use
- Sign
- Detached dwelling for caretaker purposes
- Warehousing
- Veterinary hospital

(4) Minimum Requirements

(a) Site Area:

- (i) 464.5 m² (5,000 ft.²) for fully serviced parcels;
- (ii) 929.0 m² (10,000 ft.²) for parcels served by municipal sewer only;
- (iii) 1393.5 m² (15,000 ft.²) for parcels served by municipal water only;
- (iv) 1858 m² (20,000 ft.²) for non-serviced parcels

- (b) Front Yard:
 - (i) 41 m (135 ft.) from the rights-of-way of a primary highway or as required by Alberta Infrastructure;
 - (ii) 30.5 m (100 ft.) from the rights-of-way of all other roads.
- (c) Side Yard:
 - (i) 7.6 m (25 ft)
- (d) Rear Yard:
 - (i) 7.6 m (25 ft.)
- (e) Floor Area:
 - (i) 74 m² (800 ft.²) for a single-detached dwelling;
 - (ii) other uses at the discretion of the Development Authority;
- (f) Minimum Density:
 - (i) Industrial Park – 3 contiguous lots/ quarter section;
- (5) Landscaping Requirements
 - (a) Notwithstanding requirements listed in Section 59, a minimum 3.0 m (10 ft.) wide landscaped buffer shall be provided along the rear and side parcel boundaries adjacent any residential land use. Landscaping shall be provided to the satisfaction of the Development Authority and shall include construction of a 1.8 m (6ft.) solid screened fence or the planting of trees and may include the planting of shrubs and/or other vegetation and the construction of a landscaped berm.
 - (b) Notwithstanding (a) above, at the discretion of the Development Authority, screening may be provided along the rear and side parcel boundaries adjacent non-industrial land uses and may include the construction of a 1.8 m (6 ft.) tall solid screened fence and the planting of trees, shrubs and other vegetation.
 - (c) Landscaping requirements within the front yard shall be at the discretion of the Development Authority.
 - (d) Landscaping must not impede sight triangles of intersections of roads and approaches.

(6) Parking (Minimum Standards)

Parking shall be provided according to the following:

- (a) Veterinary Clinic 2.5 parking space per 93 m² (1,000 ft.²) of gross floor area plus 0.5 spaces per employee.
- (b) Commercial Recreation and Entertainment Facility
3 parking spaces per 23.3 m² (250 ft.²) of gross floor area, plus a minimum of 3 employee parking spaces.
- (c) For all other uses, parking requirements shall be determined by the Development Authority based on the evaluation of each individual application

(7) Special Requirements

- (a) The requirements of Section 39(4) will apply to this district.

28. I – Industrial District

- (1) Purpose
To provide for a wide range of industrial uses suitable for rural areas.
- (2) Permitted Uses
 - Extensive agriculture
 - Compressor Station less than or equal to 300 horsepower
 - Gas and Oilfield Services Business - Minor
 - Oilfield buildings less than or equal to 2000 ft² in total floor area
- (3) Discretionary Uses
 - Airport
 - Accessory building(s)
 - Bulk oil depot and sales
 - Compressor Station greater than 300 horsepower
 - Detached dwelling for caretaker purposes
 - Farm equipment machinery sales and service
 - Feed Mill, Grain Elevator and Seed Cleaning Plant
 - Fertilizer storage and distribution (including ammonia)
 - Industrial park
 - Kennels
 - Manufacturing/Processing facility
 - Natural resource extractive industries
 - Oilfield buildings greater than 2000 ft² in total floor area
 - Outdoor storage facility
 - Public & quasi-public use
 - Signs
 - Surveillance suite
 - Wind Energy Conversion Systems (WECS)
 - Wrecking Yard
- (4) Minimum Requirements
 - (a) Site Area:
 - (i) 0.4 hectares (1 acre)

- (b) Front Yard:
 - (i) 41 m (135 ft.) from the rights-of-way of a primary highway or as required by Alberta Infrastructure;
 - (ii) 30.5 m (100 ft.) from the rights-of-way of all other roads.
- (c) Side Yard:
 - (i) 7.6 m (25 ft)
- (d) Rear Yard:
 - (i) 7.6 m (25 ft.)
- (e) Floor Area:
 - (i) 74 m² (800 ft.²) for a one-family dwelling;
 - (ii) other uses at the discretion of the Development Officer / Municipal Planning Commission;
- (f) Density:
 - (i) Industrial Park – 3 contiguous lots/ quarter section.

(5) Landscaping Requirements

- (a) Notwithstanding requirements listed in Section 59, a minimum 3.0 m (10 ft.) wide landscaped buffer shall be provided along the rear and side parcel boundaries adjacent any residential land use. Landscaping shall be provided to the satisfaction of the Development Authority and shall include construction of a 1.8 m (6 ft.) solid screened fence or the planting of trees and may include the planting of shrubs and/or other vegetation and the construction of a landscaped berm.
- (b) Notwithstanding (a) above, at the discretion of the Development Authority, screening may be provided along the rear and side parcel boundaries adjacent non-industrial use land uses and may include the construction of a 1.8 m (6 ft.) tall solid screened fence and the planting of trees, shrubs and other vegetation.
- (c) Landscaping requirements within the front yard shall be at the discretion of the Development Authority.
- (d) Landscaping must not impede sight triangles of intersections of roads and approaches.

(6) Parking (Minimum Standards)

Parking requirements shall be determined by the Development Authority based on the evaluation of each individual application.

- (7) Special Requirements
 - (a) The requirements of Section 39(4) will apply to this district.
 - (b) All outdoor storage shall be adequately screened from adjacent sites to the satisfaction of the Development Authority.
- (8) Wind Energy Conversion Systems (WECS)
Standards listed in Section 61 of the General Land Use Regulations

29. R – Recreation District

(1) Purpose

The purpose and intent of this district is to provide for a broad range of rural recreational uses.

(2) Permitted Uses

- Accessory building
- Extensive agriculture
- Parks and playgrounds

(3) Discretionary Uses

- Campground
- Community hall
- Bed and Breakfast Establishment in a permitted dwelling
- Cottage or Cabin, and/or Chalet
- Country Recreational Lodge
- Detached dwelling for caretaker purposes
- Dude ranch
- Equestrian and riding facility (public)
- Fair ground (rodeo ground)
- Gun club
- Golf course
- Museum
- Petting zoo
- Public or quasi-public use
- Race track
- Recreational centre & lodge
- Recreational trails
- Recreational vehicle park
- Signs
- Ski facility
- Sports camp

(4) Minimum Requirements

- (a) Site Area:
 - (i) 1 acre (0.4 ha)

- (b) Front Yard:
 - (i) 41 m (135 ft.) from the right-of way of a primary highway or as required by Alberta Infrastructure;
 - (ii) 30.5 m (100 ft.) from the rights-of-way of all other roads.
- (c) Side Yard:
 - (i) 7.6 m (25 ft.)
- (d) Rear Yard:
 - (i) 7.6 m (25 ft.)
- (e) Floor Area:
 - (i) 74 m² (800 ft.²) for a detached dwelling;
 - (ii) other uses at the discretion of the Development Officer / Municipal Planning Commission;

(5) Special Requirements

- (a) See also Section 57 “Recreational Trails” in this Bylaw.
- (b) The area designated Recreation District shall be only that portion of the site proposed for recreation development.
- (c) Recreation Vehicle Park:

Development permit applications for an RV Park shall be accompanied with a comprehensive plan, written to the satisfaction of the development authority, including but not be limited to the following:

- (i) a fully dimensioned and scaled comprehensive site plan that includes the following information:
 - total area of the RV Park;
 - park boundary lines;
 - locations of all proposed buildings, including sizes and uses, road accesses, proposed RV sites, roads and laneways, parking areas, landscaping, including the number and type of trees and shrubs proposed ;
- (ii) detailed building plans, including building elevations;
- (iii) detailed servicing plan including drainage and grading.

30. MH – Manufactured Home District

(1) Purpose:

To provide an area for and to regulate the development and use of land for manufactured homes, and other uses, herein listed, which are compatible with a residential area, either on separately registered parcels or in comprehensively designed parks wherein sites are rented or owned as part of a condominium. The area is to be connected to municipal sewer and water systems.

In this District, "lot" means the total area of land reserved for the placement of a manufactured home and for the exclusive use of its occupant(s); and "structure" means a subordinate building which is an addition to, or supplements the facilities provided by a manufactured home, such as awnings, storage structures, carports, porches and skirting.

(2) Permitted Uses:

- Accessory residential buildings/structures
- Manufactured homes
- Manufactured home park
- Minor home occupation

(3) Discretionary Uses:

- Parks and playgrounds
- Public and quasi-public uses
- Public Utility Buildings
- Signs

(4) Manufactured Home Park

(a) Comprehensive Siting Plan:

A comprehensive siting plan satisfactory to the development authority is required for all manufactured home parks. The plan shall identify and provide detail regarding dimensions and treatments for the following:

- Entire site and individual "lots"
- Roads
- Walkways
- Recreation areas
- Storage areas
- Parking areas
- Perimeter landscape area

- (b) Maximum Gross Density:
17 manufactured homes per hectare (7 per acre)
- (c) Minimum Park Area:
2 hectares (4.9 acres)
- (d) Maximum Park Area:
4 hectares (9.9 ac)
- (e) Minimum Lot Area:
As determined by the size of the manufactured home units and the lot coverage and minimum yard requirements specified in this Section.
- (f) Maximum Lot Coverage:
50%
- (g) Minimum Yard Requirements:
Manufactured homes shall be at least:
 - i) 4.5 m (14.8 ft.) from one another
 - ii) 6.0 m (19.7 ft.) from any park boundary
 - iii) 3.0 m (9.8 ft.) from any side internal access road or common parking area
 - iv) 6.0 m (19.7 ft.) from the front lot line
 - v) 1.5 m (4.9 ft.) from any side lot line
 - vi) 4.5 m (14.8 ft.) from the rear lot line
 - vii) Attached structures shall be at least 1.5 m (4.9 ft.) from any lot line.
- (h) Minimum Manufactured Home Floor Area:
89.2 m² (960 ft.²)
- (i) Minimum Manufactured Home Width:
4.27 m (14 ft.)
- (j) Maximum Height:
5.0 m (16.4 ft.)
- (k) Recreation Area:
A minimum of 5% of the total area of a manufactured home park shall be set aside in a suitable location as a recreation area. Playground apparatus or other recreation facilities shall be provided in accordance with a recreation site plan approved by the Development Officer/Municipal Planning Commission.

(l) Landscaped Areas:

All areas of a manufactured home park not developed or occupied by park roads, walkways, driveways, parking aprons, buildings or other developed facilities, including paved playgrounds, shall be landscaped.

A manufactured home park shall have on its perimeter a landscaped area not less than 3 m (9.8 ft.) in width between any manufactured home lot and a boundary line of the development. This buffer shall not comprise part of the 5% recreation area requirement.

The Development Authority may require the provision of a screening fence or wall within the 3.0 m perimeter.

The height, material, style, finish and siting of the fence / wall shall be to the satisfaction of the Development Authority.

(m) Roadways:

All manufactured home park roadways shall have at least a 12 m (39.4 ft.) rights-of-way and a carriageway no less than 8 m (26.3 ft.) in width.

(n) Walkways:

Internal pedestrian walkways, where provided, shall be a minimum of 1.5 m (5 ft.) in width.

(o) Storage Areas:

Common storage areas, separate from the manufactured home lot, shall be provided for storage of seasonal recreational equipment not capable of storage on the manufactured home lot. Such storage areas shall be screened. Such storage areas shall have an area of not less than 20 m² (215 ft.²) per manufactured home lot.

(p) Utilities:

All utility services and all utility wires and conduits shall be installed underground.

(q) Fences and Lot Lines:

Fences and hedges shall be allowed only if they are erected and maintained by the manufactured home park operator to a uniform standard throughout the manufactured home park. All lot lines shall be clearly defined on the ground by permanent flush stakes, or markers, with a lot number or other address system.

- (r) Building Design:
All manufactured homes shall be factory built. Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home development. Each manufactured home shall be levelled, blocked and skirted, and the hitch skirted within 30 days of being placed on a lot.
- (s) Development Permits:
All manufactured homes in a manufactured home park require a development permit.
- (5) Manufactured Home Subdivision Standards
The following regulations apply to manufactured homes:
 - (a) Minimum Parcel Area:
Interior parcels 375 m² (4,036 sq. ft.)
Corner parcels 420 m² (4,521 sq. ft.)
 - (b) Maximum Parcel Coverage: 50%
 - (c) Front Yard: 6 m (20 ft.)
 - (d) Side Yard:
1.5 (5 ft.) on the right side facing lot from the street [except where it abuts a road other than a lane, then it shall be 3.0 m (10 ft.); and 4.5 m (15 ft.) on the left side. Attached structures shall be at least 1.5 m (5 ft.) from any lot line.
 - (e) Rear Yard: 3.0 m (10 ft.)
 - (f) Minimum Floor Area: 89.2 m² (960 ft.²)
 - (g) Minimum Manufactured
Home Width: 4.27 m (14 ft.)
 - (h) Maximum Height: 5.0 m (16.4 ft.)
 - (i) Building Design:
All manufactured homes shall be factory built. Skirting or any attached structure shall be factory built with matching exterior finish, or be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home. All wheels must be removed and the manufactured home placed on permanent foundation, or concrete piers.
- (6) Supplementary Regulations:
All uses must also comply with Part VII General Land Use Regulations.

31. DC – Direct Control District

(1) Purpose

The purpose of this district is to provide for the development of land uses under individually unique circumstances requiring site-specific controls where the application of conventional land use districts would be inappropriate or inadequate.

(2) Uses

In approving a bylaw for a Direct Control District for a particular site, Council shall specify those uses that may be allowed.

(3) Development Standards

In approving a bylaw for a Direct Control District for a particular site, Council shall establish the development standards that apply.

(4) Administrative Provisions

(a) This District shall only be applied where the following conditions are met:

(i) The development is, in the opinion of Council, considered appropriate for the site having regard for the policies and objectives of any statutory plans applicable to the site and surrounding area and its compatibility with the scale and character of surrounding development;

(ii) The use of any other district on the site would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of such district be utilized; and

(iii) The development is of a unique form or nature not contemplated or reasonably regulated by another district.

(b) In addition to the information required by this Bylaw for an amendment application, the applicant shall also provide the following:

(i) Support rationale explaining why the proposed district is desirable for the site having regard for the conditions listed in (1) above;

(ii) A list of uses proposed for the site;

- (iii) An explanation of the methods used to obtain public input and written documentation of the opinions and concerns of surrounding property owners and residents and how the proposed development responds to those concerns;
 - (iv) Plans and elevations that would help substantiate the need for the District and establish the development standards that would apply to the site; and
 - (v) Any other information as may be required by the Development Officer to evaluate the proposed development and its potential impacts.
- (c) In approving a bylaw for a Direct Control District for a particular site, Council may specify:
- (i) The Development Authority for those uses to be decided upon; and
 - (ii) Those development standards for which a variance may be granted.

(5) Special Requirements

1. Unless otherwise specified by a specific direct control district, or by Council, or its delegate, the regulations of Part VII – General Land Use Regulations, shall apply.
2. Council may, as part of its decision making process, require that an opportunity be provided for public review of a proposal within a direct control district.
3. Development proposals within a direct control district shall be reviewed by the Municipal Planning Commission with comments and recommendations forwarded to Council.
4. Subdivision applications in a direct control district shall be referred to Council for review and recommendation as part of the Subdivision Authority's decision making process.

(6) Specific Direct Control District DC1

DC1 Location: All of NW ¼ Sec 27'33-26-W4, excepting thereout Subdivision Plan 971 1371

(1) Purpose

To accommodate a mix of residential, agricultural, recreational, and other uses as deemed appropriate by Council

(2) Permitted Uses

- One-family dwellings
- Accessory buildings
- Extensive agriculture

(3) Discretionary Uses

- Recreational uses as determined by Council or its delegate
- Other uses determined by Council as being appropriate for the subject site

(4) Development Standards

- All development standards as determined by Council or its delegate

(5) Maximum Number of Lots per Quarter Section

- Two, or as determined by Council or its delegate

(6) Minimum Parcel Size

- As determined by Council or its delegate

(7) Specific Direct Control District DC2

DC2 Location: 1.2 hectares (3 acres) portion of SE ¼ Sec 27-28-20-W4 (as shown on sketch forming part of Kneehill County Amending Bylaw 1568),

(1) Purpose

To accommodate a mix of residential, agricultural, recreational, and other uses as deemed appropriate by Council

(2) Permitted Uses

- Detached dwellings
- Accessory buildings
- Extensive agriculture

(3) Discretionary Uses

- Other uses determined by Council as being appropriate for the subject site

(4) Development Standards

- All development standards as determined by Council or its delegate

(5) Maximum Number of Lots per Quarter Section

- One, or as determined by Council or its delegate

(6) Minimum Parcel Size

- As determined by Council or its delegate

(8) Specific Direct Control District DC3

DC3 Location: Plan 9712479, Lot 4 (Part of NE ¼ Sec 1-32- 24-W4M)

(1) Purpose

To accommodate and allow for greater control of the development or expansion of a honey processing plant in close proximity to Country Residential and Agricultural District parcels.

To prohibit uses that are not appropriate for the subject site, that may be in conflict with adjacent land uses and development as determined by Council or its delegate.

To accommodate uses that are appropriate for the subject site, and are not in conflict with adjacent land uses and development as determined by Council or its delegate.

(2) Permitted Uses

- Plant for the manufacturing and processing of honey.
- Accessory Buildings

(3) Discretionary Uses

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

(4) Development Standards:

All development standards as determined by Council or its delegate.

(5) Minimum Parcel Size:

1.92 Acres (0.775 Hectares) more or less.

(6) Maximum Number of Lots:

One (1).

(7) Minimum Setback Requirements:

(a) Front Yard:

- i. 41 m (135 ft.) from the rights-of-way of a primary highway or as required by Alberta Infrastructure;
- ii. 30.5 m (100 ft) from the rights-of-way of all other roads.

- (b) Side Yard: 7.6 m (20 ft).
- (c) Rear Yard: 7.6 m (25 ft).
- (d) Notwithstanding the above Minimum Setback Requirements, Accessory Buildings may be located at the discretion of Council or their Delegate.

9. Specific Direct Control District 4

DC4 Location: 172.193 hectares (425.5 acres) in Section 22-27-21-W4M lying north of the Rosebud River and west of Range Road 212.

(1) Purpose

To accommodate a comprehensive motorsports resort as described in the ***Badlands Motorsports Resort Area Structure Plan*** Bylaw #1597, Sections 3.7 (Development Plan Components) through section 3.11 inclusive, and including but not limited to driving courses, maintenance and servicing facilities, recreational services, residential uses, park areas, conservation areas and other uses as deemed appropriate by Council.

(2) Permitted Uses

- None

(3) Discretionary Uses

- Accessory Buildings / Accessory Use
- Automotive and Recreational Vehicle Sales and Rentals
- Detached Dwelling
- Drinking Establishment
- Drive-Through Business
- Duplex
- Guest Child Care Facility
- Hotel / Motor Hotel
- Motor Vehicle Racing Track
- Motor Vehicle Servicing, Repair and Storage
- Multi-Attached Dwellings
- Office
- Outdoor Storage Facility
- Personal Services
- Private Recreation Facility
- Public Utility
- Public Utility Building
- Recreation Area
- Restaurant
- Retail Store
- Service Station

(4) Conditions of Subdivision or Development

The County shall not endorse a Plan of Survey for Subdivision of the Lands or approve a Development Permit for the Lands until the Developer has first:

- Executed a Development Agreement(s) with the Municipality in form and substance satisfactory to the County at its sole discretion to ensure all subdivision and development of the Lands conforms to the principals upon which this and other pertinent Bylaws are based, and shall address:
 - Construction or payment for the construction of a road or roads required to give access to the subdivision or development;
 - Construction or payment for the construction of a pedestrian walkway system to serve the subdivision or development or a proposed adjacent subdivision;
 - Installation or payment for the installation of public utilities that are necessary to serve the subdivision.
 - Submission to the Municipality of complete plans and specifications, and financial security to the satisfaction of the municipality.
- Submitted to the Subdivision and Development authorities in form and substance satisfactory to the County at its sole discretion the following documents:
 - Environmental Impact Assessment (EIA)
 - Road Access Route and Design
 - Transportation Impact Assessment (TIA)
 - Including all primary and secondary routes to the Plan area in both Kneehill County & Wheatland County
 - Water Supply and Distribution Design Options
 - Comprehensive Site Development Plan
 - Design Guidelines for Architecture, Planning and Landscape Architecture
 - Design Guidelines for Environmental Reclamation and Protection
 - Site Servicing Analysis (Storm, Sanitary, Gas, Power, Cable, Telephone)
- Complied with this or any other condition(s) issued by the subdivision or development authorities.

(5) Development Standards

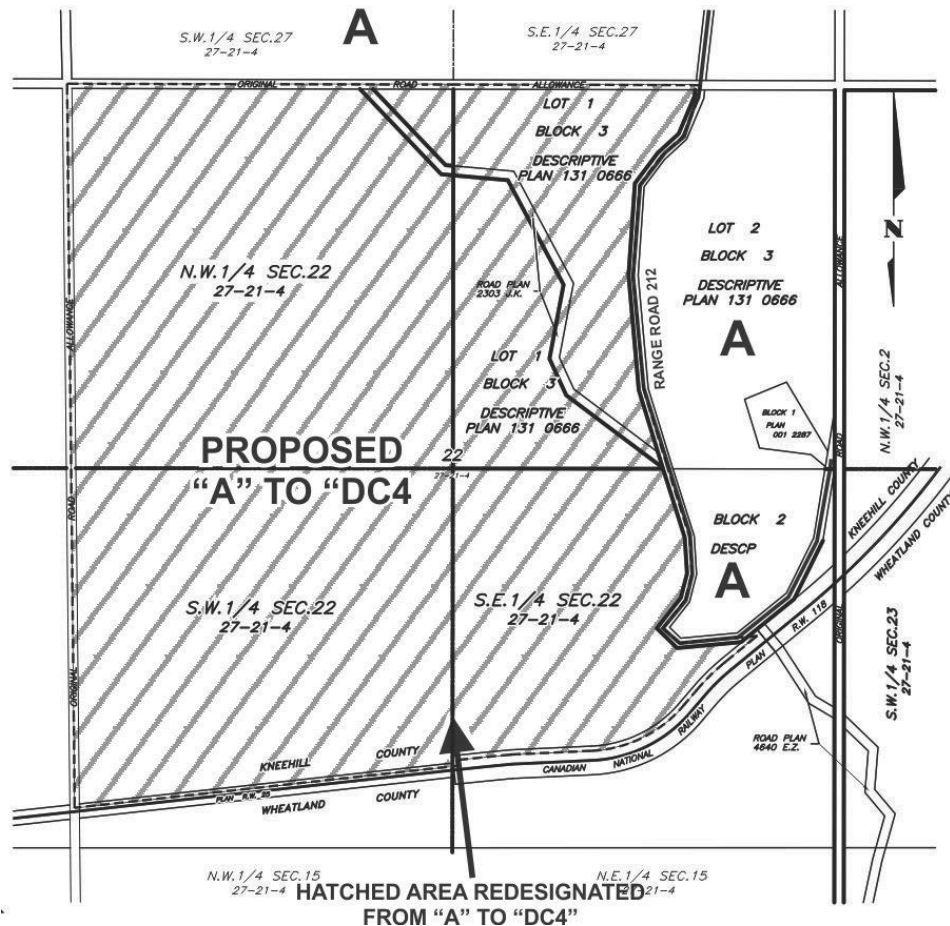
Those standards as further described in Sections 3.7 to 3.14 inclusive and Sections 3.16 and 3.17 of the *Badlands Motorsports Resort Area Structure Plan*, as informed by the Conditions Prior to Development or as approved by Council or its delegate.

(6) Maximum Number of Lots

The maximum number of fee-simple or bareland condominium lots will be determined by Council or its delegate as appropriate for the subject site based on sound planning principles, including but not limited to the Conditions Prior to Development.

(7) Minimum Parcel Size

The minimum parcel size will be determined by Council or its delegate as appropriate for the subject site, based on sound planning principles, including but not limited to the Conditions Prior to Development."



32. *Floodplain Development*

- (1) Notwithstanding subsection (2), no new development or the expansion of existing development shall be allowed within the 1:100 year flood plain of any watercourse or water body as determined by Alberta Environment.
- (2) Temporary or seasonal structures may be permitted within the 1:100 year flood plain of any permanent water course or water body where they are contained within an approved conceptual plan or site plan subject to conditions of the development permit. Notwithstanding the above, the Municipal Planning Commission shall as a condition of Development Permit, require that a caveat be registered against the certificate of title of the subject lands to ensure the Municipality is held harmless from the loss or damage caused by possible flooding and/or erosion. The caveat shall be written to the satisfaction of the County.
- (3) Development Permit Applications for parcels in the 1:100 year floodplain shall be accompanied by the following information requirements:
 - (i) elevation of the site as prepared by a qualified surveyor or engineer;
 - (ii) proposed elevation of main floor of residential buildings as prepared by a qualified surveyor or engineer;
 - (iii) statement and/or analysis which demonstrates the suitability of the development to the site as compared to other locations on the parcel.

33. *Development Near Water*

- (1) Unless permitted in an Area Structure Plan, no part of any building shall be developed within 38.1 m (125 ft.) of a river, lake, stream, or other permanent water body.
- (2) Notwithstanding subsection (1), the Development Authority may require additional reports to be submitted by qualified consultants to help determine the setback distance. The setback may be reduced if supported by a report submitted by a qualified engineer.

34. *Non-Conforming Buildings & Uses*

- (1) A non-conforming use of land or a non-conforming use of 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 buildings shall conform with the provisions of the land use bylaw.
- (2) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations shall be made to it.
- (3) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.
- (4) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except:
 - (a) as may be necessary to make it a conforming building, or
 - (b) as the Development Officer considers necessary for the routine maintenance of the building, or
 - (c) as provided for in Section 9(3).
- (5) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the Land Use Bylaw.
- (6) The use of land or the use of a building is not affected by the reason only of a change of ownership, tenancy or occupancy of the land or building.

35. *Home Occupations*

- (1) All development permits issued for home occupations shall be revocable at any time by the Municipal Planning Commission if in its opinion, the use is or has become detrimental to the amenities of the neighbourhood.

- (2) The Municipal Planning Commission may issue a temporary permit for a home occupation.
- (3) A home occupation shall not include any use or operation which will cause or create a nuisance by way of dust, noise, smell, smoke, or traffic generation.
- (4) In hamlets, a home occupation shall be confined to the residence or accessory buildings and be subordinate to the principal use as a residence and shall be limited to those uses which do not impact adjacent properties. Outside storage of materials, goods or equipment is not permitted.
- (5) In agricultural districts, a home occupation shall be confined to the residence or farmyard site and be subordinate to the principal use of the site for agricultural and residential purposes. Further, limited outside storage of materials, goods or equipment is permitted.
- (6) Mobile catering must have permission of the landowner and/or tenant for the operation, coordination and cooperation with other organizational groups. No parking on public access roadways without permission. Garbage collection, containment and disposal must be provided for the function.

36. *Relocation of Buildings*

- (1) Where a development permit has been granted for the relocation of a building on the same site or from another site, the Development Officer/Municipal Planning Commission may require the applicant provide a 100% security in the amount of the total estimated costs to relocate the building, payable by certified cheque or irrevocable letter of credit to ensure completion of any renovations set out as a condition of approval of the permit.
- (2) All renovations to a relocated building are to be completed within one year of the issuance of the development permit.

37. *Drainage*

- (1) Parcels within hamlets or multi-parcel subdivisions shall be graded so storm water does not drain on to adjoining property. The Development Officer/Municipal Planning Commission at his or her discretion may establish parcel and building elevations if it is felt that drainage from existing elevations will affect neighbouring parcels.
- (2) At the discretion of the Development Officer/Municipal Planning Commission, the applicant shall be required to grade a parcel in such a manner that all surface water will drain from the building site to any existing or proposed sewer system.

38. *Agricultural Land*

- (1) Agricultural land, in particular, Canada Land Inventory Capability for Agriculture classifications 1 to 4 shall be encouraged to be preserved for agricultural purposes.
- (2) The creation of parcels less than 64.7 ha (160 acres) shall not be permitted unless specifically permitted elsewhere in this bylaw. When permitted, these parcels should not:
 - (a) fragment existing farming units;
 - (b) utilize better quality agricultural land.
 - (c) provide access that would result in unduly severing of the agricultural land

39. *Rural Subdivision and Development Policies*

The guiding principal in determining the suitability and parcel-size of a subdivision is the preservation of agricultural land. Therefore; notwithstanding the maximum size of five (5) acres (2.02 hectares) for non-developed residential agricultural parcels, the Subdivision Authority may, at its discretion, reduce, alter or otherwise modify parcel sizes on bare land subdivision applications to 3 acres (1.2 hectares) more or less if in its opinion a smaller parcel would be more appropriate and would maintain the agricultural use of the land.

(1) First Parcel Out

- (a) Except as otherwise permitted in this bylaw, the maximum number of lots per quarter section is two, including the balance of the quarter section. Subdivision approvals for developed farmsteads should be kept as small as possible, while incorporating shelterbelts and ancillary buildings.
- (b) The maximum parcel size for undeveloped parcels is five (5) acres (2.02 hectares). Undeveloped parcels may exceed five (5) acres (2.02 hectares) only if the parcel is fragmented from the balance of the quarter at the discretion of the Municipal Planning Commission.
- (c) First parcel out subdivisions shall not be allowed where in the opinion of the Municipal Planning Commission potential conflicts with adjacent or surrounding uses would result.
- (d) Water wells and private sewage treatment and disposal systems that meet current code requirements shall be located on the parcel they service.
- (e) Both the proposed parcel and the remainder parcel shall have direct legal and physical access to a public road.
- (f) Notwithstanding sections (a) and (b) above, larger parcels may be approved when the purpose of the subdivision is to create a parcel for continuing agricultural purposes, such as greenhouses, market gardens, intensive operations, or sod or tree farms. In all cases, however, the maximum number of parcels per quarter section is two, including the balance lot.

- (2) Notwithstanding Section 39(1)(a) above, the Subdivision Authority may consider the creation of three (3) parcels per agriculture quarter section provided consideration is given to the number of detached dwellings per quarter section and that the specific criteria listed below is met.

The Subdivision Authority may consider subdivision of a third parcel if the subdivision would not result in the development of over three (3) detached dwellings within the quarter section. For the purposes of this Section, when considering subdivision the Subdivision Authority must consider and adhere to the following scenarios:

- (a) The quarter section contains a parcel developed with two existing detached dwellings (Parcel A) and a parcel which is undeveloped with no detached dwelling (Parcel B).

Parcel "B" has the potential to be developed with one detached dwelling since detached dwelling is listed as a permitted use in the Agriculture District and therefore further subdivision of the property shall not occur unless the subdivision results in the creation of a separate title for one of the two detached dwellings located within Parcel "A".

- (b) The quarter section contains a parcel developed with a detached dwelling (Parcel "A") and a parcel which has an area of over eighty (80) acres (32.37 hectares) and is developed with a detached dwelling (Parcel "B").

- (c) The quarter section contains one parcel with two (2) detached dwellings (Parcel A) and one parcel with one (1) detached dwelling (Parcel B).

The Subdivision Authority shall not consider further subdivision of the quarter section unless the subdivision results in the creation of a separate title for one of the two detached dwellings located within Parcel "A".

- (d) The quarter section is unsubdivided and contains two (2) detached dwellings.

The Subdivision Authority may consider subdivision to create two additional parcels only if the subdivision results in a separate title for at least one of the two existing detached dwellings.

- (e) The quarter section is unsubdivided and contains one (1) detached dwelling.

The Subdivision Authority may consider the subdivision of two (2) additional parcels.

- (f) In addition to the above, the Subdivision Authority may consider subdivision of a third parcel provided one of the following criteria is met:
- (i) The proposed third parcel is for residential purposes and the combined size of the proposed residential parcel and one other parcel in the quarter section does not exceed ten (10) acres (4.05 hectares) in total;
OR
 - (ii) In the case of a quarter section containing an existing farmstead; one (1) parcel shall be a maximum of five (5) acres (2.02 hectares) and the farmstead parcel shall be a maximum of fifteen (15) acres (6.07 hectares);
OR
 - (iii) One of the three parcels, either existing or proposed, must not exceed five (5) acres (2.02 hectares) and one of the other two (2) parcels must be a piece of land that is fragmented/separated from the balance of the quarter section by a significant feature, determined by the Subdivision Authority, including but not limited to a public road, railway, body of water or water course;
OR
 - (iv) In the case of a quarter section containing a singular existing subdivision registered prior to September 26, 2006, the Subdivision Authority may consider an additional subdivision of up to five (5) acres (2.02 hectares).

(3) Country Residential

- (a) Applications to redesignate land to Country Residential District will be evaluated on their own merits. Proposals shall be compatible with adjacent uses and agricultural land, in particular Canada Land Inventory classifications 1 to 4, shall be encouraged to be preserved for agricultural purposes. Developers will be required to install services and the parcel must be suitable for adequate water and sewer servicing.

(4) Rural Industrial Development

- (a) Industrial uses and rural industrial parks shall be located within a reasonable distance of:
 - (i) a highway to which the planned use or park has access; or
 - (ii) a railway to which the park has access, or both.
- (b) Rural industrial parks must be contained within an approved area structure plan.
- (c) Industrial uses and rural industrial parks shall be located and designed so as not to create conflicts with adjacent or surrounding land uses through unsightly appearance, emission of noise or pollutants, creation of dust or similar disturbances.
- (d) Industrial uses and rural industrial parks shall not locate on lands having a potential for flooding, erosion, subsidence, steep slopes or otherwise containing adverse physical features.
- (e) Industrial uses and rural industrial parks shall have adequate sewage disposal systems and available water supplies as required by appropriate authorities.

(5) In considering subdivision or development permit applications for residential uses adjacent existing industrial developments or industrial uses adjacent existing residential developments, the Municipal Planning Commission may impose conditions addressing:

- (a) providing proper services and access to the site,
- (b) screening, aesthetics and landscaping,
- (c) control of signage,
- (d) noise control,
- (e) a development agreement, with the need to provide security, and
- (f) any other issue deemed necessary by the Municipal Planning Commission.

40. Highway Commercial Development

- (1) Highway Commercial development in the rural areas shall be limited to those developments which intend to provide goods and services to the general traveling public.
- (2) Proposals should be evaluated to ensure that:
 - (a) the development is located adjacent a major transportation route;
 - (b) the development provides suitable accesses/engineered service roads so as not to interfere with traffic, or create hazard to traffic as determined by Kneehill County and/or Alberta Transportation; and
 - (c) the sewage disposal system and water system are approved by the appropriate authorities.

41. Topographic Features

- (1) Definitions

Exhibit 1 illustrates the terms defined in this subsection.

 - (a) “bench” means a plateau or level slope (typically less than 15%) occurring between the brink of one slope and the toe of another.
 - (b) “brink of slope” means the point where a slope begins to fall off steeper than 20%.
 - (c) “escarpment” means a river valley wall, typically up to 91 m (300 ft.) high.
 - (d) “escarpment protrusion” means the projection of the brink of an escarpment slope by a least 30.5 m (100 ft.) into a valley.
 - (e) “height of slope” means the point where a slope begins to rise steeper than 20%.
- (2) Isolated features
 - (a) For isolated land projections such as hummocks and buttes:
 - (i) slopes greater than 20% shall not be developed unless otherwise approved by the Development Officer/Municipal Planning Commission; and
 - (ii) slopes greater than 15% may require special engineering or other treatment to be developed.
 - (b) If such isolated features are to be leveled:
 - (i) the resulting slopes shall not exceed 20%; and

- (ii) the contours, leveling, compacting and other engineering and environmental aspects shall be satisfactory to the Development Officer/Municipal Planning Commission and other relevant authorities.

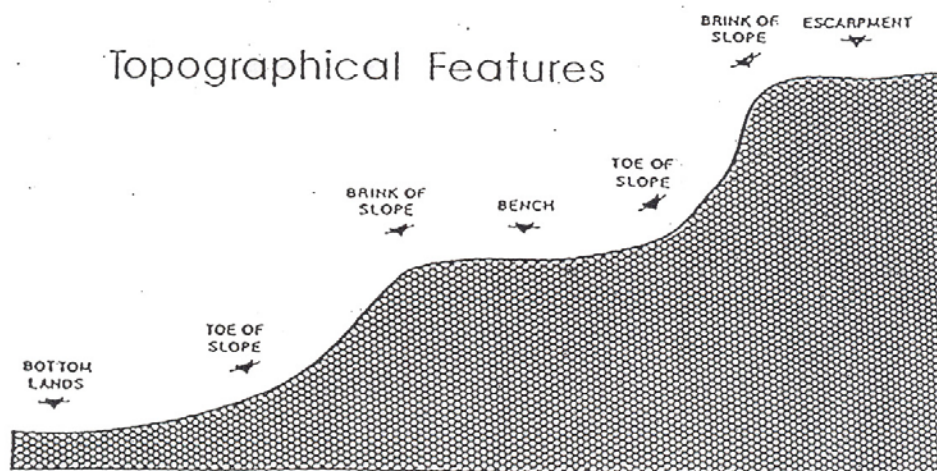
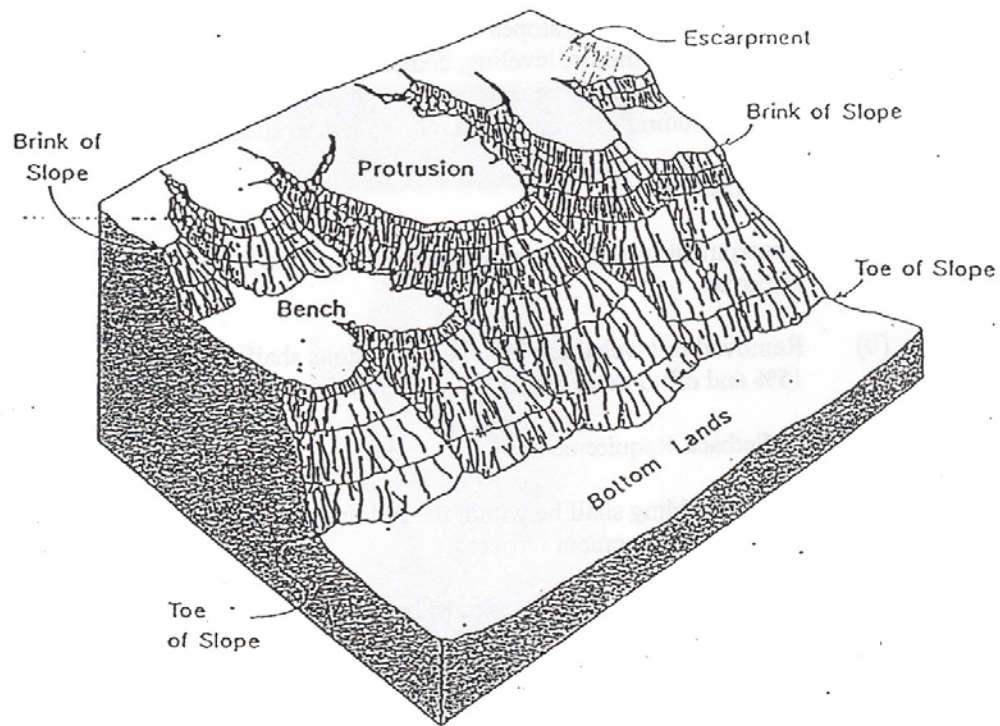


Exhibit 1 (Topographic Features)

(3) Escarpment Protrusions

- (a) Escarpment protrusions wider than 91m (300 ft.) at their widest point shall not be removed.
- (b) Removed or leveled escarpment protrusions shall result in slopes of no more than 15% and of no more than 33% at the adjoining escarpment wall.

(4) Minimum Setback Requirements

No part of any building shall be within the following minimum setbacks, unless otherwise approved by the Development Authority:

- (a) Setbacks from toes of slopes must be the greater of:
 - (i) 9.0 m (30 ft.) where the slope height is less than 6.1 m (20 ft.);
 - (ii) one-third the slope height, where the slope height exceeds 30.5 m (100 ft.).
- (b) Setbacks from brinks of slopes shall be as follows:
 - (i) 12.0 m (39.4 ft.), where the slope height is less than 6.1m (20 ft.);
 - (ii) two (2) times the height of the bank, where the height of the bank is between 6.1m (20 ft.) and 23.0m (75.5 ft.)
 - (iii) 46.0 m (151 ft), where the height of the bank is greater than 23.0 m (75.5 ft.).

For the purposes of this section the height of the slope shall be measured from the toe of the slope to the brink of the slope.

- (c) Benches - Subsections (a) and (b) shall apply using:
 - (i) the slope above the bench to determine the set-back from the toe, and
 - (ii) the slope below the bench to determine the set-back from the brink.

42. Signs

- (1) Notwithstanding subsection (5), no sign or sign structure shall be erected without development permit approval and the prior consent of the registered owner and the occupant of the land in question.
- (2) No sign or sign structure shall be erected where it may interfere with, obstruct or be confused with any authorized traffic sign, signal or device.
- (3) Alberta Infrastructure and Transportation shall be referred to for all development permit applications for signs proposed to be developed adjacent a highway.
- (4) All signs and sign structures located on County property shall be kept in a safe, clean and tidy condition and, if not so kept, may be required by resolution of Council to be renovated or removed.

- (5) Signs deemed approved:

The following signs may be erected on any land or affixed to the exterior of any building without the need for a development permit.

- (a) non-illuminated signs for identification, direction or warning, no more than 1.5 m² (16 ft.²) in area, and limited to two (2) per parcel;
- (b) non-illuminated signs relating to a person, partnership, or company practicing a profession, business or trade, no more than 1.5 m² (16 ft.²) in area, and limited to two (2) per parcel;
- (c) non-illuminated signs relating to a religious, educational, cultural, recreational club or institution or to a motel or apartment building, no more than 1.5 m² (16 ft.²) in area, and limited to two (2) per parcel;
- (d) non-illuminated signs of local authorities, utility boards or other public or quasi-public bodies; and

- (e) signs by a government or government agency.
 - (f) those signs as listed in Part II/Section 7.
- (6) All signs shall be wholly located within the boundaries of the site on which they are located and are not bound by the yard requirement of the district in which it is located, but shall not impede sight lines.
 - (7) In considering a development application for a sign, the Development Authority shall have due regard to the amenities of the district in which the sign is to be located and shall not approve the application if the Development Authority does not consider that the sign is compatible with the district in which it is proposed to be located.
 - (8) No sign shall project higher than the roof line of the building to which it is attached unless otherwise approved by the Development Authority;
 - (9) No signs, billboards or any other advertising structures shall be placed on or affixed to public property without the prior approval of the appropriate public body.
 - (10) Adjacent to the Town of Drumheller, there are special regulations to control signage into the Town. Along the south side of Highway No. 9 in the N ½ 21 and the N ½ 22-28-20-W4M, the only signs that will be permitted are those in the Community Business Signs Program. The location of these signs will be determined by Alberta Infrastructure and the construction and installation of the sign structure must adhere to all departmental specifications and regulations. Adjacent to the highway rights-of-way, no private signs will be permitted.
 - (11) Adjacent to the Town of Drumheller in the E ½ 35-28-20-W4M and through Section 26-28-20-W4M, existing private signs will be allowed to remain, subject to Alberta Infrastructure Guidelines.

43. *Parking*

- (1) The number of off-street parking spaces for any development shall be according to requirements set out in each applicable land use district.
- (2) For multiple use sites, parking requirements shall be based on the calculation of parking required for each individual use.
- (3) A parking space shall not be less than 3.0 m (10 ft.) wide and 5.5 m (18 ft.) long and 16.8 m² (180 ft.²) in area.

44. *Objects Prohibited or Restricted in Yards*

- (1) No person shall keep or permit in any part of a yard in any residential district:
- (2)
 - (a) A motor vehicle which has all or part of its superstructure removed, or a motor vehicle which is in a dilapidated or unsightly condition to remain or be parked on any lot located within a residential district or mobile home park or on land used primarily for residential purposes for more than 14 successive days.
 - (b) Any object or chattel which, in the opinion of the Development Officer is unsightly or tends to adversely affect the amenities of the district;
 - (c) Any excavation, storage or piling up of material required during the construction stage unless all necessary safety measures are undertaken; the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.
- (3) Livestock shall not be maintained or kept at any density on parcels of land within any Hamlet District.
- (4) Burning of refuse, garbage, compost and other materials is not permitted within any Hamlet District.
- (5) No accessory building or any portion thereof shall be erected or placed within the front yard of any lot unless otherwise approved by the Development Authority.

- (6) An accessory building erected on a lot shall not be used as a dwelling unit unless approved for a temporary purpose.
- (7) No person maintaining more than one recreation vehicle or more than two (2) motor vehicles in a residential district shall allow them to be kept in a manner which, in the opinion of the Development Authority is unsightly or tends to adversely affect the amenities of the district.
- (8) No person shall keep or permit on a parcel in any district the storage of materials used in construction of a development on that parcel of land beyond the period which, in the opinion of the Development Authority, is necessary for the completion of the development;

45. Site Development

- (1) The design, siting, external finish, architectural appearance and landscaping generally of all buildings, including any accessory buildings or structures and signs and any reconstruction shall be to the satisfaction of the Development Authority.

46. Mobile Homes

- (1) All mobile homes shall be C.S.A. approved and may be permitted in the Agricultural District where a dwelling is permitted.
- (2) Mobile homes shall have a permanent foundation capable of supporting the maximum anticipated load of the mobile home during all seasons without settlement or other movement.
- (3) The undercarriage of each mobile home shall be completely screened from view by the foundation or by skirting within 60 days of placement of the mobile home.
- (4) All accessory structures such as steps, patios, porches, additions, skirting and storage facilities shall be factory prefabricated units or of a quality equivalent thereto, so that design and construction will complement the mobile home. Additions to a mobile home shall have a foundation and skirting equivalent to that of the mobile home. All mobile homes shall be provided with steps and landings to all entrances within 30 days of their placement.

47. *Manufactured Homes*

The external appearance of manufactured homes must be acceptable to the Municipal Planning Commission having regard to compatibility with other buildings in the vicinity and must have:

- (1) A minimum roof pitch of 1:4
- (2) A roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes
- (3) A minimum roof overhang or eaves of 0.40 m (16 inches) from each external wall
- (4) A maximum length to width ratio of 3:1
- (5) A minimum width of 4.27 m (14 ft.)
- (6) A permanent foundation.

48. *Hamlet Development*

- (1) The expansion of hamlets shall be limited to lesser productive agricultural lands wherever possible and shall only be permitted if it can be demonstrated infill development is not suitable.
- (2) Residential lots or smallholdings located in hamlets shall not be considered or construed to be county residential parcels.
- (3) Kennels shall not be permitted in a hamlet.

49. *Shelterbelts & Fences*

- (1) Fences and shelterbelts that are subject to a development permit shall be set back 41 m (135 ft.) from the rights-of-way of a highway and should be set back 10.67 m (35 ft.) from the right-of-way of all local roads with the exception of an intersection where the required setback will be 30.5 m (100 ft.) unless otherwise approved by the Municipal Planning Commission.

50. *Campgrounds*

- (1) All developments shall meet the current Health Unit Regulations and other appropriate Provincial Government Regulations.

51. Local Rural Commercial Development

- (1) For Local Rural Commercial Development, the following criteria shall apply to each application;
 - (a) The development is located adjacent to a County gravel or higher grade road;
 - (b) Unless otherwise approved by Development Authority the development is located at least 457 m (1500 ft.) measured along the road, from:
 - (i) any bridge or structure crossing the road; and
 - (ii) the intersection of the road with any other road with the exception of a primary highway.
 - (c) The development is located at least 0.8 km (0.5 miles), from any highway. If multiple enterprises are included in one site an Outline Plan or Area Structure Plan will be required.
 - (d) The development provides suitable access and/or service roads so as not to interfere with traffic, or create a hazard to traffic;
 - (e) In approving any developments that require upgrading of municipal roads to give proper access to the development, the applicant shall pay for the upgrading of the road in compliance with the County's current road building policy;
 - (f) The sewage disposal system and water system are approved by the appropriate authorities;
 - (g) The development if required by the Development Authority must also obtain approval from Council under the Outdoor Amusement Bylaw for specific events.

52. Wrecking Yard (Auto and Equipment Wreckage Site)

- (1) Wrecking Yards must comply with the following:
 - (a) they should be located a least 0.8 km (0.5 miles) from any existing residence (except that of the owner) or any highway;

- (b) the site shall have a minimum area of 2.02 ha (5 acres) and a maximum area of 4.04 ha (10 acres) for storage, and must be completely fenced and screened by a type of fence approved by the Development Officer to a height of 2.4 m (8 ft.);
- (c) all vehicles must be stored within the enclosure and maintenance of the site should be in accordance with any standards deemed necessary by the Municipal Planning Commission.

53. *Bed and Breakfast Establishments*

- (1) Each bed and breakfast establishment shall provide one (1) on-site free standing sign for the purpose of identifying the bed and breakfast business and shall be regulated in accordance with the following requirements:
 - (a) Notwithstanding Section 42, sign dimensions for a bed and breakfast establishment shall be no larger than 1.0 m (3.2 ft.) in length and 0.6 m (2 ft.) in height and shall not be situated more than 1.8 m (6 ft.) above grade;
 - (b) the sign shall be located within the front yard adjacent the front property line and must be visible from a public road;
 - (c) the sign may be attached to either existing fencing or on independent posts to the satisfaction of the Development Authority;
 - (d) The sign shall be constructed using high density plywood or solid wood and shall be finished with high density reflective finish or equivalent, with dye cut lettering or silk screen lettering.
- (2) The operation of and meals to be provided to registered guests shall be in accordance with Alberta Health "Bed and Breakfast Health Standards and Guidelines."
- (3) Minimal exterior modification of the structure or grounds may be made only if such changes are compatible with the character of the area or neighbourhood.

- (4) The maximum length of stay of a guest shall not exceed 14 consecutive days.
- (5) The operation of the bed and breakfast establishment shall be subordinate and incidental to the principal use of the residence.
- (6) Off-street parking requirements shall be provided as per the District requirements outlined within *Part VI Land Use Districts*.
- (7) Bed and Breakfast establishments are not permitted in a detached dwelling that is used as a Boarding or Lodging House or a Secondary Suite.

54. Secondary Suites

- (1) The number of secondary suites per detached dwelling is limited to one (1).
- (2) A secondary suite shall occupy no more than 74.3 m² (800 sq. ft.) or 40% of the total area of the detached dwelling, whichever is less.
- (3) One (1) additional off-street parking space will be provided in addition to the parking requirements for the principal use.
- (4) Secondary suites must meet Alberta Building Code standards.
- (5) Secondary suites are not permitted in a detached dwelling that is used as a Boarding or Lodging House or a Bed and Breakfast.

55. Dwelling Units per Lot

Unless otherwise stated in this Bylaw the number of dwelling units permitted on a lot is one.

56. Dugouts

All dugouts do not require a development permit prior to construction. Notwithstanding any other provision in this bylaw, dugouts must be set back a minimum of 15.2 m (50 ft.) from any side or rear property line. All side slopes should not exceed a slope of 3:1 on all four sides. These requirements also apply to the

construction of large fishponds on acreages or agricultural parcels. Dugouts are defined as man-made bodies of water. Landowners are encouraged to look at the possibility of fencing for safety reasons.

57. *Recreational Trails*

- (1) Development permits for recreational trails will be considered by the municipality on lands designated as Recreation District.
In those cases where a development permit application concerns an abandoned rights-of-way, the Development Authority may impose any condition that relates to proper planning considerations as the Development Authority deems appropriate, which may include, but not limited to the following:
 - (a) access to the site and adjacent lands;
 - (b) signage;
 - (c) garbage disposal;
 - (d) range of activities;
 - (e) maintenance;
 - (f) insurance and liability; and
 - (g) public safety.
- (2) No permits will be issued until the municipality is satisfied that these issues have been addressed.
- (3) The Development Authority may refer any development permit application concerning abandoned railway rights-of-way to the relevant federal and provincial government departments for comment.
- (4) If the Development Authority has a concern regarding the environmental impact of a proposed development in abandoned railway rights-of-way, the Development Authority may require the applicant to provide an environmental impact assessment or report prepared by a qualified professional in a form satisfactory to the Development Authority.

58. *Livestock Allotted per Acre on Residential Parcels of 20 Acres or less*

- (1) For the purposes of this section, one (1) livestock unit shall mean:
- (i) 1 horse, donkey mule or ass (over one year of age); or
 - (ii) 2 colts (up to one year of age); or
 - (iii) 2 llama, 3 alpaca, or guanaco; or
 - (iv) 1 cow or steer (over one year of age); or
 - (v) 2 calves (up to one year of age); or
 - (vi) 15 chickens; or
 - (vii) 10 ducks, turkeys, pheasants, geese or similar fowl; or
 - (viii) 3 sheep or goats; or
 - (ix) 20 rabbits or similar species
 - (x) 1 Swine (excluding wild boar)

- (2) Livestock units shall be allowed in accordance with the following:

<u>Minimum Parcel Size</u>	<u>Allowable Number of Livestock Units</u>
2.0 – 3.0 acres	1.0
>3.0 – 5.0 acres	2.0
>5.0 – 7.0 acres	3.0
>7.0 – 9.0 acres	4.0
> 9.0 – 20 acres	5.0

- (a) All animals and livestock shall be solely for the private use of the residents.
- (b) Other specific species of animals not included in this table may be considered at the discretion of the Development Officer.
- (c) All animals shall be contained on the owner's property to the satisfaction of the Development Officer.

59. *Landscaping*

- (1) Landscaping shall be required in all Land Use Districts and provided within the front, side and rear yards adjacent public roads and may include the planting of trees and other vegetation such as shrubs, flowers and hedges and may include other landscaping materials such as grass/sod, rocks, gravel, wood chips etc. to the satisfaction of the Development Authority.

- (2) Prior to issuing a development permit the Development Authority may require submission of a detailed landscape plan to a standard satisfactory to the Development Authority, outlining at a minimum the following:
 - (a) the location of the trees and shrubs to be planted, including distance between trees and the anticipated full growth radius at maturity;
 - (b) the number of trees and shrubs to be planted; and
 - (c) the common name of the trees and shrubs to be planted.
- (3) In addition to the landscaping standards specified in each Land Use District the Development Authority may require the applicant of any development permit to:
 - (a) retain any natural feature in its original state including, but not limited to, the following:
 - (i) any water feature, including swamps, gullies and drainage courses;
 - (ii) land with a natural gradient of 15% or greater;
 - (iii) land subject to flooding by a 1:100 year flood;
 - (iv) land located within a minimum distance as determined by the Development Authority from the top of bank of any river, stream, creek, lake or other body of water;
 - (v) any land deemed unstable by the Development Authority.
 - (b) conserve trees, shrubs or any other natural vegetation to the maximum extent possible.
 - (c) screen any objectionable effect or potential objectionable effect from adjacent properties;
 - (d) retain topsoil on the site;
 - (e) enhance the site by adding topsoil, grass, rock, gravel, vegetation or other landscaping materials to complement the appearance of the site and the character of the neighbourhood;
 - (f) restricting the amount and location of hard surfacing on the site.

- (4) Trees and Shrubs provided for landscaping shall meet the following minimum requirements:
 - (a) a minimum height of 1.8 m (6.0 ft.) for coniferous trees;
 - (b) a minimum height of 0.46 m (1.5 ft.) for coniferous shrubs;
 - (c) a minimum caliper width of 5.08 cm (2 in) at 0.46 m (1.5 ft.) above ground level for deciduous trees;
 - (d) a minimum height of 0.61 m (2 ft.) for deciduous shrubs;
- (5) Unless otherwise specified in this Bylaw a minimum of thirty-three percent (33%) of the total amount of trees and shrubs provided shall be coniferous.
- (6) All trees shall be separated a minimum distance from each other to allow sufficient space for the tree's maximum potential growth radius at maturity and to ensure healthy, uninhibited growth.
- (7) All landscaping requirements must be completed within one (1) year of completion of construction or the commencement of the use, whichever occurs first.
- (8) The owner of the property, or his/her assignees or successor(s), shall be responsible for the proper up keep and maintenance of the required landscaping. If the required landscaping does not survive, the applicant/owner must replace it with a similar type of species and with a similar caliper, width and height or to the satisfaction of the Development Authority.
- (9) The Development Authority may, as a condition of a development permit, require submission of a security up to the value of the estimated cost of providing the proposed landscaping to ensure that such landscaping is carried out with reasonable diligence. The condition of the security is that, if the landscaping is not completed in accordance with this Bylaw and development permit within one (1) growing season after completion of the development, then the specified security amount shall be made available to the County to use to ensure the landscaping is installed according to the County's standards.

60. Hamlet General District

No new parcel of land shall be designated as *Hamlet General District*, and no existing parcel of land shall be redesignated *Hamlet General District*.

60a. Ex-Hamlet District

No new or existing parcel of land shall be zoned or rezoned Ex-Hamlet District unless the subject parcel is located in an existing Hamlet as listed within the Land Use Bylaw at the time of introduction of the X-Hamlet District and the existing Hamlet has been deemed by Council to no longer have Hamlet status.

61. Wind Energy Conversion Systems.

The intent of the following procedures and standards is to provide for the development of wind energy conversion systems (WECS) in a manner that minimizes impacts on both the environment and resident/landowners within Kneehill County.

Definitions In this section:

"Blade" means an element of a WECS rotor that forms an aerodynamic surface to extract energy from the wind;

"Blade Clearance" means the minimum distance from grade to the bottom of the rotor's arc;

"Grade" means the elevation of the finished ground surface at the completion of the building or structure, excluding minor variances;

"Horizontal Axis Rotor" means a WECS where the rotor is mounted on an axis parallel to the earth's surface;

"Rotor's Arc" means the total path traveled by a WECS' blade;

"Total Height" means the height of the tower from grade to the furthest vertical extension of the rotor;

"Tower" means the structure that supports the rotor or other energy collection device of the WECS above the ground;

"Vertical Axis Rotor" means a WECS where the rotor is mounted on an axis perpendicular to the earth's surface;

"Wind Energy Conversion System" (WECS) means an aggregation of parts, including the base, supporting structure, tower, generator, rotor, blades, etc., in such configuration as necessary to convert wind energy into mechanical or electrical energy;

(1) Development Standards.

(a) Minimum setbacks:

- (i) A WECS shall be located so that the outside of the rotor's arc is a minimum of 7.6 m (25 ft.) from the vertical projection of the parcel boundary.
- (ii) A WECS shall be located a distance of at least four (4) times the total height of the WECS from a dwelling not belong to the owner of the land on which the WECS is located.
- (iii) All other buildings: as per the respective district requirements.
- (iv) Road allowances: as per the respective district requirements.

(b) Minimum Blade Clearance:
A minimum of 7.6 m (25 ft.)

(c) Tower Access:
Tower access shall be protected by means acceptable to the Municipal Planning Commission and may include such things as a locked fence and anti-climbing devices.

(d) Colour:
Subject to the requirements of any other federal or provincial regulation the WECS shall have a non-reflective, matte finish in a colour satisfactory to the Municipal Planning Commission.

(e) Distribution Lines:
All power lines on the WECS site shall be underground unless otherwise approved by the Municipal Planning Commission.

(3) Approval Process.

(a) Information Requirements.

All development permit applications for a WECS shall be accompanied by:

- (i) A scaled site plan showing existing features and development, the location of the proposed WECS, related facilities, and access roads;
- (ii) A visual representation of the proposed WECS including scaled elevations and digital representations;
- (iii) An Environmental Impact Assessment (EIA), if required by the Municipal Planning Commission, addressing such things as visual impacts, noise, and nuisance;
- (iv) A Decommissioning Plan outlining how the WECS site will be reclaimed after it discontinues producing power.
- (v) Any other information that the Municipal Planning Commission determines is pertinent to the decision making process.

(b) Public Consultation.

Prior to making a decision on a development permit application, the County may require the applicant to provide an opportunity for the general public to view and comment on the proposal. At the discretion of the Municipal Planning Commission, the consultation may consist of a public meeting and/or mail-outs to residents / landowners. All details concerning notification, advertising and the format for gathering public input will be determined by the County.

(c) Referrals.

In addition to public consultation, the Municipal Planning Commission may refer the application to any agency or stakeholder it determines may be affected by the proposal.

