LAND USE BYLAW 848.22 – AMENDING LOG
EFFECTIVE DATE: APRIL 23, 2024

BYLAW 879.24 Council Third Reading: October 29, 2024 Bylaw effective date: October 29, 2024	**Zoning Map** • Replaces Map 8 – Affecting NW ¼ & NE ¼ of Section 19, Township 55, Range 19, West 4th Meridian **Text** • Add "Commercial Development at the location legally described as Ptn. NE-10-53-19-W4"in the list of Discretionary Uses of the Agricultural (A) District.
BYLAW 886.25 Council Third Reading: June 24, 2025 Bylaw effective date: June 24, 2025	**Zoning Map** • Maps 1- 13 removed and replaced with Maps 1-10 **Text** • Adds a fire safety plan to the application requirements for a development permit in Section 3.5.2(f) • Amendments relating to the *Meat Inspection Act* allowing on-farm abattoirs, affecting Sections 12.2.2; 12.8.2; 12.9.2; 13.1.1.1; 13.1.1.2; 13.1.124.1; and 13.1.124.2 • Adding public utility and public utility buildings to Section 7.3.4 • Removing all references to Recreational Development, affecting Sections 8.19 and 13.1.146 • Moves the reference to a heavy industrial use at NW 4-57-20-W4 from Agricultural to Heavy Agriculture Industrial District, affecting Sections 12.2.2 and 12.8.2 • Amend Outdoor Storage definition and use provisions affecting Sections 12.2.2; 12.9.2; and 13.1.94 • Change wording of Touring to Tourist in Section 12.2.2 • Reword Section 12.2.3(a)(iv) for readability and clarity

LAMONT COUNTY

Land Use Bylaw

Last amended: June 24, 2025

Lamont County

Bylaw No. 848.22

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1 ENACTMENT

1.1 TITLE

1.1.1 The title of this Bylaw shall be the “Lamont County Land Use Bylaw”.

1.2 PURPOSE

1.2.1 The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the County in accordance with the Municipal Government Act, including but not limited to:

a) to divide the County into districts;

b) to prescribe and regulate for each district the purposes for which land and buildings may be used;

c) establishes the powers of the Development Authority;

d) to establish a method of making decisions on applications for development permits including the issuing of development permits; and

e) to provide the manner in which notice of the issuance of a development permit is to be given.

1.2.2 This Bylaw shall be applied and interpreted in a manner that is consistent with the Municipal Government Act.

1.3 PREVIOUS BYLAW

1.3.1 Lamont County Land Use Bylaw No. 675/07 and all amendments thereto; Subdivision Authority Bylaw No. 753.15; and Development Authority Bylaw No. 577/95 are all hereby repealed.

1.4 EFFECTIVE DATE

1.4.1 This Bylaw comes into force upon the date of its final reading by the Council of Lamont County and has been signed in accordance with the Municipal Government Act.

1.5 APPLICATIONS IN PROGRESS

1.5.1 A complete application for subdivision approval or development permit received prior to the effective date of this Bylaw shall be processed in accordance with the Land Use Bylaw in effect on the date the application was deemed complete.

1.5.2 No amendment application to Bylaw No. 675/07 shall be accepted after this Bylaw comes into force.

1.6 COMPLIANCE WITH OTHER LAWS

1.6.1 Compliance with the requirements of this Bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial and/or federal legislation, and respecting any caveat, easements, covenants, agreements, or other instruments affecting a building or land.

1.7 SEVERABILITY

1.7.1 If any provision of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this Bylaw.

1.8 SCOPE

1.8.1 No development shall be carried out within the County except in accordance with this Bylaw.

1.9 INTERPRETATIONS OF THIS BYLAW

1.9.1 Where a reference is made to other legislation or documents, the reference is to the legislation or document as amended from time to time.

1.9.2 When interpreting this Bylaw, use of the words “may”, “should”, “shall” and “will” have the following meaning:

a) “**may**” is an operative word which denotes discretionary adherence or choice;

b) “**should**” is an operative word which means that in order to achieve the Bylaw’s objectives, it is strongly advised that the action be taken; and if not followed because it is impractical, premature, unnecessary, or impossible; the intent of the Bylaw may be met through other agreed upon means; and

c) “**shall**” or “**will**” are imperative words which denote mandatory compliance or adherence to direction. Where a regulation proves impractical, premature, unnecessary, or impossible, an amendment to the Bylaw will be required.

1.9.3 Where a regulation involves two or more conditions, provisions, or events connected by the word “**and**”, this means that all the connected items shall apply in combination.

1.9.4 Where a regulation involves two or more conditions, provisions, or events connected by the word “**or**”, this means that connected items may apply individually.

1.9.5 All words shall be given their plain and ordinary meaning as the context required. Words that are capitalized are defined in the Definitions section. Words that are defined in the Municipal Government Act shall be given the same definition as the Municipal Government Act.

1.9.6 Words used in the singular include the plural and vice versa.

1.9.7 Examples listed in a land use definition are not intended to be exclusive or restrictive.

1.9.8 The standard measurement used in this Bylaw is metric, any reference to imperial measurement is for convenience purposes only. In the case of any conflict between information expressed in metric units and imperial units, the metric shall govern.

1.9.9 Drawings and graphic illustrations are provided to provide context and assistance in interpreting and understanding the intent of a particular part of this Bylaw. Where any conflict or inconsistency arises between a drawing or graphic illustration and the text of a provision, the text shall prevail.

1.9.10 Whenever a singular masculine gender is used in this document, the same shall include the feminine and neutral gender whenever the context requires.

2 APPROVING AUTHORITIES

2.1 DEVELOPMENT AUTHORITY

2.1.1 The Development Authority is hereby established by this Bylaw pursuant to the Act.

2.1.2 The Development Authority shall exercise development powers and duties on behalf of the County.

2.1.3 The Development Authority may:

a) consider and decide on all applications for a development permit for a permitted or discretionary use except the following applications that the Development Authority shall refer to the Municipal Planning Commission (MPC) for its consideration and decision:

   i. a discretionary use in the Commercial (C) District or in the Heartland Heavy Industrial (HHI) District; or

   ii. a discretionary industrial use in the Agricultural (A) District or in the Heartland Agriculture Industrial (HAI) District.

b) refer to the MPC for its consideration and decision on any application which, at their sole opinion and discretion, should be decided by the Commission.

2.1.4 The Development Authority may sign any order, decision, approval, notice, or other thing made or given by the Development Authority.

2.1.5 The Development Authority shall

a) keep and maintain for inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto and ensure that copies are available at a reasonable charge; and

b) make available for inspection by the public during all reasonable hours, a register of all applications for development permits, including the decisions thereon.

2.1.6 The Development Authority may include one or more of the following:

a) A Development Officer;

b) Senior Planning & Development Officer;

c) The Director of Planning & Community Services;

d) Municipal Planning Commission;

e) The Chief Administrative Officer; and/or

f) Lamont County Council.

2.2 MUNICIPAL PLANNING COMMISSION

2.2.1 The Municipal Planning Commission (MPC), as established by Bylaw, shall perform such duties as specified in this Bylaw.

2.2.2 The MPC shall:

a) decide upon all development permit applications referred to it by the Development Authority; and

b) perform such other duties as described or implied in this Bylaw or as may be assigned to it by Council.

2.3 INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

2.3.1 Development appeals and subdivision appeals may be made to the Intermunicipal Subdivision and Development Appeal Board (ISDAB) in accordance with the ISDAB Bylaw and the Municipal Government Act.

2.4 SUBDIVISION AUTHORITY

2.4.1 The Subdivision Authority is hereby established by this bylaw pursuant to the Municipal Government Act.

2.4.2 The Subdivision Authority shall exercise all subdivision powers and duties on behalf of the County in accordance with the Municipal Government Act and its regulations. The Subdivision Authority shall ensure statutory notices and decisions are provided to such persons as the Municipal Government Act and the Regulations require.

2.4.3 The Subdivision Authority shall have prepared and maintain a file for each application made to it, including a record of its decisions, copies of which shall be available to the Chief Administrative Officer of Lamont County on request.

2.4.4 The Subdivision Authority of Lamont County is the Director of Planning and Community Services, or their designate.

3 DEVELOPMENT APPLICATION PROCESS

3.1 CONTROL OF DEVELOPMENT

3.1.1 Except as otherwise provided in Section 3.3, no development shall be commenced or continued unless a development permit has been issued, the development permit has not expired, and the development is in accordance with the terms and conditions of a development permit issued pursuant to this Bylaw.

3.1.2 A development permit shall not be valid unless it conforms to this Bylaw and the Municipal Government Act.

3.1.3 Nothing in this Bylaw affects the obligation to obtain any other permit, licence or authorization required by a bylaw, act, or regulation, including the Safety Codes Act.

3.1.4 All development must comply with the County's General Municipal Serving Standards, unless specifically noted otherwise.

3.2 DEVELOPMENT PERMIT AND SCHEDULE OF FEES

3.2.1 The Development Authority shall collect all fees and charges in accordance with the Fees and Charges Bylaw.

3.3 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

3.3.1 The following development shall not require a development permit, provided that the development complies with all other requirements of this Bylaw:

a) the carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation that would require a building permit;

b) the completion of any development that has lawfully commenced before the passage of this Bylaw or any amendment thereto, provided:

   i. that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and

   ii. that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months of the date of commencement;

c) the use of any such buildings as referred to in Section 3.3.1(b) for the purpose for which construction was commenced;

d) the erection, construction, maintenance, improvement or alteration of gates, fences, walls, or other similar enclosures, unless the enclosures exceed the regulations indicated in Section 7.6 of this Bylaw;

e) the maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial, and municipal public authorities on land that is publicly owned or controlled;

f) a building with a gross floor area of under 18 m^2 (193.8 ft^2) that is not on a permanent foundation that meets the minimum required yard and setback requirements indicated in this Bylaw;

g) an unenclosed patio or deck that is less than 0.6 m (2.0 ft) above grade in height and conforms to all requirements of this Bylaw;

h) landscaping where the proposed grades will not adversely affect the subject or adjacent parcels of land;

i) the hard-surfacing of part of a lot for the purposes of providing vehicular access from a road to an attached or detached garage or carport, provided that such hard-surfacing does not exceed 7.5 m (24.6 ft) in width;

j) development within a basement that does not change or add to the uses within a dwelling;

k) on parcels of land exceeding 26.3 ha (65.0 ac), used for extensive agricultural purposes, the carrying out of construction, excavation or other operations requisite for the continued use of that land for extensive agricultural purposes, including the planting of shelter belts or trees, and the construction of water wells and farm buildings provided that the landowner certifies, in a form acceptable to the Development Authority, that the development shall be used for extensive agricultural purposes. However, the foregoing shall not apply to any building, other than a fence, to be erected within 35.0 m (115.0 ft) of the property line or closer than the setback requirements established in Section 7.7 of this Bylaw, nor to the development of any dwelling or garage;

l) the demolition or removal of any building which is exempt from requiring a development permit pursuant to section 3.3.1 d) to 3.3.1 k), inclusive;

m) the development of land for a confined feeding operation or a manure storage facility within the meaning of the Agricultural Operation Practices Act if the confined feeding operation or the manure storage facility is the subject of an approval, registration, or authorization under Part 2 of that Act;

n) The use of a building or part thereof as a temporary polling station, a candidate's campaign office or any other official temporary use in connection with a federal, provincial, or municipal election or referendum;

o) Development specified in the Municipal Government Act which includes:

   i. a highway or roadway;

   ii. a well or battery within the meaning of the Oil and Gas Conservation Act;

   iii. a pipeline or an instillation or building incidental to the operation of a pipeline;

   iv. a designated area of Crown land;

   v. and any other thing specified by the Lieutenant Governor in Council by regulation.

p) signs not requiring a development permit as specified in Section 10.1.9 of this Bylaw;

q) a dugout.

3.3.2 If there is any doubt as to whether or not a development permit is required, the Development Authority shall require a development permit.

3.4 NON-CONFORMING BUILDINGS AND USES

3.4.1 If a development permit has been issued on or before the day on which this Bylaw comes into force, and the Bylaw would make the development of which the permit was issued a non-conforming use or non-conforming building, also referred to as a grandfathered development, the development permit continues in effect despite the Bylaw coming into force, and any amendments thereto.

3.4.2 A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with this Bylaw.

3.4.3 A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made thereto or therein.

3.4.4 A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed upon the lot while the non-conforming use continues.

3.4.5 A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt, or structurally altered except:

a) as may be necessary to make it a conforming building;

b) as the Development Authority considers necessary for the routine maintenance of the building; or,

c) in those instances where the Development Authority deems a minor variance to enlarge, add to, rebuild, or structurally alter the building is warranted and compatible with adjacent land uses.

3.4.6 If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.

3.4.7 The land use or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

3.5 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

3.5.1 At the time of submission to the County, all applications for a development permit shall be accompanied by the required application fee as established by Council. Development permit application fees are non-refundable.

3.5.2 An application for a development permit shall be made to the Development Authority in writing, using the development permit application form provided by the Development Authority. All development permit applications shall include the following:

a) the completed application signed by the applicant (registered owner of the land or his/her representative agent). If the applicant is an agent of the landowner, a letter from the landowner verifying the agent's authority to make the application;

b) a copy of a title search for the subject site, dated within 30 days prior to the application date;

c) a statement of the proposed use or occupancy for all parts of the land and buildings and provide other information as required by the Development Authority;

d) the estimated commencement and completion dates;

e) a minimum of two (2) hard copies and/or one (1) electronic copy of a site plan drawn to scale at a size satisfactory to the Development Authority, and showing the following:

   i. legal description of the parcel;

   ii. north arrow;

   iii. front, rear, and side yard setbacks;

   iv. location and dimensions of existing and proposed buildings;

   v. any provision for off-street loading and vehicle parking;

   vi. access and egress points to the site; and

   vii. any encumbrance such as rights-of-way; and,

f) a fire safety plan in accordance with National Fire Code – Alberta 2023 Edition, as amended. **(Bylaw 886.25)**

3.5.3 In addition to the development permit application requirements in Section 3.5.2, the Development Authority may request additional information to evaluate the application, including:

a) any of the following information on the site plan:

   i. site topography, grades, and special conditions;

   ii. location of existing/proposed on-site water and sewer services;

   iii. all adjacent roads and highways and points of access;

   iv. the location and boundaries of the bed and shore of any permanent stream or waterbody that is contained on or bounds the property as defined by an Alberta Land Surveyor;

   v. landscaping information, including the vegetation that is to be retained and removed being clearly identified and a detailed plan with general type, size, number, spacing and height of plantings;

   vi. the design and location of sidewalks, patios, playgrounds, and other similar features; or

   vii. location of all registered utility easements and rights-of-way within or abutting the subject property.

b) confirmation from the Alberta Energy Regulator (AER) for buildings larger than 47.0 m^2 (500 ft^2) or larger, identifying the presence of abandoned wells and battery sites;

c) where the subject site is located within 300.0 m (984.3 ft) from a provincial right-of-way or 800.0 m (2624.7 ft) of the centerline of a provincial highway and public road intersection the applicant shall be required to provide confirmation of the issuance of a roadside development permit from Alberta Transportation;

d) a plan of survey prepared by an Alberta Land Surveyor;

e) a copy of a Private Sewage Disposal Permit issued by an accredited safety codes agency;

f) plans showing floor plans, foundation plans, elevations, and sections of any proposed buildings, including a description of exterior finishing materials and colours;

g) a lot grading plan;

h) identification of impacts on community services and public services (e.g. fire and police protection and other emergency response services);

i) in the case of the placement of an already constructed or partially constructed building on a parcel of land, information such as pictures of the building relating to the age and condition of the building and its compatibility with the District in which it is to be located;

j) each application for a sign shall be accompanied by additional information at the discretion of the Development Authority;

k) a Real Property Report relating to the site that is the subject of a development permit application;

l) a geotechnical assessment prepared by a qualified professional for development on lands that may be prone to flooding, erosion, slope stability, or other hazard risk that confirms that the site is suitable for the proposed development and describing the measures which need to be taken to safeguard the proposed development;

m) a Phase I Environmental Site Assessment conducted in accordance with the Canadian Standards Association where the potential for prior contamination of a site exists. Follow-up assessments and remedies, including a Phase 2 Environmental Site Assessment, may be required based on the results of the Phase 1 assessment;

n) a plan outlining a buffering or interface treatment to minimize impacts of commercial and industrial land uses on neighbouring land uses may be required. A noise impact assessment, conducted by a qualified professional, may be required.;

o) a reclamation plan;

p) a storm water management study prepared by a qualified professional describing how storm water runoff will be managed in terms of both runoff rates and volumes, and water quality;

q) a Traffic Impact Assessment, conducted by a qualified professional, may be required to determine the traffic impact of the development on external roadways, adjacent lands and any upgrading that would be required to these roadways as a result of the proposed development;

r) a ground water supply study, conducted by a qualified professional, when potable water is to be provided through a private or communal water system. If a communal system is proposed, then details must be provided as to how the system will be managed and operated;

s) a percolation and near surface water table testing conducted by a qualified professional where an onsite wastewater system is proposed;

t) a biophysical assessment prepared by an environmental scientist, or other qualified professional for development, to identify and assess the environmental significance and sensitivity to existing vegetation, wetlands, and other features, wildlife habitat and unique physical features of the site. Recommendations regarding the protection of significant or sensitive features, ways to avoid or mitigate risks, project limitations and any further recommended studies or monitoring should be provided;

u) a fire safety plan conducted by a qualified professional;

v) any reports or information required to be done by a professional must be signed and sealed, if appropriate, by appropriate qualified professional; and/or

w) any additional information the Development Authority determines is required to evaluate the application.

3.5.4 Where, in the opinion of the Development Authority, a proposed development may have a significant impact on surrounding properties, the Development Authority may require the applicant hold a public open house to inform affected residents and landowners of the proposed development, and to provide a written summary of the public open house materials and any comments received at the public open house, prepared to the Development Authority's satisfaction, prior to considering an application complete.

3.5.5 The Development Authority may decide on an application for a development permit notwithstanding that any information required or requested has not been submitted.

3.6 DEVELOPMENT PERMIT COMPLETE APPLICATION

3.6.1 The Development Authority shall determine within twenty (20) days after the receipt of a development permit application whether it is complete in accordance with the information requirements of this Bylaw.

3.6.2 The Development Authority shall inform the applicant by electronic or standard mail within twenty (20) days after the receipt of the development permit application that the application is considered complete.

3.7 DEVELOPMENT PERMIT INCOMPLETE APPLICATION

3.7.1 An application for a development permit shall not be considered complete and received by the County until such time as the requirements of Section 3.5 have been met to the satisfaction of the Development Authority.

3.7.2 If an application for a development permit does not contain all the necessary information or does not contain sufficient details to complete an evaluation of the application to make a proper decision, the Development Authority shall deem the application to be incomplete and inform the applicant within twenty (20) days after the receipt of the development permit application that the

application is considered incomplete. The applicant shall be informed by electronic or standard mail.

3.7.3 When notifying an applicant that their development permit is incomplete, the Development Authority shall inform the applicant that any outstanding information and documents in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the Development Authority in order for the application to be considered complete.

3.7.4 Within twenty (20) days after the receipt of an updated application the Development Authority shall inform the applicant by electronic or standard mail that the application is considered complete or incomplete.

3.8 REFERRAL OF APPLICATIONS

3.8.1 All subdivision proposals and all applications for significant discretionary development permits within 3.2 km (2.0 mi) of adjacent municipalities shall be referred to the adjacent municipality for comment prior to a development permit being issued or a subdivision being approved.

3.8.2 The Development Authority may refer any application for a development permit prior to making a decision on the application to any other person, agency, or organization as deemed necessary or suitable by the Development Authority.

3.9 DEVELOPMENT PERMIT DECISIONS

3.9.1 Pursuant to the Municipal Government Act, the Development Authority shall make a decision on a complete development permit application within 40 days after the application is determined to be complete.

3.9.2 In making a decision on an application for a permitted use, the Development Authority:

a) shall approve, with or without conditions, a development permit application where the proposed development conforms with this Bylaw; or

b) may refuse a development permit if the proposed development does not conform with this Bylaw.

3.9.3 In making a decision on an application for a discretionary use, the Development Authority:

a) may approve a development permit application, which meets the requirements of this Bylaw, and any approved statutory plan or policy affecting the area, with or without conditions based on the merits of the application, with the purpose and intent of any statutory plans or policies adopted by Lamont County; or

b) may refuse a development permit application even if it meets the requirements of this Bylaw.

3.9.4 In reviewing a development permit for a discretionary use, the Development Authority shall have regard for:

a) the circumstances and merits of the application, including, but not limited to:

   i. impact of such nuisance factors as smoke, airborne emissions, odours, and noise on nearby properties;

   ii. the use, design, character, and appearance of the development being compatible with the surrounding properties; and

   iii. the servicing requirements for the proposed development; and

b) the purpose and intent of any statutory plan adopted by Lamont County.

3.9.5 A development permit for a discretionary use may be issued on a temporary basis and the Development Authority may specify the length of time the permit remains in effect.

3.9.6 For development applications for lands in a Direct Control (DC) District, the Development Authority may only decide on applications where Council has delegated its authority to the Development Authority, as the case may be.

3.9.7 The applicant may be required to pay to the County the costs incurred, by the County, for third party review of the application.

3.9.8 To ensure compliance with a development agreement, the County may register a caveat under the Lands Titles Act against the certificate of title for the property that is being developed. This caveat shall be discharged when the obligations to be assumed by the applicant under the agreement have been fulfilled.

3.10 VARIANCE AUTHORITY

3.10.1 The Development Authority may approve an application for a development permit notwithstanding that the proposed development does not comply with the regulations of this Bylaw or is a non-conforming building, if in the opinion of the Development Authority:

a) the proposed development would not:

   i. unduly interfere with the amenities of the neighbourhood, or

   ii. materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land; and

b) the proposed development conforms with the use prescribed for that land or building in this Bylaw.

3.10.2 In approving an application for a development permit the Development Authority shall adhere to the purpose statement of the land use district and to the following:

a) a variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character or situation of land or building that are not generally common to other land in the same land use district; and

b) except as otherwise provided in this Bylaw, there shall be no variance from the regulations prescribing dwelling density.

3.10.3 In the event that a regulation is varied, relaxed, or waived, the Development Authority shall specify the nature of the approved variance in the development permit approval.

3.11 DEVELOPMENT PERMIT CONDITIONS

3.11.1 In making a decision, the Development Authority may impose such conditions considered appropriate, permanently or for a limited time frame, for the approval of a development application.

3.11.2 The Development Authority may require that, as a condition of a development permit approval, the applicant enter into an agreement with the County to do any or all of the following:

a) to construct or pay for the construction of a road required to give access to the development;

b) to construct or pay for the construction of:

   i. a pedestrian walkway system to serve the development; and/or

   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.

c) to install or pay for the installation of a public utility that is necessary to serve the development, whether or not the public utility is, or will be, located on the land that is the subject of the development;

d) to construct or pay for the construction of:

   i. off-street or parking facilities; and/or

   ii. loading and unloading facilities;

e) to pay an off-site levy or redevelopment levy imposed by bylaw;

f) to give security to ensure that the terms of the agreement under this section are carried out; and/or

g) such other work or things as the Development Authority considers necessary or advisable having regard to the nature of the proposed development.

3.11.3 An irrevocable letter of credit or other form of security may be required in such a sum as the Development Authority deems appropriate to ensure that the applicant complies with the terms and conditions of the development agreement or development permit.

3.11.4 The Development Authority may impose such conditions on development permit approvals as are necessary to uphold the intent and objectives of this Bylaw, the Municipal Development Plan, and any statutory or non-statutory land use plan as adopted and amended from time to time.

3.12 NOTICE OF DEVELOPMENT PERMIT DECISIONS

3.12.1 A decision of the Development Authority on an application for a development permit shall be given in the form of a notice of decision. A copy shall be sent to the landowner(s) if different from the applicant.

3.12.2 The notice of decision shall be given or mailed by electronic or standard mail to the applicant on the same day that the decision is made. The Notice of Decision shall be in writing, specify the date on which the decision was made and contain any information required by the regulation of the Bylaw.

3.12.3 Where a development permit has been issued for a discretionary use and, where applicable, for a development permit issued for a Direct Control District or a development permit for a variance to a regulation, the Development Authority shall mail a notice of decision by electronic or standard mail on the same day the decision is made to each owner of land within a distance of 100.0 m and external agencies. Notices to external agencies shall be provided as per the requirements of Section 3.8.

3.12.4 At the discretion of the Development Authority, notification may be expanded beyond the adjacent landowners or the criteria for notification of external agencies identified in Section 3.8.

3.12.5 A development permit does not come into effect until after the appeal period has expired and no appeals have been submitted.

3.12.6 When the Development Authority refuses an application for a development permit, the notice of decision shall state that the application has been refused and the reasons for the refusal.

3.13 DEVELOPMENT PERMIT DEEMED REFUSED

3.13.1 In the case where an application for a development permit has been refused pursuant to Section 3.12, or ultimately after appeal pursuant to Section 4 of this Bylaw, at Development Authority's discretion, the Development Authority may not accept the submission of another application for a permit on the same parcel of land and for the same or similar use by the same or any other applicant for six (6) months after the date of the refusal. Council may waive the six (6) month moratorium at its discretion.

3.14 ISSUANCE AND VALIDITY OF DEVELOPMENT PERMITS

3.14.1 If the development authorized by a development permit is not commenced within twelve (12 months) and completed within twenty-four (24) months from the date of its issuance, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Authority, or unless stated otherwise within the conditions of the Development Permit.

3.15 SUSPENSION OR REVOKING OF A DEVELOPMENT PERMIT

3.15.1 The Development Authority may suspend or revoke a development permit by notice in writing, to the holder of it:

a) if, in the opinion of the Development Authority, the application for that development permit is found to have contained incorrect or misleading information;

b) if the conditions of the approval of the development permit have not been complied with or cease to be complied with;

c) if the development permit was issued in error; or

d) the applicant fails to comply with a Stop Order as per Section 6.3 of this Bylaw and the Municipal Government Act.

3.15.2 Any person who undertakes development or causes or allows any development after a development permit has been suspended or revoked, shall discontinue such development immediately and shall not resume such development until a new development permit has been approved by the Development Authority and is valid pursuant to Section 3.14.

4 DEVELOPMENT APPEAL PROCESS

4.1 PROCEDURE FOR APPEALS

4.1.1 No appeal to the Intermunicipal Subdivision and Development Appeal Board (ISDAB) may be made in respect to the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied, or misinterpreted.

4.1.2 Subdivision and development appeals shall be made to the County's ISDAB in accordance with the applicable procedures of the ISDAB or the Land and Property Right Tribunal as the case may be. An appeal may be made to the ISDAB:

a) by the applicant, if the Development Authority:

i. refuses or fails to issue a development permit;

ii. issues a development permit subject to conditions;

iii. issues an order under Section 645 of the Municipal Government Act, or Section 6 of this Bylaw;

iv. fails to make a decision with respect to application within forty (40) days of the application being deemed complete as per the notice by the Development Authority or within such longer period as the applicant may have approved in writing an extension to this period referred to in Section 3.12 of this Bylaw; or

b) by any person claiming to be affected by an order, decision or development permit made or issued by a Development Authority.

4.1.3 An appeal shall be made by serving a written notice of appeal, together with reasons for the appeal and the appeal fee, to the Secretary of the ISDAB within twenty-one (21 days).

a) In the case of an appeal made by a person referred to in Section 4.1.2.a) after:

i. the date on which the person receives notice of the order or decision or the issuance of the development permit; or

ii. if no decision is made with respect to the application within the forty (40) day period or within any extensions of the time limit referred to in Section 4.1.2.a) iv., the date the period or extension expires.

b) the person referred to in Section 4.1.2.b) must appeal after the date on which the notice of issuance of the development permit was received or published.

4.1.4 Notwithstanding Sections 4.1.1, 4.1.2, and 4.1.3, if a decision with respect to a development permit application for a direct control district:

a) is made by the Lamont County Council, there is no appeal to the ISDAB; or

b) is made by a Development Authority, the ability to appeal is available subject to the Municipal Government Act.

4.2 INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT BOARD APPEAL HEARING

4.2.1 Within thirty (30) days of receipt of a notice of appeal, the ISDAB shall hold an appeal hearing respecting the appeal.

4.2.2 The Secretary to the ISDAB shall give at least five (5) days notice in writing of the appeal hearing to:

a) the appellant;

b) the Development Authority from whose order, decision or development permit the appeal is made;

c) those adjacent landowners who were notified under Section 3.12.4 and any other person who, in the opinion of the ISDAB, are affected by the order, decision or permit; and

d) such other persons as the ISDAB specify.

4.2.3 The ISDAB shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:

a) the application for the development permit, the decision and notice of appeal; or

b) the order of the Development Authority issued under Section 6 of this Bylaw.

4.3 PERSONS TO BE HEARD AT THE APPEAL HEARING

4.3.1 At the appeal hearing the ISDAB shall hear:

a) the appellant;

b) the Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;

c) any other person who was served with notice of the hearing and who wishes to be heard;

d) any other person who claims to be affected by the order, decision, or permit and that the ISDAB agrees to hear; and/or

e) a person acting on behalf of these persons.

4.4 DECISION OF THE INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

4.4.1 The ISDAB shall consider each appeal having due regard to the circumstances and merits of the case.

4.4.2 In determining an appeal, the ISDAB:

a) must act in accordance with any applicable Alberta Land Stewardship Act regional plan;

b) shall comply with intent of the Municipal Development Plan, any Intermunicipal Development Plan, or other adopted statutory or local plan affecting the land and subject to subsection 4.4.2.f), of this Bylaw and the Municipal Government Act;

c) must comply with the applicable requirements of the regulations under the Gaming, Liquor and Cannabis Act respecting the location and premises described in a cannabis licence and distances between those premises and other premises;

d) must have regard to but is not bound by the Subdivision and Development Regulation;

e) may confirm, reverse, or vary the order, decision, or development permit or any condition attached and may impose such conditions as it considers proper and desirable for the circumstances; and

f) may make an order, or decision, or issue a development permit notwithstanding that the proposed development does not comply with this Bylaw if, in its opinion:

i. the proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring properties; and

ii. the proposed development conforms with the uses prescribed for the land or building in this Bylaw.

4.4.3 The ISDAB shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the appeal hearing.

4.5 COURT OF APPEAL

4.5.1 A decision made by the ISDAB is final and binding on all parties and all persons subject only to an appeal to the Court of Appeal upon a question of jurisdiction or law pursuant to the Municipal Government Act.

4.5.2 An application for permission to appeal pursuant to Section 4.5.1 of this Bylaw must be filed and served within thirty (30) days after the issuance of the decision sought to be appealed, and notice of the application must be given to:

a) the County;

b) the Land and Property Right Tribunal or the ISDAB; and

c) any other person(s) that the judge directs.

5 BYLAW AMENDMENT PROCESS

5.1 BYLAW AMENDMENTS

5.1.1 Any amendment to this Bylaw shall be made pursuant to the Municipal Government Act.

5.1.2 Council or Administration may at any time initiate an amendment to this Bylaw by directing the Development Authority to initiate an application.

5.2 CONTENT OF BYLAW AMENDMENT APPLICATION

5.2.1 All applications for amendment to this Bylaw shall include the required application fee as established by Council.

5.2.2 All applications for amendment to this Bylaw shall be made to the Council on the form provided by the Development Authority. The following application information shall be required:

a) the name, physical and email address, and phone number of the applicant and the landowner of the subject parcel and a notice of who will act as the contact person for the application;

b) the legal address of the lands that are the subject of the amendment;

c) a written statement from the applicant explaining the reasons for the proposed amendment;

d) if the amendment is for the change of a land use district include:

   i. a copy of Certificate of Title for the lands affected dated not more than thirty (30) days prior to the date on which the application is made, or any other documentation satisfactory to the Development Authority verifying that the applicant has a legal interest in the land;

   ii. a copy of any restrictive covenant(s) or caveat(s) registered on the Certificate of Title;

   iii. where the applicant is an agent acting for the landowner, a letter from the owner verifying the agent's authority to make the application;

   iv. a properly dimensioned map locating and identifying the affected site, and distances to existing land uses on adjacent properties; and

   v. permission allowing County employees to enter upon the land for the purposes of inspecting the property.

e) other information that the County may deem necessary to properly evaluate the application may include the following:

   i. a statement describing how the Municipal Development Plan and other relevant statutory and non-statutory plans and studies have been considered;

   ii. a site plan that describes the land uses proposed for the property, if the land is to be developed in stages (or phases), the size of the lots proposed, the location of the proposed roads and other utility infrastructure and how the proposed development will

integrate with the natural topography and features, such as existing treed areas, watercourses, wetlands and ravines;

iii. a geotechnical assessment conducted by a qualified professional;

iv. a noise attenuation study conducted by a qualified professional;

v. a traffic impact assessment conducted by a qualified professional;

vi. a description of how wastewater treatment and disposal will be handled;

vii. a storm water management study prepared by a qualified professional;

viii. an environmental impact assessment conducted by a qualified professional;

ix. a description of how utilities, such as power, gas, and telephone, will be provided; or

x. an analysis of the impacts on community services and protective emergency services (e.g., fire and police protection and other emergency response services); and

f) any other information deemed necessary by the Development Authority or by Council.

g) The Development Authority may refuse to accept the application to amend this Bylaw if the required information has not been supplied or if the information is of inadequate quality to properly evaluate the application.

5.3 AMENDMENT TO CREATE A DIRECT CONTROL DISTRICT

5.3.1 A Direct Control District shall only be used for the purpose of providing for developments that require specific regulation unavailable in other Districts:

a) due to the unique characteristics, innovative ideas, or unusual site constraints of a proposed development; or

b) due to the scale, character, and complexity of a proposed development.

5.3.2 A Direct Control District shall not be used:

a) in substitution of any other District in this Bylaw that could be used to achieve the same result either with or without relaxation of this Bylaw; or

b) to regulate matters that may be addressed by subdivision or development permit approval conditions.

5.3.3 In addition to the application information required of this Bylaw, an application to create a Direct Control District:

a) shall include a written statement indicating why, in the applicant's opinion, a Direct Control District is necessary and why the same results cannot be achieved through the use of a standard District in this Bylaw;

b) shall include a proposed Direct Control District, laid out in a format similar to the standard District, which includes:

i. the general purpose of the District (i.e. residential, commercial, industrial district);

ii. the use(s) for the site;

iii. a list of subdivision regulations;

iv. a list of development regulations; and

v. a list of any other regulations which apply in addition or instead of any regulation in this Bylaw;

c) shall include documentation of the opinions and concerns of surrounding property owners and residents obtained through a public engagement program, together with a summary of the methods used to obtain such input; and

d) may be required to include a site plan, landscape plan, and/or elevation plan attached to a Direct Control District as a schedule, where the complexity of the proposed development is such that a site plan, landscape plan, and/or elevation plan would be necessary to clarify or interpret the written regulations of a Direct Control District.

5.4 ADVERTISING REQUIREMENTS

5.4.1 Once first reading has been given to a bylaw to amend this Bylaw, the County shall:

a) arrange for notice of the public hearing to be published in two (2) issues of a newspaper circulating in the County, the publication date of the second issue not being less than five (5) days prior to the commencement of the public hearing; and

b) mail out not less than fourteen (14) days preceding the date of the public hearing, notice to:

i. the applicant;

ii. the registered owner(s) of the land if not the applicant, the registered owner(s) of adjacent land if the proposed Bylaw provides for a change of district or change of provisions of a district;

iii. if the subject amendment lands are adjacent to lands in another municipality, notice to that municipality; and

iv. any other authorities who, in the opinion of the Development Authority, may be affected.

c) The notice of the public hearing shall contain the following information:

i. the date, time, and place of the public hearing;

ii. the purpose of the proposed bylaw;

iii. that a copy of the proposed bylaw and any public documents applicable to the proposed Bylaw may be inspected at the County Office during regular office hours;

iv. outline the procedures to be followed by anyone wishing to be heard at the public hearing; and

v. the procedure to be followed at the public hearing.

5.4.2 Where the provisions of Section 5.4.1 conflict with a duly adopted Public Notification Advertising Bylaw in accordance with Section 606 of the Municipal Government Act, the Public Notification Advertising Bylaw shall prevail.

5.5 PUBLIC HEARING

5.5.1 At the public hearing, Council shall hear from any person or group of persons, or person acting on his or their behalf, who:

a) who was served with notice of the hearing and who wishes to be heard; or

b) claims to be affected by the proposed bylaw.

5.6 DECISION ON BYLAW AMENDMENTS

5.6.1 Council, after considering:

a) the representations made to it at the public hearing; and

b) the Municipal Development Plan, any Intermunicipal Development Plan, or any other adopted statutory or local plan affecting the application, and this Bylaw;

c) may:

i. refer the amendment application for more information;

ii. approve the proposed bylaw as proposed;

iii. make such changes as it considers necessary to the proposed bylaw, and proceed to pass the proposed bylaw; or

iv. defeat the proposed bylaw.

5.6.2 If an application to amend this Bylaw has been defeated by Council, another application for the same or substantially the same amendment shall not be considered until a period of six (6) months has expired from the date of the previous refusal. Council may waive the six (6) month moratorium at its discretion.

6 ENFORCEMENT

6.1 CONTRAVENTION

6.1.1 No person shall contravene or allow a contravention of this Bylaw. No person shall commence or undertake a development, use, or sign that is not authorized by this Bylaw.

6.1.2 No person shall contravene or fail to comply with a condition of a permit issued under this Bylaw or a development agreement entered into pursuant to a development permit under this Bylaw.

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

6.1.4 Any person who contravenes any provision of this Bylaw by doing an act or thing which the person is prohibited from doing or by failing to do an act or thing that the person is required to do is guilty of an offence.

6.1.5 A person is guilty of an offence if they commence or undertake a development or use of a land or building:

a) contrary to an approved development permit, including any conditions of the development permit;

b) without a development permit where a development permit is required; or

c) for a use that is not a permitted or discretionary use in the land use district.

Each calendar day that a violation is allowed to exist shall constitute a separate offence.

6.2 RIGHT OF ENTRY

6.2.1 A Designated Officer, pursuant to Sections 542 and 543 of the Municipal Government Act, may enter into or upon any land, building or structure within the County for the purpose of ensuring compliance with this Bylaw or the Municipal Government Act.

6.2.2 Pursuant to Section 542 of the Municipal Government Act, after reasonable notice to the landowner or occupant, a Designated Officer may enter the property at a reasonable time (generally taken to mean between 8:30 am to 4:00 pm) to carry out the inspection, remedy, enforcement, or action.

6.2.3 A person shall not prevent or obstruct a Designated Officer from carrying out any official duty under this Bylaw. If consent is not given, the County may apply for an authorizing order (e.g. Order of Court of King's Bench).

6.3 STOP ORDERS

6.3.1 The Development Authority may issue a stop order if the Development Authority finds that a development, land use or use of building is not in accordance with:

a) this Bylaw;

b) the Municipal Government Act;

c) the Subdivision and Development Regulation;

d) a development permit;

e) a development agreement; or

f) a subdivision approval.

6.3.2 The stop order shall be a written notice directed to the owner, the person in possession of the land or building or the person responsible for the contravention, or any or all of them, to conduct the following as specified, within the time set out in the stop order:

a) stop the development or use of the land or building in whole or in part as directed by the notice;

b) demolish, remove, or replace the development; or

c) carry out any other actions required by the stop order so that the development or use of the land or building complies with the pertinent regulations.

6.3.3 A stop order shall specify the date on which the order was made, state the following and any other information considered necessary by the Development Authority:

a) an explanation of the contravention and a statement indicating under which provisions of this Bylaw, the Municipal Government Act or the Subdivision and Development Regulation the order is being carried out;

b) a time frame in which the contravention must be corrected prior to the County pursuing action;

c) the actions that must take place to bring the lands or activity into compliance, if possible; and

d) advise the person(s) of his/her right to appeal the order and whether an appeal lies to the Intermunicipal Subdivision and Development Appeal Board or the Land and Property Rights Tribunal.

6.4 ENFORCEMENT OF STOP ORDERS

6.4.1 Pursuant to the Municipal Government Act, if a person fails or refuses to comply with the order of the Development Authority, the County may enter on the land or building(s) and take any action necessary to carry out the order or may apply to the Court of King's Bench to pursue a Court Order to achieve compliance.

6.4.2 Where the County carries out an order, the Council may add the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

6.4.3 The County may register a Caveat under the Land Titles Act pursuant to the order against the certificate of title that is subject to the order, provided that the caveat is discharged when the order has been complied with.

6.5 PENALTIES AND FINES

6.5.1 A person who contravenes or fails to comply with any provision of this Bylaw permits a violation of this Bylaw, is guilty of an offence and is liable to a penalty/fine as set out in Schedule 1: Penalties/Fines for the offence for a fine upon conviction of not less than $500.00 and not more than $10,000.

6.5.2 Notwithstanding subsection 6.5.1, any person who commits a second or subsequent offence under this Bylaw within 1 year of conviction for a first offence under this Bylaw, is liable on summary conviction to a fine not less than the increased amount set out for the offence in Schedule 1 of this Bylaw.

6.5.3 A Peace Officer may issue with respect to an offence under this Bylaw a violation ticket to any person alleged to have breached any provision of this Bylaw.

6.5.4 Where a violation ticket specifies a fine amount in accordance with Schedule 1: Penalties/Fines, a voluntary payment equal to the specified fine amount may be made.

6.5.5 This does not prevent a Peace Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provision of the Provincial Offences Procedures Act.

6.5.6 Nothing in this Bylaw derogates from the Development Authority's powers to issue an order for compliance or the County's rights under the Municipal Government Act or at common law to seek any order or injunction.

6.5.7 With respect to a sign erected or placed in contravention of this Bylaw on a public parcel that is not subject to a lease or licence of occupation, the appearance of the name of an individual, business or organization on the sign, whether for the purpose of declaring ownership of the sign or advertising thereon, is at first sight proof that the individual, business or organization caused or permitted the sign to be placed on the parcel, and that individual, business or organization shall be deemed responsible for the referenced contravention.

7 GENERAL REGULATIONS

7.1 CORNER LOT RESTRICTIONS

7.1.1 On a corner lot in a Hamlet (H) District no building, fence, wall, shrub, tree, or any other object with a height exceeding 1.0 m (3.3 ft) above grade level shall be permitted in the corner visibility triangle created by the property lines that form the corner, and a straight line connecting the two points 6.0 m (19.7 ft) back along these property lines measured from their intersection.

7.2 APPLICANT'S RESPONSIBILITY

7.2.1 The person to whom a development permit is issued is responsible for ensuring the development authorized by the development permit complies with all applicable municipal bylaws and provincial and federal legislation, which may include obtaining applicable municipal, provincial, and federal permits, licences, and authorizations.

7.3 DEVELOPMENT ON OR ADJACENT TO HAZARD LANDS

7.3.1 Permanent development shall not be permitted within the 1:100-year flood way of a watercourse or drainage channel.

7.3.2 Development within 23.0 m (75.0 ft) of water courses or waterbodies shall submit a top-of-bank survey and geotechnical assessment conducted by qualified professional as part of a subdivision and development permit application to delineate top-of-bank setbacks and environmental reserve requirements.

7.3.3 Where development is within 100.0 m (330.0 ft) of the North Saskatchewan River the Development Authority may require an engineering and/or geotechnical assessment conducted by a qualified professional to determine the active erosion on the meanders of the river, as well as to identify the flood plain, top of bank and bank stability.

7.3.4 No development shall be permitted on hazard lands prone to erosion, subsidence, or flooding, except for extensive agricultural uses, interim resource extraction, public utility, public utility building, or passive recreation, approved on a site-by-site basis with appropriate risk mitigation measures.

7.3.5 The Development Authority may, based upon the results of a geotechnical assessment, impose such conditions that are considered necessary to mitigate any potential problems or alternatively, refuse an application for development if the site is not regarded as being suitable for the proposed development.

7.4 DWELLINGS PERMITTED PER LOT

7.4.1 In all districts that allow a dwelling, only one (1) dwelling shall be allowed per parcel/lot unless otherwise specified in Section 8.20 and Section 12 of this Bylaw.

7.5 ENCROACHMENT ON EASEMENTS AND RIGHTS-OF-WAY

7.5.1 A development permit shall not be issued for a development that encroaches in or over an easement or right-of-way without the written consent of the person whom the easement is registered to, or the person whose pipeline or utility line is located in the easement. The Development Authority retains the right to refuse an encroachment in or over an easement or right-of-way even where written consent has been provided.

7.5.2 It shall be the responsibility of the applicant to obtain written consent from the person whom the easement or right-of-way is registered to, or the person whose pipeline or utility line is located in the easement.

7.6 FENCING AND SCREENING

7.6.1 Within the Country Residential (CR) and Hamlet (H) Districts, except as herein provided, no fence shall be constructed that is:

a) higher than 2.0 m (6.6 ft) for that portion of the fence that does not extend beyond the foremost portion of the principal building on the site;

b) higher than 1.0 m (3.3 ft) for that portion of the fence that does extend beyond the foremost portion of the principal building on the site; or

c) in the case of corner sites, higher than 1.0 m (3.3 ft) within the triangular area 6.0 m (19.7 ft) back from the intersection front boundary lines of the lot, regardless of whether or not a corner cut-off has been taken.

7.6.2 Where lots have both their front and rear yards facing onto a road or highway, approval of the Development Authority must be obtained prior to the erection of any fences on such properties. As part of the review process the Development Authority shall determine what constitutes the front yard. Size and specifications for fences in these areas must conform to the overall standard set for the area by the County.

7.6.3 Fences shall be constructed of materials which are to the satisfaction of the Development Authority. The electrification of fences shall not be allowed in any Country Residential (CR) or Hamlet (H) District without the specific approval of the Development Authority.

7.6.4 Screening shall be required along the property lines of all commercial and industrial lots where such lines are coterminous with a residential property line or are adjacent to lanes that abut a neighbouring residential property. Such screening shall be at least 2.0 m (6.6 ft) in height. The extent of the screening shall be at the discretion of the Development Authority.

7.6.5 Unless authorized as part of the sale, promotion or display of the vehicle, equipment or product, all outdoor storage of vehicles, equipment or products shall be screened from public view to the satisfaction of the Development Authority.

7.6.6 For outdoor storage, where because of the height of the materials stored, a screen planting may not be sufficient, a fence, earth berm or thereof, with sufficient height to substantially block the view, may be required at the discretion of the Development Authority.

7.7 HIGHWAY AND MUNICIPAL ROAD SETBACKS AND ACCESS

7.7.1 On a parcel/lot of land located at the intersection of municipal roads or of a municipal road and a highway, no development, obstructions to visibility, or accesses shall be allowed within the areas illustrated in Figures 15-1, 15-2 and 15-3.

7.7.2 On a parcel/lot of land located in the inside of a road curve on a municipal road, no development shall be allowed within the area illustrated in Figure 15-4.

7.7.3 The applicant shall be responsible for obtaining a permit from Alberta Transportation for access onto primary and secondary highways.

7.7.4 In all districts, vehicular entrances and exits onto municipal roads shall only be allowed at locations approved by the Development Authority in consultation with the Lamont County Public Works Department.

7.7.5 For municipal roads:

a) Prior to any new approach being developed, the landowner or authorized person acting on the owner's behalf shall enter into an approach agreement with the County;

b) At the discretion of the Development Authority, and whenever possible, joint access shall be encouraged;

c) Development permits are required for development within 35.0 m (115.0 ft) of the property line;

d) No development shall be located so that the access and egress is within 91.5 m (300.0 ft) of the beginning or end of a road curve exceeding twenty (20) degrees; and

e) On a parcel of land located on the inside of a road curve exceeding twenty (20) degrees, no development shall be allowed within the area illustrated in Figure 15-4.

7.7.6 The planting of trees adjacent to highways and rural roads shall be in accordance with the requirements in Figures 15-1, 15-2, 15-3 and 15-4 of this Bylaw.

7.8 LIGHTING

7.8.1 Any outdoor lighting for any development shall be located and arranged so that:

a) no direct rays of light are directed at any abutting properties;

b) indirect rays of light do not adversely interfere with the use and enjoyment of neighbouring lands; and

c) direct and indirect rays of light do not interfere with any traffic control devices or the safety of adjacent traffic.

7.8.2 No flashing, strobe, or revolving lights, which may impact the safety of motorists using adjacent public roadways shall be installed on any property.

7.8.3 Within a site, lighting shall be of a consistent design that minimizes the amount of light pollution directed skyward.

7.8.4 The developer, at the discretion of the County, shall provide a plan, completed by a qualified professional, indicating the location of all exterior lights, a description of any measures taken to shield direct glare onto adjacent properties, and the projected light patterns in relation to adjacent properties, roadways, and developments.

7.9 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

7.9.1 No person shall keep or allow in any Country Residential (CR) or Hamlet (H) District, or on any lot in the Agricultural (A) District which is less than 4.0 ha (10 ac) in size:

a) any object or chattel which, in the opinion of the Development Authority is unsightly or tends to adversely affect the amenities of the District; or

b) any excavation storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken; the owner of such material 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,

unless a development permit for that use is issued by the Development Authority. Such permits will only be issued if, in the opinion of the Development Authority, such development will not unduly interfere with the amenities of the area in which the development is located, or materially negatively interfere with or affect the use, enjoyment or value of neighbouring lots.

7.9.2 No feeding or keeping of fur bearing animals, fowl, or livestock other than domestic pets shall be allowed on parcels lying within the Hamlet (H) District except as described within the regulations of that District.

7.10 PERMITTED YARD ENCROACHMENTS

7.10.1 Except as provided in Section 7.10.2, no development on a lot shall reduce the minimum setbacks established for the land use district in which the lot is located.

7.10.2 Subject to the requirements of the Alberta Building Code and this Bylaw, that portion or attachments to a principal or accessory building which may project over or on a minimum yard is as follows:

a) Sills, eaves, gutters, chimneys, cornices, pilasters, canopies, awnings, or similar in any yard 0.6 m (2.0 ft.)

b) Window bays and cantilevers:

   i. Front and rear yards 1.0 m (3.3 ft)

   ii. Side yards 0.6 m (2.0 ft)

c) Balconies, decks, terraces, porches, verandas (including steps, landings, eaves, and cornices):

   i. Front yard 2.0 m (6.6 ft)

   ii. Rear yard 3.5 m (11.5 ft)

   iii. Side yards 0.6 m (2.0 ft)

d) Unenclosed steps, landings, and staircases (attached to the principal building and providing direct access to the principal building from the ground):

   i. Front and rear yards 1.5 m (5.0 ft)

   ii. Side yards 0.6 m (2.0 ft)

7.10.3 No projection will be allowed if, in the opinion of the Development Authority, it may interfere with a loading space, parking area, driveway, or other vehicle or pedestrian circulation or access.

7.10.4 The minimum distances required for yards do not apply to construction wholly beneath the surface of the ground or for patios, raised platforms, sidewalks and steps that rise less than 0.6 m (2.0 ft) above the finished ground elevation.

7.10.5 Ramps that provide an accessible route for individuals with disabilities may project up to the property line in any required front, rear, and side yard.

7.11 SETBACKS FROM PIPELINES, UTILITY CORRIDORS, AND OIL AND GAS INSTALLATIONS

7.11.1 Any development involving pipeline rights-of-way, utility rights-of-way, and/or oil and gas wells shall be sited to comply with all relevant Federal and Provincial legislation and regulations. Setbacks from pipelines, utility corridors, and oil and gas wells shall be in accordance with appropriate Provincial legislation and regulations and any regulations established by the Alberta Energy Regulator.

7.12 STRIPPING, EXCAVATION, FILLING AND GRADING

7.12.1 Every application to excavate, strip, fill, re-contour, or grade land shall be considered a discretionary use within the relevant land use district unless exempted under Section 3.3.

7.12.2 For the purpose of this Section, stripping, excavation, filling, and grading shall mean site modification for construction or building purposes associated with development including

excavation for building foundations. Excavation also includes but is not limited to topsoil stripping, peat moss and construction of artificial bodies of water.

EXCAVATION, STRIPPING, FILLING OR GRADING DEVELOPMENT PERMIT REQUIREMENTS

7.12.3 In addition to the information requirements indicated in Section 3.5, an application for a development permit for the excavation, stripping, filling, or grading of land shall include the following information:

a) A site plan illustrating the location and boundaries of the site where the excavation, stripping, filling, or grading is to take place, showing existing site conditions including elevation contours, vegetation, watercourses and waterbodies, and surface drainage patterns, as well as any existing buildings, easements or rights of way that exist on the parcel;

   i. A description of the proposed works including dimensioned elevations and cross-sections of the work to be done; stockpile information including locations, proposed heights, and mitigation measures to address dust, debris, and run-off; access roads; and any effect to existing drainage patterns on and off the site;

   ii. If topsoil is to be permanently removed, a separate development permit is required (see Section 7.13)

   iii. the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority;

   iv. the proposed length of time to undertake the works and phasing of the development, if applicable;

   v. identification of potential for noise, dust or other nuisance resulting from the development while the works are being undertaken;

   vi. the condition in which the site is to be left when the development is complete, including the action which is to be taken for restoring the condition of the surface of the land affected, and for preventing, controlling, or lessening erosion or dust from the site; and

b) Any other studies or evaluations deemed necessary to support the application at the discretion of the Development Authority.

7.12.4 If drainage patterns are to be altered as a result of the development, the developer shall ensure that the redirection of surface water from the site does not negatively impact adjacent parcels. If it is found that the excavation, stripping, filling, or grading of land has caused flooding or higher surface drainage volumes on adjacent parcels, the developer shall be required to remedy the problem at their sole expense.

7.13 TOPSOIL REMOVAL

7.13.1 A permit is required before the commencement or continuation of the removal of topsoil and such permits shall only be granted where it is shown to the satisfaction of the Development Authority that the land will not be adversely affected by removal. The Development Authority may refer any application for removal of topsoil to any person acting with responsibility for or under the Soil Conservation Act, for comments.

7.14 WATER SUPPLY/SANITARY SERVICES

7.14.1 All buildings to be used for a residential, commercial, industrial, or recreational purpose shall be provided by the applicant with water supply and sanitary facilities that meet Provincial regulations.

7.14.2 A development permit shall not be issued for residential, commercial, industrial, or recreational uses unless the Development Authority is satisfied that water supplies/sanitary services of sufficient quality and quantity are or will be made available to support the proposed development.

8 SPECIAL LAND USE PROVISIONS

8.1 ACCESSORY BUILDINGS AND USES

8.1.1 Accessory buildings and uses in all Districts should comply with the following regulations:

a) No development permit shall be issued for an accessory building until the principal building or use has been established on the lot;

b) An accessory building shall not be used as a dwelling unless approved as a secondary dwelling under Section 8.20;

c) Where a building is attached to the principal building by a roof, an open or enclosed building, a floor, or a foundation, it is to be considered a part of the principal building and is not an accessory building and shall adhere to the setback requirements for principal buildings in the applicable land use district; and

d) An accessory building shall not be located on an easement, utility right-of-way or undeveloped road allowance.

8.1.2 Accessory buildings and uses in the Country Residential (CR) and Hamlet (H) Districts shall comply with the following regulations:

a) The siting of a detached garage or other accessory building shall be in accordance with Figure 8-1: Siting of Accessory Buildings;

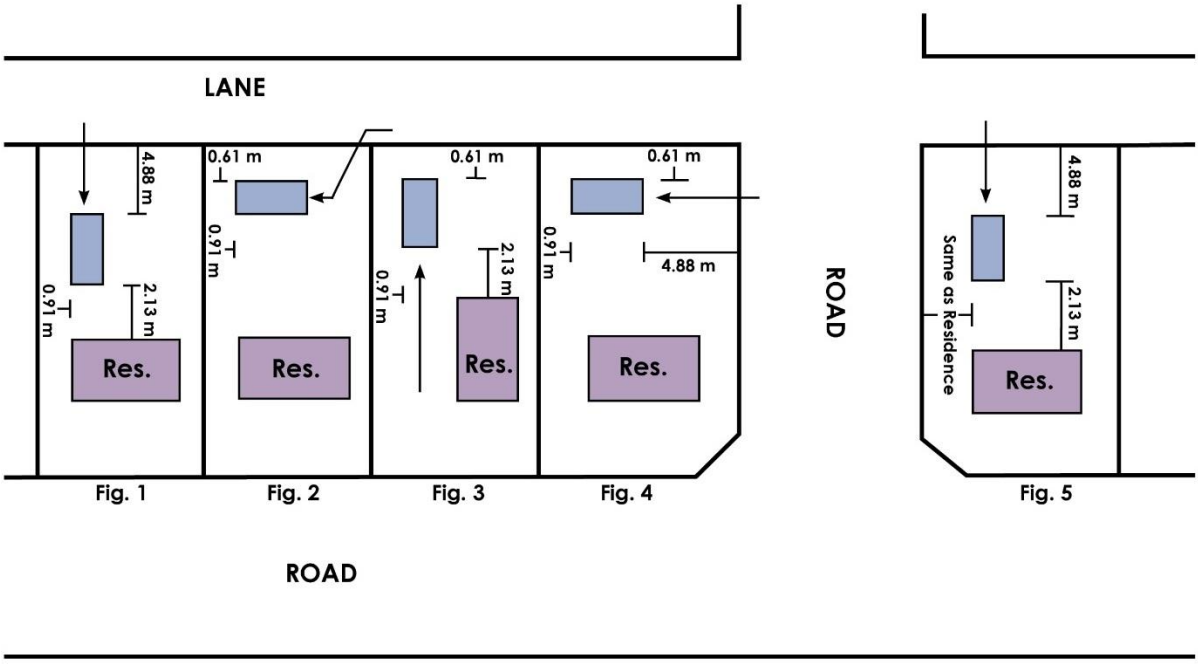
b) The siting of an accessory building on an irregularly shaped parcel may be approved by the Development Authority;

c) An accessory building may be located only in the front yard at the discretion of the Development Authority;

d) An accessory building shall not be located closer than 2.1 m (7.0 ft) to a principal building; and

e) Within the Hamlet (H) District the height of an accessory building shall not exceed 6.1 m (20.0 ft).

Figure 8-1: Siting of Accessory Buildings



8.2 AERODROMES

8.2.1 Aerodromes shall be required to comply with the Aeronautics Act and the Canadian Aviation Regulations.

8.2.2 Where a development is proposed within 1000.0 m (3280.8 ft) of the boundary of an aerodrome, when the Development Authority deems necessary, the Development Authority shall refer the proposal to Transport Canada and the applicable airport authority for an opinion.

8.3 BED AND BREAKFAST ESTABLISHMENTS

8.3.1 A bed and breakfast establishment or a guest ranch, which shall be considered to be a major home occupation, shall, in addition to the regulations for home occupations in Section 8.13, comply with the following regulations:

a) A bed and breakfast establishment or guest ranch shall not change the principal character or external appearance of the dwelling involved and shall have a maximum of four (4) sleeping units.

b) Cooking facilities shall not be located within the sleeping units. All facilities shall meet public health regulations.

c) In addition to any other parking requirements of this Bylaw, one (1) additional parking space shall be provided for each sleeping unit.

d) A bed and breakfast establishment and a guest ranch shall be operated by a live-in owner(s) and shall not change the character of the surrounding area.

8.3.2 A bed and breakfast establishment or guest ranch shall not be allowed where a secondary dwelling is located on the same parcel.

8.4 CANNABIS PRODUCTION FACILITY

8.4.1 At all times a cannabis production facility shall comply with all municipal, provincial, and federal regulations and legislation that apply to the development.

8.4.2 A cannabis production facility shall be developed and operated in accordance with all plans and other information provided to and approved by the Development Authority as part of the application for a development permit.

8.4.3 All processing, loading, receiving, and shipping of cannabis and other goods, materials or supplies, garbage containers, storage containers and waste material must be contained within the building containing the use.

8.4.4 The cannabis production facility shall include equipment installed and functional in order to remove odours from the air where it is discharged from the building as part of a ventilation system.

8.4.5 All cannabis production facility applications will be reviewed to ensure the proposal will not negatively impact the surrounding area in which it is located, and all applications will be at the discretion of the Development Authority.

8.4.6 Only the company's name and/or logo shall be visible from the property, no other advertising shall be permitted subject to approval by the Development Authority.

8.4.7 A cannabis production facility shall be located in a stand-alone building(s). A surveillance suite may be located on the lot containing the use.

8.4.8 Landscaping and parking requirements for a cannabis production facility shall be as determined by the Development Authority.

8.4.9 A cannabis production facility that has been closed for a period of one (1) year may be required at the discretion of the Development Authority to be decommissioned and remediated in accordance with any applicable legislation and regulations.

8.4.10 At the time of application for a development permit, the lot boundary of any cannabis production facility use shall be located a minimum of 500.0 m (1640.4 ft) from lot boundary to any of the following uses:

a) a provincial health care facility;

b) a parcel of land designated as municipal or school reserve under the Municipal Government Act;

c) a school established by provincial legislation and regulations; or

d) an existing dwelling.

The Development Authority may reduce the separation distance where it is demonstrated that there would be no adverse land use impacts and the intent of the regulation is not compromised.

8.4.11 Notwithstanding Section 8.4.10.c), the 500.0 m (1640.4 ft) required setback shall not apply with respect to home schools.

CANNABIS PRODUCTION FACILITY DEVELOPMENT PERMIT REQUIREMENTS

8.4.12 In addition to the requirements of Section 3.5 of this Bylaw, a development permit application for a cannabis production facility shall include:

a) a waste management plan (including the incineration of waste products);

b) a water/wastewater (including the quantity and characteristics of discharge material);

c) a stormwater management plan;

d) a fire safety plan; and

e) a ventilation plan prepared by a qualified professional.

8.5 CANNABIS RETAIL SALES

8.5.1 Prior to the commencement of development, the applicant shall obtain the required provincial licence and shall maintain the licence in good standing thereafter.

8.5.2 At all times a cannabis retail sales use shall comply with all municipal, provincial, and federal regulations and legislation that apply to the development.

8.5.3 A minimum distance of 200.0 m (656.2 ft) shall be required between the lot boundary of a cannabis retail sales development and the lot boundary of any other cannabis retail use.

8.5.4 At the time of development permit application, the lot boundary of any cannabis retail sales shall be located a minimum of 100.0 m (328.1 ft) from lot boundary to any of the following uses:

a) a provincial health care facility;

b) a parcel of land designated as municipal or school reserve under the Municipal Government Act; or

c) a school established by provincial legislation:

8.5.5 Notwithstanding Section 8.5.4.c), the 100.0 m (328.1 ft) required setback shall not apply with respect to homes schools.

8.5.6 Only the company's name and/or logo shall be visible from the property, no other advertising shall be permitted subject to approval by the Development Authority.

8.5.7 In addition to the regulations described in Section 11 of this Bylaw, additional landscaping may be required at the discretion of the Development Authority.

8.6 COMMERCIAL DEVELOPMENT

8.6.1 All site regulations and development requirements, including any requirements for buffers, shall be based upon the type of development proposed and shall be at the discretion of the Development Authority.

COMMERCIAL DEVELOPMENT PERMIT REQUIREMENTS

8.6.2 In addition to any or all of the information required under Section 3.5 of this Bylaw, each application for a commercial development shall be accompanied by the following information:

a) physical suitability of site with respect to soils, slopes, and drainage;
b) the size and number of parcels being created and proposed phasing (if any);
c) servicing requirements and provisions for meeting them;
d) costs associated with providing new or upgraded municipal services associated with the development;
e) the requirements and provisions for employee and customer parking and for site access;
f) a landscaping plan;
g) cross-sections and elevations for each building;
h) a fire safety plan; and
i) a list of proposed uses.

8.6.3 A development permit for a commercial use within the Agricultural (A) District may only be issued if, in the opinion of the Development Authority:

a) it locates on lower capability agricultural land; and/or
b) it directly serves the agricultural community; and/or
c) it will not conflict with surrounding land uses.

8.7 COMMUNICATION TOWER AND ANTENNA SYSTEM

8.7.1 Developers of federally regulated communication towers and antenna systems must comply with the County's siting policies and obtain a letter of concurrence from the County.

8.7.2 When reviewing an application for federally regulated communication towers and antenna systems the Development Authority may consider but shall not be limited to the following:

a) Whether the development has considered opportunities to co-locate on existing facilities (within an 8.0 km [5.0 mi] radius) by providing documentary evidence that co-location is not feasible.

b) Whether affected landowners have been consulted.

c) That the aesthetics and amenities of the area will not be unduly impacted.

AMATEUR RADIO ANTENNA USE DEVELOPMENT PERMIT REQUIREMENTS

8.7.3 Amateur radio antenna systems with a height of 15.0 m (49.0 ft) or more shall be considered a discretionary use and will require development authority approval.

8.7.4 Amateur radio antenna systems shall not be illuminated unless required by Industry Canada or Transport Canada Canadian Aviation Regulations.

8.7.5 Guy wire anchors or other supporting structures shall meet the setback requirements for accessory uses in all Districts.

8.7.6 The height of the tower shall not, if laid perpendicular, from where it is to be sited on the lot, extend beyond the property boundaries.

8.8 CONFINED FEEDING OPERATIONS AND MANURE STORAGE FACILITIES

8.8.1 Confined feeding operations and manure storage facilities are provincially regulated and shall comply with applicable provincial legislation.

8.9 DECKS

8.9.1 An unenclosed deck shall require a development permit if 0.6 m (2.0 ft) or greater above grade.

8.9.2 An unenclosed deck located within the Hamlet (H) District shall:

a) be located a minimum of 1.0 m (3.3 ft) from a side lot line;

b) notwithstanding Section 8.9.2.a), be located a minimum of 3.0 m (9.8 ft) from a side lot line abutting a public road; and

c) be located a minimum of 3.0 m (9.8 ft) from the rear lot line.

8.9.3 Height notwithstanding, all covered or enclosed decks shall:

a) be considered an addition to the principal building and requires a development permit; and

b) meet the setback requirements of a principal building within the applicable land use district.

8.10 DUGOUTS

8.10.1 A minimum setback distance shall be maintained between a new dugout and a property line as follows:

a) Municipal roads: 35.0 m (115.0 ft)

b) Side yard: 27.4 m (90.0 ft)

c) Rear yard: 27.4 m (90.0 ft)

d) The location and development of a dugout adjacent to a highway will be at the discretion of Alberta Transportation.

8.11 EXISTING UNDERSIZED LOTS

8.11.1 Development on existing lots that do not satisfy the minimum lot size requirement of this Bylaw will be considered at the discretion of the Development Authority. Compliance with any Provincial regulations regarding the disposal of sewage will be required. Development on these lots will comply with the regulations of the District in which the lot is located.

8.12 GEOTHERMAL ENERGY CONVERSION SYSTEMS

8.12.1 Geothermal energy conversion systems do not require a development permit. However, a safety codes permit for heating systems will be required for the installation of geothermal energy conversion systems.

8.12.2 There shall be no aboveground portion of a geothermal energy system located in a front or side yard, and any aboveground portion of the building in the rear yard shall comply with regulations of this Bylaw.

8.12.3 Geothermal installations must comply with CSA Group standards.

8.13 HOME OCCUPATIONS

8.13.1 All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.

GENERAL STANDARDS FOR HOME OCCUPATIONS

8.13.2 All home occupations shall comply with the following requirements:

a) In addition to the information requirements indicated in Section 3.5, each application for a home occupation shall be accompanied by a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.

b) When a development permit is issued for a home occupation, such permit shall be terminated should the applicant vacate the property for which the permit has been issued.

c) Home occupations shall not involve:

i. activities that use or store hazardous material in quantities exceeding those found in a normal household; or

ii. any use that would, in the opinion of the development authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

d) No offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable within or beyond the boundary of the lot on which the home occupation is located shall be produced by the home occupation.

e) There shall be no exterior signage, display, or advertisement other than a business identification sign which shall not exceed 1.0 m^2 (10.8 ft^2).

f) In the Country Residential (CR) and Hamlet (H) Districts, no more than one (1) commercial vehicle, up to the size of a tandem truck, to be used in conjunction with the home occupation, shall be parked or maintained on the site. The parking space of the commercial vehicle shall be either within a garage or adequately screened and sited behind the principal building to the satisfaction of the Development Authority.

g) In the Agricultural (A) District, not more than four (4) commercial vehicles, each with one (1) accessory trailer, to be used in conjunction with the major home occupation, shall be parked or maintained on the site.

MINOR HOME OCCUPATION

8.13.3 In addition to the requirements for home occupations Sections 8.13.1 to 8.13.2 above, a minor home occupation shall comply with the following regulations:

a) A minor home occupation shall not occupy more than 30% of the gross floor area of the principal dwelling;

b) Except in the Agricultural (A) District, there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the minor home occupation allowed on the site. Storage related to the minor home occupation shall be allowed in either the dwelling or accessory buildings;

c) Up to four (4) business visits per day are allowed;

d) Exterior alterations or additions to accommodate a minor home occupation shall not be allowed; and

e) A minor home occupation shall not employ any person on-site other than the occupants of the dwelling.

MAJOR HOME OCCUPATION

8.13.4 In addition to the requirements for home occupations in Sections 8.13.1 to 8.13.2 above, a major home occupation shall comply with the following regulations:

a) The number of non-resident employees working on-site shall not exceed two (2).

b) Up to eight (8) business visits per day are allowed in the Agricultural (A) District. In all other Districts, up to four (4) business visits per day are allowed.

c) Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as along as such alterations comply with this Bylaw and the Alberta Safety Codes Act and the regulations made thereunder.

MAJOR HOME OCCUPATION DEVELOPMENT PERMIT REQUIREMENTS

8.13.5 In addition to the information requirements indicated in Section 3.5, a development permit application shall be required for major home occupations. All applications for a development permit shall include the following:

a) a detailed description of the business, including the types of operations or activities that will take place at the site;

b) typical hours of operation;

c) number of business visits per day to the property;

d) a detailed description of the materials, equipment and/or vehicles that will be used and where they will be stored on site.

e) a site plan indicating:

i. location of outdoor storage and potential measures to mitigate visual and noise impacts on adjacent properties and roadways;

ii. parking layout and number of parking spaces; and

iii. a breakdown of the business use area in relation to the remainder of the property;

f) number of resident and non-resident employees visiting or working at the property;

g) other measures that will be undertaken to avoid potential nuisance effects for neighbours; and

h) any other information requested by the Development Authority.

8.14 INDUSTRIAL DEVELOPMENT

8.14.1 All site regulations and development requirements, including any requirement for buffers, shall be based upon the type of industrial development proposed and shall be at the discretion of the Development Authority.

INDUSTRIAL DEVELOPMENT PERMIT REQUIREMENTS

8.14.2 In addition to the information requirements indicated in Section 3.5, each application for industrial development shall be accompanied by the following information:

a) type of industry;

b) estimated number of employees;

c) estimated water demand and anticipated source;

d) type of effluent and method of treatment;

e) transportation routes to be used (rail and road);

f) reason for specific location;

g) means of solid waste disposal;

h) where stockpiling will occur information including locations, proposed heights, and mitigation measures to address dust, debris, and run-off;

i) any accessory works required (pipeline, railway spurs, power lines, etc.);

j) anticipated residence location of employees;

k) municipal servicing costs associated with the development;

l) physical suitability of site with respect to soils, slopes, and drainage;

m) if a subdivision is involved, the size and number of parcels and proposed phasing (if any);

n) servicing requirements and provisions for meeting them;

o) costs associated with providing new or upgraded municipal services associated with the development;

p) a fire safety plan; and

q) any other information as may be reasonably required by the Development Authority.

INDUSTRIAL DEVELOPMENT PERMIT REQUIREMENTS FOR HEARTLAND DISTRICTS

8.14.3 In addition to the information requirements indicated in Section 3.5 and 8.14.3, the Development Authority may require the provision of environmental assessment information and a risk assessment to assist the County in assessing the effect of the proposed development in relation to the natural and human environments, and indicate both if and how any negative matters can be mitigated for the following: a proposed industrial use or any use within the Heartland Heavy Industrial (HHI) District, Heartland Light / Medium Industrial / Highway Commercial (HLMI/HC) District, or the Heartland Agriculture Industrial (HAI) District, including any work camp.

8.15 KENNELS

8.15.1 On any lot, a development permit shall be required under the kennel use where more than four (4) dogs are maintained, boarded, bred, trained, cared for, or kept for purposes of sale or in which more than four (4) dogs not owned by the resident of the lot on which the kennel is located are kept or cared for.

8.15.2 At the time of development permit application, a letter of recommendation from a veterinarian may be required at the discretion of the Development Authority.

8.15.3 In determining the number of dogs, pups less than six (6) months of age shall not be included.

8.15.4 An exercise area shall be provided for each dog as follows:

a) breeds weighing 16.0 kg (35.2 lb.) or less - at least 2.3 m^2 (24.8 ft^2) per dog; and

b) breeds weighing more than 16.0 kg (35.2 lb.) - at least 4.6 m^2 (49.5 ft^2) per dog.

8.15.5 No building or exterior exercise area to be used to accommodate the dogs shall be allowed within 25.0 m (82.0 ft) of any lot line of the lot for which an application is made.

8.15.6 All exterior exercise areas (runs) shall be enclosed with an acceptable fence with a minimum height of 1.83 m (6.0 ft).

8.15.7 All dogs in kennels shall be kept within buildings or a fenced area at all times when not leashed.

8.15.8 All kennels and exercise areas shall be cleaned on a daily basis, and all feces shall be stored in an enclosed container and disposed of in a sanitary manner.

8.15.9 Pens, rooms, exercise runs, and holding stalls shall be soundproofed where possible to the satisfaction of the Development Authority.

8.15.10 A separate air extractor system shall be provided in the animal shelter or holding area where heating and air conditioning is necessary.

8.15.11 All facilities and kennel operations shall be in compliance with the applicable Provincial regulations.

8.16 MANUFACTURED HOME UNITS

8.16.1 Manufactured Home Units are to be built to CAN/CSA A277 or the CAN/CSA-Z240 MH, as amended.

8.16.2 The Manufactured home unit shall be skirted from the floor level to the ground level. The skirting should be aesthetically compatible with the existing external finish of the manufactured home unit.

8.16.3 All accessory structures, such as, but not limited to, patios, porches, additions shall be:

a) factory prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured home unit;

b) considered as part of the principal building;

c) erected only after obtaining a development permit; and

d) not more than the floor area of the manufactured home.

8.16.4 Manufactured home units shall be placed on a foundation or base. The manufactured home unit is to be attached in accordance with the regulation under the Safety Codes Act.

8.16.5 No development permits for manufactured homes built prior to June 1, 1998, shall be issued.

8.17 NATURAL RESOURCE EXTRACTION

8.17.1 The minimum parcel size for natural resource extraction for Class I Pits on private land shall be 5.0 ha (12.4 ac). The Development Authority shall require proof of approval for a Class I Pit from Alberta Environment.

8.17.2 The maximum parcel size for natural resource extraction for Class II Pits on private land shall be less than 5.0 ha (12.4 ac). The Development Authority may require a reclamation deposit. The reclamation deposit shall be in the form of cash, or a renewable irrevocable letter of credit shall contain the following:

a) A covenant by the issuer that if the issuer has not received a release from the Municipality sixty (60) days prior to the expiry date of the security, then the security shall automatically be renewed, upon the same terms and conditions, for further period one (1) year.

8.17.3 Natural Resource Extraction must comply with all applicable provincial legislation and regulations.

8.17.4 Natural resource extraction shall require the reclamation of the lands to a standard appropriate to accommodate uses listed in the district once the resource has been removed.

8.17.5 In considering whether to approve natural resource extraction as a discretionary use, the Development Authority must have additional due regard for:

a) the purpose of this Bylaw and the general purpose of the district in which it is located and the future use of the site as proposed in a reclamation plan;

b) the provisions of the Municipal Development Plan and any relevant statutory plan;

c) relevant guidelines prepared by Alberta Environment and their comments on applications made for provincial approval;

d) the desirability to utilize the natural resource as a regional benefit to development;

e) conservation of topsoil for future agricultural use on this or another site;

f) conservation of designated historical resources as defined in the Alberta Historical Resources Act;

g) conservation of trees and maintenance of habitat;

h) conservation of environmentally significant and sensitive areas;

i) conservation of watercourses; and

j) the safety and the potential nuisance effect on adjacent properties.

8.17.6 The term of a natural resource extraction development permit shall be a maximum of nine (9) years from the date of issuance.

a) All extraction activities shall cease upon the expiration of the development permit until such time as a further development permit has been applied for and approved by the County.

b) The County may grant a renewal of the development permit, under the same terms and conditions, for a term of not more than five (5) years upon application of a development permit ninety (90) days prior to the expiry of the permit.

c) The County may consider subsequent renewals of the development permit to a maximum of fifteen (15) concurrent years, based on five (5) year increments, subject to compliance with the Land Use Bylaw regulations in place at the time.

8.17.7 The hours of operation shall be between 7:00 a.m. to 7:00 p.m. Monday through Saturday for all extraction and reclamation activities.

a) Extended hours over a short period of time for crushing may be considered by the Development Authority. The Applicant shall provide confirmation that any crusher located on the Site shall be located at the bottom of the excavation area and shall be located so that any muffler located on the crusher is pointed towards the wall of the excavation area.

b) Extended hours for use of pumps for pit dewatering may be considered as determined by on-site conditions.

8.17.8 The applicant can apply for an extension for hauling only on Sundays between the hours of 7:00 a.m. to 7:00 p.m.

8.17.9 The applicant shall provide a minimum 3.0 m (9.8 ft) buffer zone adjacent to all site boundaries, which shall include road allowances, easements, rights-of-way, and rail lines unless approval has been obtained from all adjacent landowners and the County, acting reasonably.

8.17.10 The applicant shall enter into a Road Use Agreement with the County for the provision of dust control and maintenance/upgrading of the municipal roads used as the haul route.

a) Subject to projected traffic volumes as provided for above, the County may require submission of a Traffic Impact Assessment, as prepared by a qualified professional, for review and approval.

8.17.11 The applicant shall provide an adequate area on-site for trucks to park and wait prior to picking up a load. In this regard, trucks are prohibited from parking on the municipal road and an area must be provided and designated on-site as a truck parking area.

8.17.12 If drainage patterns are to be altered as a result of the natural resource extraction, the applicant shall ensure that the redirection of surface water from the site does not negatively impact adjacent parcels. If it is found that the natural resource extraction activities have caused flooding or higher surface drainage volumes on adjacent parcels, the applicant shall be required to remedy the problem at their sole expense.

NATURAL RESOURCE EXTRACTION DEVELOPMENT PERMIT REQUIREMENTS

8.17.13 In addition to the information requirements of Section 3.5, an applicant proposing a natural resource extraction use, or an expansion to an existing operation, shall submit the following information:

a) the location and area of the site on which the excavation is to take place;

b) site analysis of the geology, groundwater, surface water, natural vegetation, and wildlife features of the site;

c) extraction and operations plan including staging;

d) stockpile information including locations, proposed heights, and mitigation measures to address dust, debris, and run-off;

e) reclamation and end use plan, including surface drainage plan;

f) proposed mitigation measures for traffic and visual impacts;

g) dust suppression plan which shall address measures and methods to reduce dust respecting on-site operations including the pit floor, stockpiles, and other areas of the proposed development;

h) noise suppression plan which shall provide a description of measures to be taken to reduce acoustic impacts on neighboring properties;

i) a signage plan which shall identify the location and posting of haul route signage as well as on-site signage identifying company name and emergency telephone numbers, access/egress locations, parking areas, hazard areas, etc.;

j) haul road plan including proposed access and traffic volumes; and

k) a summary of the pre-application consultation with potentially affected landowners and the communications that have been carried out to inform landowners of natural resource extraction activities, and addressing any issues or concerns landowners may have regarding the operation.

8.18 PROTECTION FROM EXPOSURE HAZARDS

8.18.1 The location of an anhydrous ammonia or liquefied petroleum gas (AA or LPG) storage tank with a water capacity exceeding 7570.8 L (2000.0 gal) shall be in accordance with the requirements of the Development Authority but in no case shall be less than 121.9 m (400.0 ft) from public assembly, institutional, commercial, or residential buildings.

8.18.2 AA or LPG containers with a water capacity of less than 7570.8 L (2000.0 gal) shall be located in accordance with regulations under the Safety Codes Act.

8.18.3 Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Safety Codes Act.

8.19 RECREATIONAL FACILITIES

8.19.1 Recreational facilities may only be allowed to locate on lower capability agricultural land. This restriction may be waived if the Development Authority feels the benefits of the development to the surrounding community justify the use of higher capability agricultural land. **(Bylaw 886.25)**

8.19.2 At the discretion of the Development Authority, recreational facilities shall be required to:

a) maintain an open space buffer of sufficient size and composition to act as a visual and noise barrier from adjacent uses which may be incompatible; and

b) install, when necessary, adequate on-site water supply and sewage disposal systems which have been approved by the authority having jurisdiction. **(Bylaw 886.25)**

RECREATIONAL FACILITIES USE DEVELOPMENT PERMIT REQUIREMENTS

8.19.3 In addition to any or all of the information required under Section 3.5 of this Bylaw, each application for a reactional facility shall be accompanied by the following information:

a) physical suitability of site with respect to soils, slopes, and drainage;

b) the size and number of parcels and proposed phasing (if any);

c) servicing requirements and provisions for meeting them;

d) costs associated with providing new or upgraded municipal services associated with the development;

e) the requirements and provisions for employee and customer parking and for site access;

f) a landscaping plan;

g) cross-sections and elevations for each building; and

h) a list of proposed uses. **(Bylaw 886.25)**

8.20 SECONDARY DWELLING

8.20.1 A maximum of one (1) secondary dwelling may be allowed in the Agricultural (A) District. Such secondary dwellings shall not be allowed where a bed and breakfast or guest ranch is located on the same site.

8.20.2 A secondary dwelling may be allowed by the Development Authority if the proposed dwelling is to be occupied by a person who:

a) is solely, or mainly, employed in an agricultural operation or confined feeding operation on the site; or

b) will provide personal care to, or require personal care from, the residents of the other dwelling on the site, provided that such personal care is necessary for health reasons.

8.20.3 A development permit for a Secondary Dwelling shall be temporary. The period of time that the development permit is valid shall be determined by the Development Authority.

8.20.4 During development permit application review the Development Authority shall give consideration that the secondary dwelling would not:

a) materially interfere with the amenities or change the character of the area;

b) materially interfere with or affect the use and enjoyment of adjacent properties;

c) adversely impact the environment; or

d) result in excessive demand on municipal services, utilities, and road access.

8.21 SERVICE STATIONS AND AUTOMOTIVE GAS BARS

8.21.1 Service stations and automotive gas bars shall be located in such a manner that:

a) no entrance or exit thereto for motor vehicles shall be within 61.0 m (200.0 ft) of an entrance to or exit from a fire hall, public or private school, playground, library, church, hospital, senior's lodge or other similar public or quasi-public institutions;

b) no building or any pump or other accessory shall be within 6.1 m (20.0 ft) of a side or rear property line;

c) a front yard of not less than 12.2 m (40.0 ft) shall be provided, and no fuel pump shall be located closer than 6.1 m (20.0 ft) from the front line; and

d) storage tanks shall be set back from buildings and lot lines in accordance with Provincial regulations.

8.21.2 Site Area and Coverage

a) The minimum site area shall be 743.2 m^2 (8000.0 ft^2) and the maximum building coverage shall be 25% of the site area. For service stations or gas bars that include a car wash, the minimum site area shall be 1114.8 m^2 (12,000.0 ft^2).

b) Where a service station or automotive gas bar forms part of a shopping center or auto dealership development, the minimum site area and maximum building coverage may be varied at the discretion of the Development Authority.

8.21.3 Site and Building Requirements

a) All parts of the site to which vehicles may have access shall have the surface completed to the satisfaction of the Development Authority.

b) No activity may be carried out which constitutes an undue nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke, or vibration.

c) The site of the buildings shall be maintained in a clean and tidy condition and free from all rubbish and debris.

8.22 SHIPPING CONTAINERS

8.22.1 Shipping containers shall not require a development permit if they comply with the provision in Table 8-1.

Table 8-1: Maximum Number of Shipping Containers Allowed Without A Development Permit

Size of Parcel	Maximum Number of Shipping Containers Allowed Without a Development Permit
26.3 ha (65.0 ac) or more	10
16.2 ha (40.0 ac) to 25.9 ha (64.0 ac)	6
8.1 ha (20.0 ac) to 15.8 ha (39.0 ac)	4
2.0 ha (5.0 ac) to 7.7 ha (19.0 ac)	2

8.22.2 Shipping containers shall meet the minimum setbacks for accessory buildings of the applicable district, unless otherwise indicated by the Development Authority.

8.22.3 Notwithstanding Sections 8.22.1 and 8.22.2, one (1) shipping container may be stored on-site if required for temporary storage associated with the construction or development of a parcel. Conditions for the shipping container will be specified in the development permit for the associated construction or development of the parcel.

8.23 SOLAR ENERGY CONVERSION SYSTEMS

8.23.1 Approval from the Alberta Utilities Commission (AUC) and any other provincial or federal agency or utility company may be required prior to the operation of any grid-connected energy system.

8.23.2 Solar energy conversion systems must be located such that they do not create undue glare on adjacent parcels or public roadways.

8.23.3 A solar panel mounted on the roof of a building must not extend beyond the confines of the roof or above the peak of the roof. In the case of a flat roof, a solar panel may be considered on a case-by-case basis by the Development Authority.

8.23.4 A freestanding solar energy conversion system will be considered an accessory use and will need to conform to the setback and height requirements of the district.

8.23.5 Wall mounted solar panels shall project a maximum of 0.6 m (2.0 ft) from the surface of the wall.

8.23.6 The following regulations apply to Solar Farms:

a) Setback requirements shall be as required by the Development Authority.

b) A vegetation and soil management plan may be required with a development permit application for a solar farm indicating efforts made by the owner/operator to control soil erosion and weeds.

c) If the solar farm is decommissioned, the owner/operator is required to return the project location to the same or better land capability it had before the project started. A decommissioning and/or mitigation plan may be required by the Development Authority.

d) Solar farms shall be accessory to a principal use.

8.24 SURVEILLANCE SUITES

8.24.1 In Districts where a surveillance suite is allowed as a discretionary use under this Bylaw. The following provisions shall apply:

a) where a surveillance suite is attached to the principal building on a site, by a roof, an open or enclosed structure, or a floor or foundation, it is to be considered a part of the principal building;

b) unless otherwise provided in this Bylaw, detached surveillance suites shall be located on the parcel to the satisfaction of the Development Authority;

c) the maximum floor area of any surveillance suite shall be 95.0 m^2 (1000.0 ft^2) or as allowed by the Development Authority; and

d) the exterior appearance and design of a surveillance suite shall be compatible with the surrounding area.

8.25 TEMPORARY ASPHALT PLANT / TEMPORARY CONCRETE PLANT

8.25.1 The period of time that the development permit for Temporary Asphalt / Temporary Concrete Plant is valid shall be determined by the Development Authority.

8.25.2 The Asphalt or Concrete Plant shall not be located within 400.0 m (1312.3 ft) of a dwelling.

8.26 TOURIST CAMPGROUNDS

8.26.1 Tourist campgrounds are intended to provide seasonal temporary camping opportunities for tents, trailers, and recreational vehicles.

8.26.2 All tourist campgrounds shall satisfy the following requirements:

a) Development of roads, common areas and facilities, and camping sites shall occupy no more than two-thirds of the proposed site, leaving a minimum of one-third of the site in its natural state (or landscaping one-third to the satisfaction of the Development Authority).

b) Campgrounds should be designed and landscaped to minimize disturbance to the natural environment and to protect heavy use areas from damage.

c) Where the campground directly abuts a residential area, adequate screening or fencing shall be provided, to the satisfaction of the Development Authority.

d) Public road access to a proposed campground shall be required, as a condition of development approval, to be constructed or upgraded to a standard acceptable to the County.

e) All tourist campgrounds must provide washroom facilities and access to potable drinking water.

f) An adequate potable water supply and sewage disposal facilities shall be provided, in accordance with Provincial regulations and/or the Safety Codes Act, as applicable.

g) All campsites within the campground must be accessible by an internal road.

h) All campsites shall have clearly defined boundaries defined by permanent markers with a visible (to emergency responders) stall number.

i) One vehicle parking stall shall be provided for each campsite.

j) Minimum distance between campsites shall be 2.0 m (6.6 ft).

k) Picnic tables, fire pits, and garbage cans shall be provided for each campsite.

l) Fires will only be permitted within provided fire pits.

m) Campground design and maintenance shall have regard for the Alberta FireSmart Guidebook for Community Protection as amended from time to time.

n) Tourist campgrounds shall not be approved by the Development Authority if the Development Authority has any concern that they may become work camps by virtue of their size, their location, their nature, or any other factor the Development Authority, in his sole discretion, deems relevant.

o) All recreational vehicles and trailers shall remain roadworthy and licensed at all times.

p) No campsites shall be occupied for any period of time between the dates of November 1 and March 31 of any year.

8.27 TOURIST HOMES

8.27.1 A tourist home is a single detached dwelling, which is not owner occupied, that is a rental accommodation occupied for a period of less than twenty-eight (28) days.

8.27.2 The operation of a tourist home requires an approved development permit.

8.27.3 Tourist homes are prohibited except where they are expressly listed as a permitted or discretionary use.

8.27.4 A tourist home shall comply with the following regulations:

a) No advertisement of the tourist home, unless in possession of a valid development permit at the time the advertisement is placed and displayed.

b) A tourist home shall not change the principal character or external appearance of the dwelling involved and shall have a maximum of four (4) sleeping units.

c) Cooking facilities shall not be located within the sleeping units. All facilities shall meet public health regulations.

d) In addition to any other parking requirements of this Bylaw, one (1) additional parking space shall be provided for each sleeping unit.

e) A tourist home shall not display any form of advertising on the building or property related to the tourist home except as provided for in this Bylaw.

8.27.5 A tourist home shall not be allowed where a secondary dwelling or bed and breakfast establishment is located on the same parcel.

8.28 WIND ENERGY CONVERSION SYSTEMS

8.28.1 In this Section, the following definitions shall apply:

a) “blade” means an element of a wind energy conversion system rotor, which acts as a single airfoil, thereby extracting kinetic energy directly from the wind;

b) “blade clearance”, in reference to a horizontal axis rotor, means the distance from grade to the bottom of the rotor’s arc;

c) “horizontal axis rotor” means a wind energy conversion system, typical of conventional or traditional windmills;

d) “rotor’s arc” means the largest circumferential path traveled by a wind energy conversion system blade;

e) “total height” means the height from grade to the highest vertical extension of a wind energy conversion system. In the case of a system with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top to the highest point of the rotor’s arc; and

f) “tower” means the structure which supports the rotor above grade.

8.28.2 Prior to making a decision on an application for a development permit for a wind energy conversion system, the Development Authority shall consider input from:

a) any adjacent municipality should the proposed development be located within 2.0 km (1.2 mi) of the municipality; and

b) landowners within 2.0 km (1.2 mi) of the proposed development.

8.28.3 Should a wind energy conversion system discontinue producing power for a minimum of two (2) years, the system operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the system be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw, and subject to the enforcement provisions of Section 6 of this Bylaw.

8.28.4 A wind energy conversion system shall comply with all the setbacks related to roads and highways that govern the principal use in the district in which it is located.

8.28.5 Where, in the opinion of the Development Authority, the setbacks referred to in Section 8.28.4 above are not sufficient to reduce the impact of a wind energy conversion system from a road or highway, the Development Authority may increase the required setback.

8.28.6 A wind energy conversion system shall be located not less than four (4) times the total height of the system from a dwelling on another parcel of land.

8.28.7 A wind energy conversion system shall be located so that the horizontal distance measured at grade from the outside of the rotor arc to any lot boundary other than a road or highway is at least 7.5 m (24.6 ft).

8.28.8 In the case of wind energy conversion system, setbacks may be amended from the minimum setback requirements in the District in which the system is located depending upon the number of systems in a group and the proximity of the system to any existing dwelling.

8.28.9 The minimum vertical blade clearance from grade shall be 7.4 m (24.3 ft) for a wind energy conversion system employing a horizontal axis rotor unless otherwise required by the Development Authority.

8.28.10 To ensure public safety, the Development Authority may require that:

a) a secure fence not less than 1.8 m (5.9 ft) in height with a lockable gate surround a wind energy conversion system tower if the tower is climbable or subject to vandalism that could threaten tower integrity;

b) no ladder or permanent tower access device be located less than 3.7 m (12.1 ft) from grade;

c) a locked device be installed on the tower to preclude access to the top of the tower; and

d) such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate.

The use of tubular towers, with locked door access, may, at the sole discretion of the Development Authority, make unnecessary the above requirements.

8.28.11 All power lines on the site of a wind energy conversion system to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.

8.28.12 Unless otherwise required by the Development Authority, a wind energy conversion system shall be finished in a non-reflective matte and in a colour that minimizes the obtrusive impact of a system to the sole requirements of the Development Authority.

8.28.13 No lettering, advertising or other symbol shall appear on the towers or blades. On other parts of the wind energy conversion system, the only lettering or symbol allowed will be the manufacturer's and/or owner's identification or symbol and then, only upon the approval of and at the sole discretion of the Development Authority.

8.28.14 The Development Authority may approve a wind energy conversion system on a case-by-case basis having regard for:

a) information provided in the application;

b) the proximity of the proposed development to other land uses;

c) the cumulative effect of all wind energy conversion systems approved or proposed in the area;

d) underlying utilities; and

e) information received from the circulation of the application and from the public.

f) Wind Energy Conversion Systems shall be accessory to a principal use.

WIND ENERGY CONVERSION SYSTEM DEVELOPMENT PERMIT REQUIREMENTS

8.28.15 In addition to the information requirements indicated in Sections 3.5, all applications for a development permit for a wind energy conversion system shall be accompanied by:

a) a fully dimensioned, scaled site plan showing and labeling the information including the location of overhead utilities on or abutting the subject site, contours of the land, and access roads;

b) a visual representation including scale elevations, photographs and/or digital information of the proposed wind energy conversion system showing total height, tower height, rotor diameter, colour, and the landscape;

c) specifications for the foundations and/or anchor design, including location and anchoring of any guy wires;

d) the manufacturer's specifications for the wind energy conversion system, including:

   i. the system's rated output in kilowatts,

   ii. safety features and sound characteristics, and

   iii. type of material used in tower, blade, and/or rotor construction;

e) an analysis of the potential for noise at:

   i. the site of the installation,

   ii. the boundary of the lot containing the development, and

   iii. any habitable dwelling within 2.0 km (1.2 mi) of the subject site;

f) a report regarding any public information meetings or other processes conducted by the developer;

g) any impacts to the local road system including required approaches from public roads having regard to County standards;

h) a preliminary reclamation/decommissioning plan; and

i) appropriate reports and/or approvals from:

   i. Alberta Energy Regulator;

   ii. Transport Canada;

iii. NavCanada;

iv. Alberta Environment;

v. Alberta Energy; and

vi. Any other government departments required for provincial approvals.

8.29 WORK CAMPS

8.29.1 All work camps shall be considered temporary developments.

8.29.2 No development permit for a work camp shall be approved unless:

a) all required access provisions are provided to the satisfaction of the Development Authority at the sole cost to the developer;

b) the developer provides undertakings and guarantees acceptable to the Development Authority, that the work camp will be removed, and the subject site returned to its state before the work camp was developed after the work camp is removed; and

8.29.3 The Development Authority may establish conditions for the approval of a work camp or a temporary work camp that it, at its sole discretion, deems reasonable to ensure that the work camp will be a temporary development.

8.29.4 The Development Authority may, at its sole discretion, establish any conditions of approval for a work camp to ensure that the site of the development will be restored to its previous situation after the development ceases operations including the provision of security in a form acceptable to the County, that this will be accomplished.

8.29.5 Work camps shall not be allowed in close proximity to residential developments.

8.29.6 All parking must be provided on the lot and areas for parking developed to the satisfaction of the Development Authority.

8.29.7 All points of access and egress shall be located to the satisfaction of the Development Authority.

8.29.8 Maximum parcel coverage shall be such that space is available for all the parking on the lot, together with the applicable setback and such area as required for landscaping as determined by the Development Authority.

8.29.9 Adjacent buildings in work camps shall be located sufficient distance from each other as required for fire protection purposes as determined by the Alberta Safety Codes Act and by the Development Authority.

8.29.10 Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.

8.29.11 The Development Authority may require that the owner/operator of the work camp enter into a road use agreement to address such matters as road maintenance and dust control.

8.29.12 The Development Authority may require limiting noise to daytime hours (generally 7 am to 11 pm), with the exception of generator noise, which must be mitigated by shielding or other methods when it may be detrimental to an adjacent property.

8.29.13 The Development Authority may require mitigation measures to reduce traffic impacts such as the use of bans or buses for transporting workers to and from job sites or urban areas.

WORK CAMP DEVELOPMENT PERMIT REQUIREMENTS

8.29.14 In addition to the information requirements indicated in Section 3.5, all applications for a development permit for a work camp shall be accompanied by:

a) the location, type, and purpose of camp;

b) adjacent land uses;

c) the start date for the development, date of occupancy of residents, number of persons proposed to live in the camp, and removal date for the camp;

d) the method of supplying water and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the Alberta Private Sewage Systems Standard of Practice and be to the satisfaction of Alberta Health Services;

e) demonstrate approval from Alberta Environment if the camp is located on Crown Land;

f) reclamation measures for the site once the camp is no longer needed;

g) a Fire Safety Plan and fire preparedness equipment in place to the satisfaction of the County's Fire Chief; and

h) letters of support from the adjacent landowners or residents, or relevant agencies (RCMP) where required by the Development Authority.

9 PARKING AND LOADING REGULATIONS

9.1 ACCESS, OFF STREET PARKING AND LOADING

9.1.1 In all Districts, vehicular entrances and exits onto roads shall only be allowed at locations approved by the Development Authority (see Section 7.7). A permit shall be obtained from Alberta Transportation for access onto all Highways.

9.1.2 All off-street parking and loading facilities shall be so constructed that:

a) curb cuts will be provided and located as necessary to the satisfaction of the Development Authority;

b) adequate access to, and exit from, each stall is provided at all times by means of maneuvering aisles designed to the satisfaction of the Development Authority;

c) loading spaces shall be designed and located so that all vehicles using that space can be parked and maneuver entirely within the boundaries of the site without backing in to or from adjacent streets.

d) parking and loading areas must be paved or of a gravel mixture, whichever is required by the Development Authority in accordance with the Lamont County General Municipal Servicing Standards;

e) each parking and load area shall be graded and drained of all stormwater. In no case shall drainage be allowed to cross a site boundary unless otherwise approved by the Development Authority; and

f) parking for the physically handicapped shall be provided as provincial regulations require and shall be considered a parking stall as part of the number of required parking stalls.

9.1.3 Off-street loading spaces shall be provided in accordance with the requirements of the Development Authority.

9.1.4 At the discretion of the Development Authority, a developer may be required to:

a) provide the required off-street parking on the same lot as the principal building or use; or

b) provide the required off-street parking on land other than that to be developed.

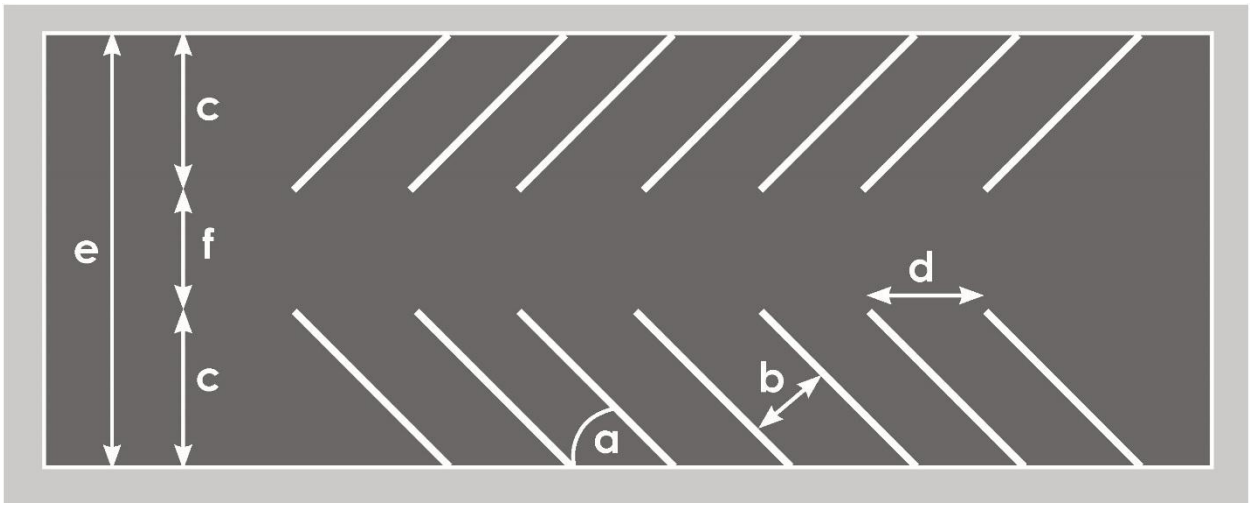
9.1.5 When a building is enlarged or the use of a parcel or building is changed or increased in intensity, the additional parking spaces to be provided shall be limited to the difference between the requirement of the original building or use and that of the enlarged building or changed or intensified use.

9.1.6 The dimensions of parking areas shall be as set out in Table 9-1: Minimum Parking Standards.

Table 9-1: Minimum Parking Standards

Parking Angle in Degrees	Width of Stall	Depth of Stall Perpendicular to Maneuvering Aisle	Width of Stall Parallel to Maneuvering Aisle	Overall Depth	Width Maneuvering Aisle (One Way)
A	B	C	D	E	F
0	2.7 m (8.9 ft)	2.7 m (8.9 ft)	7.0 m (23.0 ft)	9.1 m (29.9 ft)	3.6 m (11.8 ft)
30	2.7 m (8.9 ft)	5.2 m (17.1 ft)	5.5 m (18.0 ft)	14.0 m (45.9 ft)	3.6 m (11.8 ft)
45	2.7 m (8.9 ft)	5.8 m (19.0 ft)	4.0 m (13.1 ft)	15.2 m (49.9 ft)	3.6 m (11.8 ft)
60	2.7 m (8.9 ft)	6.1 m (20.0 ft)	3.1 m (10.2 ft)	18.2 m (59.7 ft)	6.0 m (19.7 ft)
90	2.7 m (8.9 ft)	6.1 m (20.0 ft)	2.7 m (8.9 ft)	19.5 m (64.0 ft)	7.3 m (24.0 ft)

Figure 9-1:Illustration of Parking Design Standards



9.1.7 The following minimum number of parking spaces shall be provided and maintained for the use of a parcel or building in any District described in Section 12 of this Bylaw. Any calculation of the number of parking spaces which produced a requirement for a part of a space shall be rounded up to the next highest number.

Table 9-2: Minimum Off-Street Parking Requirements

Use	Minimum Off-Street Parking Requirements
Adult Care Residence	0.2 per unit or 1.5 per unit where 5 or more units exist, plus 1 space per employee
Bed and Breakfast	1 space per sleeping unit in addition to that provided for residential use
Child Care Service	1 space per employee
Commercial Development	Less than 2000 m^2 (21,528 ft^2) – 2.2 spaces per 100 m^2 (1076.4 ft) of gross floor area 2000. m^2 (21,528 ft^2) to 20,000 m^2 (215,279 ft^2) – 3.2 spaces per 100.0 m^2 (1076.4 ft^2) of gross floor area Greater than 20,000 m^2 (215,279 ft^2) – 4.3 spaces per 100.0 m^2 (1076.4 ft^2) of gross floor area
Eating and Drinking Establishment	1 space per 4 seats plus 1 space per 2 employees on maximum shift
Educational Services	1 space per 20 students based on projected capacity plus 1 space per employee as well as a student drop-off area
Government Service	2 spaces per 46.5 m^2 (500 ft^2) of gross floor area
Industrial Development	1 space per 100 m^2 (1076 ft^2) of gross floor area or 3 spaces per establishment, whichever is greater, and 1 space per employee on the site, or as determined by the Development Authority
Motel or Hotel	1 space per sleeping unit plus 1 space per 2 employees on maximum shift
Professional Office	1 space per 46.5 m^2 (500.0 ft^2) of gross floor area
Recreation Facilities	1 per 3.5 seats or 1 per 3.25 m^2 (35.0 ft^2) of the gross floor area used by the patrons, whichever is greater

Use	Minimum Off-Street Parking Requirements
Single Detached Dwelling	2 parking spaces per dwelling
All Other Developments	In accordance with the requirements of the Development Authority

9.1.8 The parking space requirement on a parcel that has or is proposed to have more than one (1) use shall be the sum of the requirements for each of those uses.

9.1.9 Notwithstanding Section 9.1.8, should the Development Authority deem it advisable, it may increase or decrease the parking space requirements for the proposed development. The Development Authority may consider the configuration of the parcel to be developed and adjacent parcels.

10 SIGN REGULATIONS

10.1 SIGNS

10.1.1 All signs, support structures for signs, as well as any alterations or modifications to existing signs or relocation of signs shall be considered discretionary uses and require a development permit unless specifically exempted as identified in Section 3.3 of this Bylaw.

10.1.2 The Development Authority may approve a sign as an accessory use if the Development Authority is satisfied that all required information regarding the sign has been provided as part of the application for the principal use or building application.

10.1.3 No sign shall be erected to obstruct free and clear vision of vehicular traffic or at any location where it may interfere with, or be confused with, any authorized traffic sign, signal, or device.

10.1.4 All signs must be maintained in a manner to the satisfaction of the Development Authority, or notice will be served to perform necessary repairs or remove the sign(s) within thirty (30) days.

10.1.5 No vehicle, trailer or shipping container shall be used to erect or display signs.

10.1.6 Billboard signs shall not be allowed.

10.1.7 No signs shall be permitted within 300.0 m (984.3 ft) from the provincial right-of-way or within 800.0 m (2624.7 ft) of the centerline of a highway and public road intersection without permission from Alberta Transportation.

10.1.8 Notwithstanding the generality of Section 10.1.1 above, the following signs may be erected on land or affixed to the exterior surface of a building or structure without a development permit provided that no such sign shall be illuminated and further provided that any necessary permits have been obtained in accordance with the Highway Development Control Regulations:

a) Signs for the purpose of identification, direction and warning or relating to a person, partnership or company carrying on a profession, commercial business or trade, or relating to an institution of a religious, educational, cultural, recreational or similar character or to a residential hotel, apartment block, club or similar institution, not exceeding 3.0 m^2 (32.3 ft^2), and shall be limited to one (1) sign per parcel of land;

b) Temporary advertisement relating to the sale or letting 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 not exceeding 3.0 m^2 (32.3 ft^2) provided that all such temporary advertisements shall be removed by the advertiser within fifteen (15) days of the completion of the event or works to which such advertisement relates; and

c) Advertisement or signs in relation to the function of Local Authorities, Utility Boards or other public or quasi-public bodies.

SIGN REGULATIONS RELATED TO HOME OCCUPATIONS OR BED AND BREAKFASTS

10.1.9 Signs associated with a Bed and Breakfast or Home Occupations shall not require a development permit but shall be required to meet the following criteria:

a) Only one (1) commercially produced business identification sign will be permitted.

b) There shall be no exterior signage, display, or advertisement other than a business identification sign which shall not exceed 1.0 m^2 (10.8 ft^2).

i. The sign shall be located in the front yard adjacent to the front property line and either supported on independent posts or affixed to an existing front fence, as close to the access/driveway as practicable, or

ii. Affixed to the front façade of the dwelling.

10.1.10 No off-site signage associated with the Home Occupation or Bed and Breakfast will be permitted.

SIGN DEVELOPMENT PERMIT REQUIREMENTS

10.1.11 In addition to any or all of the information required under Section 3.5 of this Bylaw, each application for a sign permit shall be accompanied by the following information:

a) the name and contact information for the sign company preparing the sign;

b) a signed letter of consent from the property owner where the sign is to be located (if different from the applicant);

c) a dimensioned site plan that details:

i. the location of the proposed sign,

ii. distance from all property lines, accesses, and public roadways, and

iii. identification and distance from all existing and proposed structures on the site;

d) construction details or drawings:

i. indicating the overall size of the sign and all supporting structures,

ii. details on how the sign will be anchored,

iii. materials that the sign and supports are made of, and

iv. details on any illumination of the sign; and

e) any other details or information that the Development Authority requires in order to assess the application.

11 LANDSCAPING STANDARDS

11.1 GENERAL LANDSCAPING REGULATIONS

11.1.1 The areas of the site subject to the landscaping requirements include all areas of a site not covered by buildings, driveways, parking areas, storage, and display areas.

11.1.2 No person shall undertake any landscaping activities on public property without prior written approval from Lamont County.

11.1.3 Planting shall be required as follows:

a) A minimum overall density of one (1) tree per 50 m^2 (538 ft^2);

b) A minimum of 33% coniferous trees;

c) Trees species at maturity shall have an average spread of crown greater than 3.0 m (9.8 ft);

d) Deciduous trees shall be at least 60.0 mm (2.4 in) calliper at time of planting;

e) Coniferous trees shall have a minimum spread of 2.5 m (8.2 ft) at time of planting; and

f) Coniferous and deciduous shrubs hall have a minimum spread of 0.5 m (1.6 ft) at time planting.

11.1.4 A maximum of 15% of the required landscaped area may be hard landscaped for institutional and commercial uses and a maximum of 30% of the required landscaped area may be hard landscaped for industrial uses, or at the discretion of the Development Authority.

11.1.5 Trees removed or damaged by development activities on municipal property may be required to be replaced, at the discretion of the Development Authority.

11.1.6 An area required to be landscaped may, at the discretion of the Development Authority, be left in its natural state or be loamed and planted with grass, trees, shrubs, and/or flowers, or similar materials or a combination thereof which enhance the appearance of the site and which complement the development thereon.

11.1.7 Appropriate screening shall be provided, through use of vegetation, of outside storage areas, parking facilities, and loading areas from adjacent buildings and public roadways, and where space permits, trees and shrubs shall be planted in groups.

11.1.8 At the discretion of the Development Authority, existing soft landscaping retained on site may be considered in the fulfilment of the total landscaping requirement.

11.1.9 The use of native drought resistant plant materials shall be encouraged where possible.

11.1.10 The planting of trees or other plant material within or near a pipeline, utility, or powerline right-of-way shall conform to the type spacing and offset required by the company operating the utility. Landscaping shall be in accordance with the relevant federal and provincial regulations established by the Alberta Energy Regulator and Alberta Utilities Commission.

11.1.11 In the event that planting materials in an approved development is inappropriate or fails to survive, the Development Authority may allow or require alternative materials to be substituted.

11.1.12 All plant materials shall be tolerant to the climactic conditions of the County as outlined in the Alberta Shelter Belt Program and Prairie Shelter Belt Program.

11.1.13 A sufficient depth of topsoil to facilitate growth in the soft landscaped areas shall be provided, with areas not planted to trees and shrubs being seeded to grass, sodded, or left with its natural grass cover.

11.1.14 Commercial and industrial developments that are adjacent to residential land use districts must be designed and intensively landscaped to mitigate their impact on residential properties to the satisfaction of the approving Development Authority. This includes the appropriate screening of outside storage areas, parking facilities, and loading areas.

11.1.15 In commercial and industrial districts adjacent to major roads or highways, the approving Development Authority may require a higher standard of landscaping.

11.1.16 Landscaping shall be completed by the end of the first full growing season following completion of construction or the commencement of the use. For phased developments, each phase of landscaping shall be completed by the end of the first full growing season following completion of that particular phase of development.

11.1.17 When providing plant material in the vicinity of busy roadways and highways, salt tolerable plants shall be considered by the Development Authority.

11.2 LANDSCAPE PLAN

11.2.1 No landscaping work shall be commenced unless a landscaping plan is approved by the Development Authority. The level of information provided in the landscaping plan shall be at the discretion of the Development Authority and shall include the following:

a) boundaries and dimensions of the site and adjacent land uses;

b) location of adjacent sidewalks, trails, driveway entrances, alleys, and the location and name of adjacent roads;

c) footprint and dimensions for all buildings or structures;

d) location of any utility lines or rights-of-way;

e) location and description or illustrations of all existing or proposed physical features, including fences, flower beds, berm contours, permanent outdoor furniture, decorative paving, water features; or

f) location of all existing and proposed plant materials, with a descriptive list identifying the common and botanical name, quantity, and size at planting.

11.2.2 Any changes to an approved landscape plan must be approved in writing by the Development Authority prior to the installation of the landscaping.

11.3 ENVIRONMENTAL CONSERVATION AND PROTECTION OF NATURAL AREAS

11.3.1 On-site environmental conservation and protection of natural areas shall be encouraged wherever possible in all new and existing developments. To the satisfaction of the Development Authority, in consultation with County Administration, the following natural elements shall be conserved to the greatest extent possible:

a) swamps, and natural drainage courses;

b) unstable land;

c) land subject to flooding by a 1:100-year flood; and

d) existing trees and shrubs.

11.4 LANDSCAPING VARIANCES

11.4.1 The Development Authority may, where the Development Authority considers it appropriate, vary the landscaping regulations of this Bylaw.

12 LAND USE DISTRICTS – USES & REGULATIONS

12.1 ESTABLISHMENT OF LAND USE DISTRICTS

12.1.1 For the purpose of this Bylaw, Lamont County is divided into the following Districts:

a) Agricultural (A) District
b) Hamlet (H) District
c) Country Residential (CR) District
d) Commercial (C) District
e) Heartland Heavy Industrial (HHI) District
f) Heartland Light / Medium Industrial / Highway Commercial (HLMI/HC) District
g) Heartland Agriculture Industrial (HAI) District
h) Rural Agricultural Industrial (RAI) District
i) Environmental Conservation (EC) District
j) Direct Control (DC) District

12.1.2 The boundaries of the Districts listed in subsection 1 are as delineated in Part 14, the Land Use District Map.

12.1.3 Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following rules shall apply:

a) Rule 1: Where a boundary is shown as following a highway, road, lane, or watercourse, it shall be deemed to follow the centre line thereof;
b) Rule 2: Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line; and
c) Rule 3: In circumstances not covered by Rule 1 or 2, the location of the boundary shall be determined:
    i. where dimensions are set out on the Land Use District Map, by the dimensions so set; or
    ii. where no dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.

12.1.4 Where the application of the above rules does not determine the exact location of the boundary of a District, Council either by motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, shall fix the portion of the District boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.

12.1.5 After Council has fixed a District boundary pursuant to the provisions of Section 12.1.4, the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.

12.1.6 The Development Authority shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by Council.

12.2 AGRICULTURAL (A) DISTRICT

12.2.1 Purpose

The purpose of this district is to protect and promote activities associated with agricultural production as well as the extraction and production of natural resources, and to conserve, where practical, large tracts of higher capability agricultural lands. Those uses that may have more of an impact on the lands are identified as discretionary so they may be considered taking site specific impacts into account.

12.2.2 Uses

Permitted	Discretionary
Accessory Building	Abattoir **(Bylaw 886.25)**
Dwelling, Single Detached	Abattoir, On Farm **(Bylaw 886.25)**
Extensive Agriculture	Accessory Use
Intensive Agriculture	Aerodrome
Public Utilities	Animal Grooming Facility
Public Utilities Building	Auctioneering Facility
	Bed and Breakfast Establishment
	Cemetery
	Commercial Development, at the location legally described as Ptn NE 10-53-19-W4 **(Bylaw 879.24)**
	Communication Tower Facility
	Contractor Service, General
	Cultural Facility
	Dwelling, Secondary
	Feed Mill and Grain Elevator
	Government Service
	Greenhouse, Plant Nursery, and Market Garden
	Group Care Facility
	Group Care Facility, Limited
	Guest Ranch
	Heavy Industrial, limited to heavy industrial uses located at the following location legally described as: SW 9-57-20-W4 **(Bylaw 886.25)**

Permitted	Discretionary
	Home Occupation, Major
	Home Occupation, Minor
	Kennels
	Landfill
	Natural Resource Extraction
	Outdoor Storage **(Bylaw 886.25)**
	Places of Worship
	Recreation Facilities
	Riding and Boarding Facility
	Signs
	Solar Energy Systems
	Tourist Campground **(Bylaw 886.25)**
	Tourist Home
	Veterinary Hospital
	Wind Energy Conversion System, as an accessory use

12.2.3 **Subdivision Regulations**

a) Lot Density

i. The maximum number of titled parcels per quarter section within the Agricultural District shall be four (4).

ii. The maximum number of agricultural parcels that may be allowed per quarter section in the Agricultural District shall be two (2). This would include either:

a) a split of the quarter section into two (2) 32.0 ha (80.0 ac) parcels; or

b) a physically fragmented parcel.

iii. A further subdivision creating one rural residential parcel is permitted on each 32.0 ha (80.0 ac) half, measuring at least 0.81 ha (2.0 ac) and no more than 4.0 ha (10.0 ac). Subject to demonstrating to the satisfaction of the Subdivision Authority:

a) that the parcel contains a suitable building site that can accommodate on-site sewage disposal and water services;

b) the residential parcel and the remaining agricultural parcel each have legal and physical access to a developed public road; and

c) the proposed residential subdivision is not within the minimum setback distance of a Confined Feeding Operation.

iv. Notwithstanding Section 12.2.3(a)(iii), the Subdivision Authority may approve a rural residential parcel larger than 4.0 ha (10.0 ac) if the subject parcel is affected by shelterbelts, fences, driveways, or other physical features, or it is located on land that is very poor quality for farming.

v. The subdivision of fragmented parcels, defined as those parcels that are separated from the balance of the existing titled area by a natural or manmade feature (such as a river, creek, permanent and naturally occurring waterbody, county road, highway, or railway) may be considered, subject to the following criteria:

a) it can be demonstrated to the Subdivision Authority's satisfaction that the size or characteristics of the fragmented lands mean the lands cannot reasonably be accessed or used with the balance of the title;

b) the subdivision would not interfere with the continued agricultural use or operations on the balance of the lands;

c) the fragmented parcel and the remainder parcel each have legal and physical access to a developed public road;

d) the parcel is suitably sized for the intended development and use and contains a suitable building site that can accommodate on-site sewage disposal and water services; and

e) the subdivision does not result in more than four (4) titled parcels per quarter section.

vi. A fragmented parcel may be considered as rural residential parcel despite not meeting the parcel size requirements of policy 12.2.3.a) ii., but still must meet the requirements of policy 12.2.3.a) iii.

12.2.4 **Development Regulations**

a) Minimum Yard Dimensions

i. Minimum Front Yards

a) Municipal Road – 35.0 m (115.0 ft) from the property line;

ii. Minimum Side Yards – 18.3 m (60.0 ft), or as required by the Development Authority;

iii. Minimum Rear Yards - 18.3 m (60.0 ft), or as required by the Development Authority;

iv. Notwithstanding subsections 12.2.4.a) i., ii., and iii. above, where there is an intersection or sharp curve, the minimum yard requirements shown in Figures 15-1 to 15-4 of this Bylaw shall apply.

b) Minimum Floor Area

i. Single Detached Dwelling – 69.7 m^2 (750.0 ft^2)

12.2.5 **Additional Development Regulations**

a) The County will encourage and direct subdivision and development in a manner that protects and conserves natural resources for future extraction.

b) Residential parcels in the Agricultural District should not be allowed on lands situated closer than:

i. such distances from the boundary of land containing an extractive industry, potentially noxious industry and other developments or uses detrimental to residential development to the satisfaction of the Development Authority;

ii. the distances from the boundary of parcels containing a sewage treatment plant or lagoon or solid waste disposal site as specified by the appropriate guidelines or authority;

iii. the minimum distance separation from the facilities of an approved or proposed confined feeding operation which requires a registration or an approval under the Agricultural Operation Practices Act; and

iv. in the case of sour gas wells, pipelines and ancillary facilities, a distance in conformity with residential subdivision restrictions of the Alberta Energy Regulator. The applicant shall be required to contact the Alberta Energy Regulator with regards to required setbacks.

c) As well, residential parcels in the Agricultural District shall not normally be allowed:

i. within an area likely to be subject to high levels of noise from industry, transportation facilities, or other sources;

ii. in close proximity to a resource extraction operation;

iii. within a 1 in 100-year flood plain;

iv. adjacent to river banks, unless the banks are determined to be stable through a geotechnical analysis of the slope stability by a registered professional engineer, and unless the landowner/developer takes all responsibility for undertaking any works designed to ensure or enhance stability during the construction period and occupation of the land.

d) All uses shall also comply with the requirements of Sections 7 through 11 of this Bylaw.

12.3 HAMLET (H) DISTRICT

12.3.1 Purpose

The purpose of this district is to allow a variety of urban type uses within the hamlets of Hilliard, St. Michael, Star, Whitford, and Wostock.

12.3.2 Uses

Permitted	Discretionary
Accessory Building, under 55 m^2 in size	Accessory Building, 55 m^2 or larger in size
Dwelling, Single Detached	Accessory Use
Public Services	Adult Care Residence
Public Utility	Animal Grooming Facility
Public Utility Building	Automotive and Equipment Sale, Repair, Rental and Storage
	Automotive Gas Bar
	Bed and Breakfast Establishment
	Business Support Service
	Cannabis Retail Sales
	Cemetery
	Commercial School
	Communication Tower Facility
	Contractor Service, General
	Contractor Service, Limited
	Cultural Facility
	Eating and Drinking Establishment
	Education Services
	Extended Medical Treatment Facility
	Funeral Home
	Government Service
	Group Care Facility
	Group Care Facility, Limited
	Health Service
	Home Occupation, Major
	Home Occupation, Minor

Permitted	Discretionary
	Hotel
	Indoor Amusement Establishment
	Liquor Store
	Motel
	Personal Service Establishment
	Place of Worship
	Professional, Financial, and Administrative Office
	Recreation Facilities
	Recycling Depot
	Retail, Major
	Retail, Minor
	Service Station
	Signs
	Solar Energy Systems
	Tourist Information Centre
	Veterinary Clinic

12.3.3 **Subdivision Regulations**

e) Minimum Lot Area

i. Single detached dwelling

	Width	Area
Unserviced	30.5 m (100.0 ft)	1858.0 m^2 (20,000 ft^2)
Both Services	15.24 m (50.0 ft)	557.4 m^2 (6,000 ft^2)
Sewerage only	30.5 m (100.0 ft)	929.0 m^2 (10,000 ft^2)
Water only	30.5 m (100.0 ft)	1393.5 m^2 (15,000 ft^2)

ii. All other uses - as required by the Subdivision Authority

12.3.4 **Development Regulations**

a) Minimum Floor Area
   i. Single detached dwelling – 69.7 m^2 (750.0 ft^2)
   ii. All other uses - as required by the Development Authority

b) Minimum Yard Dimensions
   i. Residential
      a) Front yard – 4.6 m (15.0 ft)
      b) Rear yard – 7.6 m (25.0 ft)
      c) Side yard - 10% of lot width, but not less than 1.52 m (5.0 ft) each
   ii. Commercial
      a) Retail stores adjacent to existing similar uses may be built without front or side yards where there is lane access. Where there is no lane access, one side yard of at least 4.6 m (15.0 ft) shall be provided.
   iii. All other uses - as required by the Development Authority

c) Building Height
   i. Residential
      a) The maximum height shall not exceed 10.1 m (33.1 ft) for principal building;
      b) The maximum height of an accessory building shall not exceed 6.1 m (20.0 ft); and
      c) Where a principal building is less than 6.1 m in height, the accessory building shall be no higher in height than the principal building.
   ii. All other uses – as required by the Development Authority

12.3.5 **Parcel Coverage Regulations**

a) Parcel coverage shall be calculated for development permit applications within the Hamlet (H) District.

b) Parcel coverage shall be calculated by dividing the total amount of building footprint on a parcel by the total parcel area.

c) For the purpose of calculating parcel coverage, the building footprint shall include:
   i. the principal building;
   ii. any garage building or carport;
   iii. any porch or veranda;
   iv. any floor area of an upper storey that projects beyond the perimeter of the ground floor;
   v. area of a deck that is 0.6 m (2.0 ft) or greater in height above grade;
   vi. any accessory building that is on a permanent foundation or is 18.0 m^2 (193.8 ft^2) or greater in size.

d) For the purpose of calculating parcel coverage the building footprint shall not include:

i. any permitted encroachments in accordance with Section 7.10;

ii. hard landscaping;

iii. decks that are less than 0.6 m (2.0 ft) above grade;

iv. accessory buildings that are not on a permanent foundation and is less than 18.0 m^2 (193.8 ft^2).

12.3.6 **Additional Development Regulations**

a) Minimum Servicing Standards

i. All development must be provided with water and sanitary facilities pursuant to the appropriate Provincial regulations.

b) Keeping of Animals

i. The keeping of animals, livestock, or poultry, with the exception of dogs, cats and such other domestic pets as are typically kept indoors, is prohibited on any parcel of land in this District, unless otherwise regulated through an animal bylaw.

ii. The total number of domestic pets per lot shall not exceed four (4), of which not more than two (2) shall be dogs.

iii. Offspring dependent on their mothers for nursing are exempt from the regulations of this Section. However, if upon weaning the number of animals exceeds the figures provided in Subsection 12.3.6.b) ii., a development permit for the increase shall be made to the Development Authority.

iv. Any dogs, cats and other domestic pets kept on site must be controlled so that they do not create a nuisance.

v. No domestic pets are to be kept on a commercial basis.

c) All uses shall also comply with the requirements of Sections 7 through 11 of this Bylaw.

12.4 COUNTRY RESIDENTIAL (CR) DISTRICT

12.4.1 Purpose

The purpose of this district is to provide opportunities for the development of multi-lot country residential subdivisions.

12.4.2 Uses

Permitted	Discretionary
Accessory Building, under 55 m^2 in size	Accessory Building, 55 m^2 or larger in size
Dwelling, Single Detached	Accessory Use
Public Utility	Bed and Breakfast Establishment
Public Utility Building	Day Home
	Guest Ranch, limited to guest ranch uses located on the lot legally described as Plan 4747RS, Block 10
	Home Occupation, Major
	Home Occupation, Minor
	Recreation Facilities
	Tourist Home

12.4.3 Subdivision Regulations

a) Minimum Lot Area
   i. Single detached dwelling – 1.0 ha (2.5 ac). of developable land
   ii. All other uses - as required by the Subdivision Authority

b) Maximum Lot Area
   iii. Single detached dwelling – 2.0 ha (5.0 ac) of developable land

12.4.4 Development Regulations

a) Minimum Floor Area
   i. Single detached dwelling:
      a) one storey - 111.5 m^2 (1200.0 ft^2), or as required by the Development Authority;
      b) one and one-half or two storey – 148.6 m^2 (1600.0 ft^2), or as required by the Development Authority
   ii. All other uses - as required by the Development Authority

b) Minimum Yard Dimensions

iii. From internal subdivision roads:

a) Single detached dwelling:

I) Front yard - 7.6 m (25.0 ft)

II) Rear yard - 7.6 m (25.0 ft)

III) Side yard - 6.1 m (20.0 ft)

b) All other uses - as required by the Development Authority

iv. From other municipal roads – 35.0 m (115.0 ft) from property line

12.4.5 **Additional Development Regulations**

a) Minimum Servicing Standards

i. All development must be provided with water and sanitary facilities pursuant to the appropriate Provincial regulations.

b) Keeping of Animals

i. The total number of domestic pets per lot shall not exceed four (4), of which not more than two (2) shall be dogs.

ii. The total number of horses shall not exceed one (1) horse per 1.0 ha (2.5 acres).

iii. The keeping of no other livestock shall be allowed on any parcel of land in this District.

iv. Offspring dependent on their mothers for nursing are exempt from the regulations of this Section. However, if upon weaning, the number of animals exceeds the figures provided in Subsections 12.4.5.b) i. and 12.4.5.b) iii., a development permit for the increase shall be made to the Development Authority. The Development Authority may, at its discretion, allow additional domestic pets and/or livestock, giving due regard to the abutting land uses.

c) All uses shall also comply with the requirements of Sections 7 through 11 of this Bylaw.

12.5 COMMERCIAL (C) DISTRICT

12.5.1 Purpose

The purpose of this district is to regulate the development of those commercial developments that may require large tracts of land. No use shall be allowed in this District if the Development Authority considers it to possess objectionable, dangerous, or potentially hazardous conditions. The Commercial (C) District shall be limited to those properties legally described as: Plan 1425431, Lot 1, Block 1; Plan 8621724, Block A; Plan 8222652, Lot 1; and Plan 1023746, Block 1, Lot 1A.

12.5.2 Uses

Permitted	Discretionary
Extensive agriculture	Accessory Buildings
	Accessory Uses
	Bulk Agricultural Chemical Distribution, located on the lot legally as Plan 1023746 Block 1 Lot 1A.
	Communication Tower Facility, located on the lot legally as Plan 1425431 Lot 1 Block 1
	Contractor Service, General
	Contractor Service, Limited
	Surveillance suites

12.5.3 Subdivision Regulations

a) Minimum Lot Area
   i. As determined by the Subdivision Authority

12.5.4 Development Regulations

a) Minimum Yard Dimensions
   i. Minimum Front Yards
      a) Municipal Road – 35.0 m (115.0 ft) from property line
   ii. Minimum Side Yards – 18.3 m (60.0 ft), or as required by the Development Authority
   iii. Minimum Rear Yards – 18.3 m (60.0 ft), or as required by the Development Authority
   iv. In the case of an internal road system, the minimum yard dimensions shall be established by the Development Authority

v. Notwithstanding subsections 12.5.4.a) i., ii., and iii., where there is an intersection or sharp curve, the minimum yard requirements shown in Figures 15-1 to 15-4 of this Bylaw shall apply.

12.5.5 **Additional Development Regulations**

a) The Commercial (C) District shall be limited to those properties legally described as: Plan 1425431, Lot 1 Block 1; NW 30-54-18-W4; Plan 8222652, Lot 1; and Plan 1023746, Block 1, Lot A.

b) Landscaping

i. The Development Authority may require landscaping, to his satisfaction between any development in this District and any adjacent residential development.

c) All uses shall also comply with the requirements of Sections 7 through 11 of this Bylaw.

12.6 HEARTLAND HEAVY INDUSTRIAL (HHI) DISTRICT

12.6.1 Purpose

The purpose of this district is to provide for heavy industrial activities within the Alberta's Industrial Heartland Area Structure Plan (ASP) that may have large land requirements and result in nuisance and risk impacts off-site.

12.6.2 Uses

Permitted	Discretionary
Accessory Building, under 55 m^2 in size	Accessory Building, 55 m^2 or larger in size
Extensive Agriculture	Accessory Uses
Industrial, Heavy (refer to Section 12.6.5 (b) (c) (d) for further clarification)	Communication Tower Facility
Industrial, Heavy Petrochemical (refer to Section 12.6.5 (b) (c) (d). for further clarification)	Dwelling, Single Detached, existing as of May 8, 2018
Public Utilities	Industrial, Light
Public Utilities Building	Industrial, Medium
Railway Spur	Natural Resource Extraction
Railway Yard	Signs
Temporary Asphalt / Concrete Batch Plant	Surveillance Suites
Transloading Facility	Solar Energy Systems
Warehousing and Storage	Solar Farm, as an accessory use
	Wind Energy Conversion Systems, as an accessory use
	Work Camps

12.6.3 Subdivision Regulations

a) Lot Density

i. Subdivision is allowed for permitted and discretionary uses, with parcel sizes and numbers at the discretion of the Subdivision Authority.

ii. Subdivision of an existing farmstead that includes a dwelling, existing as of the May 8, 2018, from a previously unsubdivided quarter section is allowed if the proposed parcel is a minimum of 1.0 ha (2.5 ac) and a maximum of 4.1 ha (10.0 ac) in area.

iii. Quarter section splits into two approximately 32.4 ha (80.0 ac) parcels are allowed.

b) Minimum Lot Area

i. As required by the Development Authority

12.6.4 **Development Regulations**

a) Minimum Yard Dimensions

i. Minimum Front Yards

a) Municipal Road – 35.0 m (115.0 ft) from property line, or as required by the Development Authority

ii. Minimum Side Yards - 18.3 m (60.0 ft), or as required by the Development Authority

iii. Minimum Rear Yards - 18.3 m (60.0 ft), or as required by the Development Authority

iv. In the case of an internal road system, the minimum yard dimensions shall be as established by the Development Authority.

v. Notwithstanding subsections 12.6.4.a) i., ii., and iii. above, where there is an intersection or sharp curve, the minimum yard requirements in Figures 15-1 to 15-4 of this Bylaw shall apply.

12.6.5 **Additional Development Regulations**

a) Notwithstanding any other provision of this Bylaw to the contrary, as a condition of a development permit approval for an industrial use, on a site where an existing single detached dwelling is located, the existing single detached dwelling shall no longer be permitted as a dwelling. The building may be used as a surveillance suite at the discretion of the Development Authority.

b) Notwithstanding any other provision of this Bylaw to the contrary, heavy petrochemical industrial uses will not be allowed within the SE 36-55-20-W4, the NE, S ½ NW, SE, and SW 31-55-19-W4 and Section 32-55-19-W4. Heavy petrochemical industrial uses will only be allowed within Section 25-55-20-W4 if a risk assessment is provided to the Development Authority that shows, using the criteria, formulations and processes described by the Major Industrial Accidents Council of Canada (MIACC), that the risk of a human fatality from an incident such as a fire, explosion or leak of or from any material or process to be located or used within the heavy petrochemical industrial use that exceeds 1:1,000,000 in one year does not extend beyond the southern and eastern boundaries of Section 25-55-20-W4.

c) New heavy industrial development within 3.0 km of the Town of Bruderheim or the Town of Lamont will demonstrate through a MIACC-style risk assessment that the risk of a human fatality from an incident such as fire, explosion, or leak from any material or process to be located or used that exceeds 1:1,000,000 in one year does not extend beyond the boundaries of the subject parcel, to the satisfaction of the County.

d) Risk and nuisance impacts from uses within this District shall not extend beyond the Town of Lamont or the Town of Bruderheim boundary.

e) The County will encourage and direct subdivision and development in a manner that protects and conserves natural resources for future extraction.

f) The Development Authority shall require applicants to provide environmental, safety, and/or risk assessments where there are potential effects or risks associated with the proposed development.

g) Dwellings and accessory buildings can be maintained and upgraded. Except within areas prone to erosion, subsidence, flooding, particularly within the 1:100-year flood plain, existing dwellings will be permitted to be rebuilt if destroyed. No new dwellings shall be allowed.

h) Parking, loading, service, and storage areas shall be screened from view from roadways and residential uses to the satisfaction of the County.

i) Landscaping

   i. The Development Authority may require landscaping, to his satisfaction, in the form of fences, berms, vegetation, or any other material he, in his sole discretion, deems reasonable, between any development in this District and any adjacent residential development.

j) All uses shall also comply with the requirements of Sections 7 through 11 of this Bylaw.

12.7 HEARTLAND LIGHT / MEDIUM INDUSTRIAL / HIGHWAY COMMERCIAL (HLMI/HC) DISTRICT

12.7.1 Purpose

The purpose of this district is to provide for compatible light and medium industrial activities within the Alberta's Industrial Heartland Area Structure Plan (ASP) without nuisance impacts off-site, as well as highway commercial uses.

12.7.2 Uses

Permitted	Discretionary
Accessory Building, under 55 m^2 in size	Accessory Building, 55 m^2 or larger in size
Eating and Drinking Establishment	Accessory Use
Extensive Agriculture	Auctioneering Facility
Industrial, Light	Automotive and Equipment Sale, Repair, Rental and Storage
Industrial, Medium	Bulk Agricultural Chemical Distribution
Public Utility	Bulk Fuel Depot
Public Utility Building	Business Support Service
Service Station	Communication Tower Facility
Warehousing and Storage	Contractor Service, General
	Contractor Service, Limited
	Crematorium
	Dwelling, Single Detached, existing as of May 8, 2018
	Farm and Industrial Machinery Sale, Rental, and Service
	Feed Mill and Grain Elevator
	Home Occupation, Major
	Hotel
	Kennel
	Motel
	Natural Resource Extraction
	Outdoor Storage
	Public Services
	Salvage Yard

Permitted	Discretionary
	Signs
	Solar Energy Conversion Systems
	Solar Farm, as an accessory use
	Surveillance Suite
	Wind Energy Conversion Systems, as an accessory use
	Work Camp

12.7.3 **Subdivision Regulations**

a) Lot Density

i. Subdivision is allowed for permitted and discretionary uses, with parcel sizes and numbers at the discretion of the Subdivision Authority.

ii. Subdivision of an existing farmstead that includes a dwelling existing as of the May 8, 2018, from a previously unsubdivided quarter section is allowed if the proposed parcel is a minimum of 1.0 ha (2.5 ac) and a maximum of 4.1 ha (10.0 ac) in area.

iii. Quarter section splits into two approximately 32.4 ha (80.0 ac) parcels are allowed.

b) Minimum Lot Area

i. As determined by the Subdivision Authority

12.7.4 **Development Regulations**

a) Minimum Yard Dimensions

i. Minimum Front Yards

a) Municipal Road – 35.0 m (115.0 ft) from the property line, or as required by the Development Authority

ii. Minimum Side Yards - 18.3 m (60.0 ft), or as required by the Development Authority

iii. Minimum Rear Yards - 18.3 m (60.0 ft), or as required by the Development Authority

iv. In the case of an internal road system, the minimum yard dimensions shall be as established by the Development Authority.

v. Notwithstanding subsections 12.7.4.a) i., ii., and iii, where there is an intersection or sharp curve, the minimum yard requirements shown in Figures 15-1 to 15-4 of this Bylaw shall apply.

12.7.5 **Additional Development Regulations**

a) Notwithstanding any other provision of this Bylaw to the contrary, as a condition of a development permit approval for an industrial use, on a site where an existing single detached dwelling is located, the existing single detached dwelling shall no longer be

permitted as a dwelling. The building may be used as a surveillance suite at the discretion of the Development Authority.

b) Uses within this District shall not create any nuisance effects beyond the boundary of the subject site.

c) The Development Authority shall require applicants to provide environmental, safety, and/or risk assessments where there are potential effects or risks associated with the proposed development.

d) The County will encourage and direct subdivision and development in a manner that protects and conserves natural resources for future extraction, recognizes the business/industrial intent of the area, and allows for compatibility with and sensitivity to residential uses.

e) Dwellings and accessory agriculture buildings can be maintained and upgraded. Except within areas prone to erosion, subsidence, flooding, particularly within the 1:100-year flood plain, existing dwellings will be permitted to be rebuilt if destroyed. No new dwellings shall be allowed.

f) Notwithstanding any regulations to the contrary in this Bylaw, highway commercial uses, such as but not limited to hotels, motels, service stations, and eating and drinking establishments in this District shall be located within one quarter section of a highway.

g) Parking, loading, service, and storage areas shall be screened from view from roadways and residential uses to the satisfaction of the County.

h) All uses shall also comply with the requirements of Sections 7 through 11 of this Bylaw.

12.8 HEARTLAND AGRICULTURE INDUSTRIAL (HAI) DISTRICT

12.8.1 Purpose

The purpose of this district is to foster agricultural and less intensive industrial development within Alberta's Industrial Heartland Area Structure Plan (ASP). Uses will be compatible with adjacent heavy industrial or light/medium uses and will provide a transition buffer between heavy industrial activities with nuisance impacts and those uses in the surrounding agricultural district.

12.8.2 Uses

Permitted	Discretionary
Accessory Building, under 55 m^2 in size	Abattoir **(Bylaw 886.25)**
Dwelling, Single Detached	Abattoir, On Farm **(Bylaw 886.25)**
Extensive Agriculture	Accessory Building, 55 m^2 or larger in size
Industrial, Light	Accessory Use
Intensive Agriculture	Auctioneering Facility
Public Utility	Automotive and Equipment Sale, Repair, Rental and Storage
Public Utility Building	Automotive Gas Bar
	Bulk Agricultural Chemical Distribution
	Business Support Service
	Cemetery, existing as of May 8, 2018
	Communication Tower Facilities
	Contractor Service, General
	Contractor Service, Limited
	Dwelling, Secondary
	Eating and Drinking Establishment
	Farm and Industrial Machinery Sale, Rental, and Service
	Feed Mill and Grain Elevator
	Greenhouse, Plant Nursery, and Market Garden
	Kennel
	Heavy Industrial, limited to heavy industrial uses located at the location legally described as NW 4-57-20-W4 **(Bylaw 886.25)**
	Home Occupation, Major

Permitted	Discretionary
	Home Occupation, Minor
	Natural Resource Extraction
	Place of Worship, existing as of May 8, 2018
	Public Services
	Rail Spur
	Rail Yard
	Recreation Facilities
	Seed Cleaning Plant
	Service Station
	Signs
	Solar Energy Conversion Systems
	Solar Farm, as an accessory use
	Surveillance Suite
	Transloading Facility
	Wind Energy Conversion Systems, as an accessory use

12.8.3 **Subdivision Regulations**

a) Lot Density

i. Subdivision is allowed for permitted and discretionary uses, with parcel sizes and numbers at the discretion of the Subdivision Authority.

ii. Notwithstanding 12.8.3.a) i. the maximum number of titled parcels per quarter section for agricultural and rural residential parcels shall be per the subdivision regulations in the Agricultural (A) District of this Bylaw.

12.8.4 **Development Regulations**

a) Minimum Lot Area

i. As determined by the Subdivision Authority

b) Minimum Yard Dimensions

i. Minimum Front Yards

a) Municipal Road – 35.0 m (115.0 ft) from the property line, or as required by the Development Authority

ii. Minimum Side Yards – 18.3 m (60.0 ft), or as required by the Development Authority

iii. Minimum Rear Yards - 18.3 m (60.0 ft), or as required by the Development Authority

iv. Notwithstanding subsections 12.8.4.b) I, 12.8.5.b) ii., and 12.84.b) iii. above, where there is an intersection or sharp curve, the minimum yard requirements shown in Figures 15-1 to 15-4 of this Bylaw shall apply.

c) Minimum Floor Area

i. Dwelling, Single Detached – 69.7 m^2 (750 ft^2)

12.8.5 **Additional Development Regulations**

a) The County will encourage and direct subdivision and development in a manner that protects and conserves natural resources for future extraction.

b) Notwithstanding any other provision of this Bylaw to the contrary, no more than one (1) dwelling shall be allowed on each lot.

c) Existing places of worship and cemeteries can be maintained and upgraded and will be permitted to be rebuilt if destroyed. No new places of worship or cemeteries shall be allowed.

d) The Development Authority shall require applicants to provide environmental, safety, and/or risk assessments where there are potential effects or risks associated with the proposed development.

e) Parking, loading, service, and storage areas shall be screened from view from adjacent roadways and residential uses to the satisfaction of the Development Authority.

f) All uses shall also comply with the requirements of Sections 7 through 11 of this Bylaw.

12.9 RURAL AGRICULTURAL INDUSTRIAL (RAI) DISTRICT

12.9.1 Purpose

The purpose of this district is to provide for value added agricultural related industry that involve the further processing and a higher level of refinement of locally produced agricultural products and commercial support services to agricultural operations. This district shall be strategically located along major transportation routes to facilitate efficient delivery and marketing of the final product.

12.9.2 Permitted Uses

Permitted	Discretionary
Accessory Building, under 55 m^2 in size	Accessory Building, 55 m^2 or larger in size
Agricultural Processing, Limited	Accessory Use
Extensive Agriculture	Abattoir
Farm and Industrial Machinery Sale, Rental, and Service	Abattoir, On Farm **(Bylaw 886.25)**
Feed Mill and Grain Elevator	Agricultural Processing
Public Utilities	Auctioneering Facility
Public Utility Building	Bulk Agricultural Chemical Distribution
	Cannabis Production Facility
	Communication Tower Facilities
	Greenhouse, Plant Nursery, and Market Garden
	Natural Resource Extraction
	Outdoor Storage **(Bylaw 886.25)**
	Seed Cleaning Plant
	Service Station
	Signs
	Solar Energy Conversion Systems
	Solar Farm, as an accessory use
	Surveillance Suite
	Veterinary Hospital
	Wind Energy Conversion Systems, as an accessory use
	Warehousing and Storage

12.9.3 **Subdivision Regulations**

a) Lot Density

i. Subdivision is allowed for permitted and discretionary uses, with parcel sizes and numbers at the discretion of the Subdivision Authority.

12.9.4 **Development Regulations**

a) Minimum Lot Area

i. The minimum lot area shall be as provided for elsewhere in this Bylaw, in the County's Municipal Development Plan, in any relevant Area Structure Plan, or as required by the Subdivision Authority.

b) Minimum Yard Dimensions

i. Minimum Front Yards

a) Municipal Road – 35.0 m (115.0 ft) from the property line, or as required by the Development Authority

ii. Minimum Side Yards – 18.3 m (60.0 ft), or as required by the Development Authority

iii. Minimum Rear Yards - 18.3 m (60.0 ft), or as required by the Development Authority

iv. In the case of an internal road system, the minimum yard dimensions shall be as established by the Development Authority.

v. Notwithstanding subsections 12.9.4.b) i., 12.9.4.b) ii., and 12.9.4.b) iii. above, where there is an intersection or sharp curve, the minimum yard requirements shown in Figures 15-1 to 15-4 of this Bylaw shall apply.

12.9.5 **Additional Development Regulations**

a) The County will encourage and direct subdivision and development in a manner that protects and conserves natural resources for future extraction.

b) The Development Authority shall require applicants to provide environmental, safety, and/or risk assessments where there are potential effects or risks associated with the proposed development.

c) Parking, loading, service, and storage areas shall be screened from view from adjacent roadways and residential uses to the satisfaction of the Development Authority.

d) All uses shall also comply with the requirements of Sections 7 through 11 of this Bylaw.

12.10 ENVIRONMENTAL CONSERVATION (EC) DISTRICT

12.10.1 **Purpose**

The purpose of this district is to provide for the preservation of environmentally sensitive lands.

12.10.2 **Uses**

Permitted	Discretionary
None	Buildings and uses accessory to discretionary uses
	Park
	Public Utilities

12.10.3 **Subdivision Regulations**

a) The minimum and maximum parcel area and density requirements shall be determined by the Subdivision Authority.

12.10.4 **Development Regulations**

a) Setbacks shall be determined by the Development Authority.

12.10.5 **Additional Development Regulations**

a) All uses shall also comply with the requirements of Sections 7 through 11 of this Bylaw.

12.11 DC – DIRECT CONTROL DISTRICT

12.11.1 **Purpose**

The purpose for this district is to provide for specific developments that due to unusual site constraints, innovative ideas, or unique characteristics require site specific controls where the application of conventional land use districts would be inappropriate or inadequate. This district is not intended to be a substitution for any other land use district in this Bylaw that could be used to achieve the same result.

12.11.2 **Uses**

a) In approving a Direct Control District, Council shall specify those uses that may be permitted or discretionary in the district.

12.11.3 **Direct Control District Regulations**

a) In approving this District, Council shall specify those regulations, in addition to the regulations within Section 7 through Section 11 of this Bylaw, which shall apply to uses in the district.

b) Minimum Parcel Area:

   i. All the land contained in the existing Certificate of Title, unless otherwise approved by the Development Authority, having regard to future use of the parcel and the form of future subdivision and development.

c) Each new Direct Control District shall be identified by DC after it is adopted by bylaw by Council.

d) A development permit shall only be issued for the uses prescribed in the Direct Control District applicable to the site.

12.11.4 **Administrative Provisions**

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

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

   ii. 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 the surrounding area and its compatibility with the scale and character of the surrounding development and use.

b) In addition to the information required in Section 5 of this Bylaw for an amendment application, the applicant shall also provide the following:

   i. Rationale explaining why the proposed district is desirable for the site having regard for the conditions list in Section 12.11.4.a) 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 any concerns;

iv. Plans and elevation drawings that would help substantiate the need for the district and establish the development standards that would apply to the site; and any other information as may be required by the Development Authority to evaluate the proposed development and its potential impacts; and.

v. Any other information as may be required by Council to evaluate the proposed development and its potential impacts.

c) Notwithstanding Section 12.11.4.b) above, Council may consider an application for this district if, in the opinion of Council, the application is of such a nature as to enable a decision to be added without all of the required information.

12.11.5 **Delegation of Authority**

a) In approving this district, Council shall specify which uses shall be decided upon by the Development Authority or by Council.

13 INTERPRETATION

13.1 DEFINITIONS

In this Bylaw

13.1.1.1 **ABATTOIR** means a lot or building where animals are slaughtered and butchered and may include packing, treatment, storing and sale of products. This use does not include Abattoir, On Farm. **(Bylaw 886.25)**

13.1.1.2 **ABATTOIR, ON FARM** means a lot where a landowner or tenant slaughters and/or processes animals for purpose of consumption in accordance with the Meat Inspection Act and Regulations and requires a valid Provincial On-Farm Slaughter License. This use does not allow sale of products. **(Bylaw 886.25)**

13.1.2 **ABUT OR ABUTTING** means immediately contiguous to, or physically touching, and when used with respect to a lot, means that the site physically touches upon another lot and shares a property line with it.

13.1.3 **ACCESSORY BUILDING** means a building separate and customarily subordinate and incidental to the principal use or building and which is located on the same parcel of land with such principal use or building.

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

13.1.5 **ACT** means the Municipal Government Act, RSA 2000 Chapter M-26 and any amendments thereto.

13.1.6 **ADJACENT LAND** means land or a portion of land that is contiguous to the parcel of land that is subject to a development permit or subdivision application and includes lands that would be contiguous if not for a public roadway, a highway, railway, railway, utility right-of-way, or reserve land.

13.1.7 **ADULT CARE RESIDENCE** means a building with two (2) or more accommodation units designed to provide long term housing wherein the adult residents, may be provided with meal services, and may receive such services as housekeeping and personal care assistance.

13.1.8 **AERODROME** means any area of land, water (including frozen surface thereof) or other supporting surface used or designed, prepared, equipped, or set apart for use either in whole or in part for the arrival and departure, movement or servicing of aircraft and includes any building, installations, and equipment in connection therewith. An aerodrome shall comply with the

Aeronautics Act and Canadian Aviation Regulations (as amended). There are three different categories of aerodromes, each presenting progressively different safety requirements. In order of ascending safety level, the categories are listed below:

a) aerodromes (small airstrips located on private property that are neither registered nor certified);

b) registered aerodromes and

c) certified aerodromes, referred to as airports.

13.1.9 **AGRICULTURAL OPERATION** means an agricultural operation as defined in the Agricultural Operations Practices Act.

13.1.10 **AGRICULTURAL PROCESSING** means the use of a building or land for the processing of agricultural and food products for distribution or sale. This use does not include abattoirs or cannabis production facilities.

13.1.11 **AGRICULTURAL PROCESSING, LIMITED** means on-site processing of products from an agricultural operation for distribution or sale, does not include the processing of the products from any other agricultural operation. This use does not include abattoirs or cannabis production facilities.

13.1.12 **ANIMAL GROOMING FACILITY** means a facility that provides a service for the care and appearance of domestic animals but does not include the breeding and overnight boarding of such animals.

13.1.13 **APPLICANT** means a landowner, landowner's designate, developer or builder who submits an application regarding the landowner's land.

13.1.14 **AREA STRUCTURE PLAN** means a plan adopted by Council pursuant to the Municipal Government Act, as amended from time to time, which provides a long-range framework for future subdivision and development of an undeveloped area of land, and describes the sequence of development, proposed land uses, proposed population density, and the general location of major transportation routes and public utilities.

13.1.15 **ASPHALT / CONCRETE BATCH PLANT** means a building that is used to make asphalt or concrete from aggregate materials.

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

13.1.17 **AUTOMOTIVE AND EQUIPMENT SALE, REPAIR, RENTAL AND STORAGE** means the sale, servicing, rental, mechanical repair, of automobiles, light trucks, and utility and recreational vehicles, motorcycles, snowmobiles, and similar vehicles, and the sale, installation, servicing, rental, or storage of related accessories and parts. This includes automobile, light truck, and

recreational vehicle dealerships, rental agencies, and motorcycle dealerships, transmission shops, muffler shops, tire shops, auto body repair shops, and automotive glass and upholstery shops and recreational vehicle storage yards.

13.1.18 **AUTOMOTIVE GAS BAR** means a development use for the sale of motor fuel, automotive fluids, lubricating oils, and may include associated convenience store products. The automotive gas bar may be full serve and/or self-serve and may include as an accessory use vehicle washing facilities. An automotive gas bar does not include auto repair or service as an accessory use.

13.1.19 **AWNING** means metal, canvas, or plastic sheet stretched and/or attached by supports from an exterior wall.

13.1.20 **BALCONY** means a platform attached to and projecting from the face of a building above the first storey, with or without a supporting structure, and normally surrounded by a balustrade or railing and uses as an outdoor porch or sundeck with access only from within the building.

13.1.21 **BED AND BREAKFAST ESTABLISHMENT** means a development within an owner-occupied dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of four (4) bedrooms, with or without meals, are provided for remuneration to members of the public.

13.1.22 **BIOPHYSICAL ASSESSMENT** means an assessment prepared by a certified professional of the biological and physical elements of an ecosystem, including geology, topography, hydrology, and soils.

13.1.23 **BUILDING** includes anything constructed or placed on, in, over, or under land but does not include a highway or road or a bridge forming part of a highway or road.

13.1.24 **BULK AGRICULTURAL CHEMICAL DISTRIBUTION** means the lands, buildings, and structures where fertilizers and other agricultural chemicals are for sale and storage in bulk.

13.1.25 **BULK FUEL DEPOT** means lands, buildings, and structures for the bulk storage and distribution of petroleum products and may include key lock retail sales. This does not include automotive gas bars or service stations.

13.1.26 **BUSINESS SUPPORT SERVICE** means development used to provide support services to businesses and which are characterized by one or more of the use of minor mechanical equipment for printing, duplicating, binding, or photographic processing; secretarial services; the provision of office maintenance or custodial services; the provision of office security; the sale, rental, repair, or servicing of office equipment, furniture, and machines; and the sale, rental, repair, or servicing of computers, cellular phones, and fax machines. Typical uses include, but are not limited to, printing establishments, testing laboratories, film processing establishments, janitorial firms, office equipment sales and repair establishments, and sign shops.

13.1.27 **BYLAW** means the Lamont County Land Use Bylaw.

13.1.28 **CANNABIS** means cannabis plant, dried cannabis, fresh cannabis, cannabis plants seeds, cannabis oil, including edible products containing cannabis, and any other substance defined in the Cannabis Act and its regulations, as amended from time to time.

13.1.29 **CANNABIS PRODUCTION FACILITY** means a facility authorized by a licence issued by Health Canada and used for activities such as the researching, testing, production, cultivation, processing (including the trimming, drying, or curing of raw materials), labeling, packaging, storing, destroying or distribution of cannabis or its by-products for commercial sale. This does not include cannabis retail sales.

13.1.30 **CANNABIS RETAIL SALES** means a retail store licensed by the Province of Alberta where non-medical cannabis and cannabis accessories are sold to individuals who attend at the premises.

13.1.31 **CARPORT** means a structure used for vehicle parking, with one edge of the roof attached to a building and the other edge supported by posts or poles and does not have more than 60% of the total perimeter enclosed by walls, doors, or windows.

13.1.32 **CEMETERY** means development of a parcel of land primarily as landscaped open space for the entombment of the deceased, and may include the following accessory developments, crematories, mausoleums. Typical uses include memorial parks, burial grounds, and gardens of remembrance.

13.1.33 **CHILD CARE SERVICE** means a development which is licensed by the Province of Alberta to provide daytime personal care, maintenance, supervision, or education without overnight accommodations, for seven (7) or more children, under the age of thirteen, at one (1) time for more than three (3) but less than twenty-four (24) consecutive hours in a day. Typical uses include daycare centres, day nurseries, kindergartens, nursery schools, play schools, drop-in centres, and out-of-school care. Childcare service does not include day homes.

13.1.34 **CO-LOCATION** means the placement of wireless communication facilities that are owned and operated by more than one carrier and located on the same supporting structure.

13.1.35 **COMMERCIAL DEVELOPMENT** means any development on private land that is not industrial or residential. Typical uses include, but is not limited to retail locations, restaurants, malls, business offices, or service stations,

13.1.36 **COMMERCIAL SCHOOL** means development used for training and instruction in a specific trade, skill, or service. This use class does not include schools defined as public education or private education. Typical uses include secretarial, business, hairdressing, beauty culture, dancing, or music schools.

13.1.37 **COMMUNICATION TOWER FACILITY** means a structure that is intended for transmitting or receiving television, radio, internet, or telephone communications.

13.1.38 **CONFINED FEEDING OPERATION** means a confined feeding operation as defined in the Agricultural Operation Practices Act.

13.1.39 **CONSERVATION EASEMENT** to an agreement registered against title whereby a landowner grants a municipality (or other government, government agency, or non-profit society with conservation objectives approved by the municipality) provisions for the protection, conservation, and enhancement of the environment.

13.1.40 **CONTRACTOR SERVICE, GENERAL** means development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, pluming, paving, road construction, sewer, or similar services of a construction nature which require on-site storage space for materials, construction equipment, or vehicles normally associated with the contractor service. Any sales, display, office, or technical support service areas shall be accessory to the principal general contractor use.

13.1.41 **CONTRACTOR SERVICE, LIMITED** mean a development used for the provision of electrical, plumbing, heating, painting, upholstery, catering and similar contractor services primary to individual households and the accessory sales of goods normally associated with contractor services where all materials are kept within and enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four (4) vehicles.

13.1.42 **COUNCIL** means the Council of Lamont County.

13.1.43 **COUNTY** means Lamont County.

13.1.44 **CREMATORIUM** means a development fitted with equipment for the purposes of the cremation of human remains or animal remains and may include associated facilities for the preparation of the dead human body or animal body for internment or cremation and facilities associated with conducting funeral services.

13.1.45 **CULTURAL FACILITY** means development for the collection of literary, artistic, musical, and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development intended for the public exhibition of live theatrical, musical or dance performances; or a development for the collection, preservation, and public exhibition of works or objects of historical, scientific, natural, or artistic value. Typical uses include, but are not limited to, public libraries, museums, art galleries, botanical gardens, archeological and cultural exhibits, auditoriums, theatres, and concert halls.

13.1.46 **DAY HOME** means a use accessory to a principal dwelling that may be licensed by the Province of Alberta to provide care and supervision, but not overnight accommodation, for a maximum of six (6) children including the provider's children at anyone (1) time. The care for non-resident children is for more than three (3) but less than twenty-four (24) consecutive hours in a day. A

day home shall supply an outside play space that is both fenced, gated, and shall meet all fire regulations and health regulations. Day homes do not include childcare service.

13.1.47 **DECK** means an uncovered or unenclosed amenity area, of wood frame or other construction, which may be attached to a dwelling.

13.1.48 **DECK, ENCLOSED** means a platform located at and attached to or abutting against the entrance to a residential building, completely covered by a roof and enclosed by fully intact glass and/or fully intact screens. Screens are framed wire mesh or framed plastic mesh used to prevent intrusion by insects but permitting air flow.

13.1.49 **DECK, COVERED** means a platform located at and attached to or abutting against the entrance to a residential building, covered by a roof and is partially enclosed so as to remain permanently open to the exterior environment.

13.1.50 **DESTROY** means, to ruin the structure, organic existence, or condition of a thing; to demolish; to injure or mutilate beyond possibility of use.

13.1.51 **DEVELOPMENT** means:

a) an excavation or stockpile and the creation of either of them,

b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or

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 building; or

e) the demolition or removal of a building; or

f) the placement of an already constructed or a partially constructed building on a parcel of land.

13.1.52 **DEVELOPMENT AUTHORITY** means the Development Authority established by this Bylaw pursuant to the Municipal Government Act.

13.1.53 **DEVELOPMENT PERMIT** means a document authorizing a development issued pursuant to this Bylaw.

13.1.54 **DISCRETIONARY USE** means the use of land, or a building provided for in this Bylaw for which a development permit may be issued upon an application having been made.

13.1.55 **DISTRICT** means an area of land designated on the Land Use Map for which a specific set of land uses and rules have been set forth in this Bylaw.

13.1.56 **DUGOUT** means an accessory development consisting of an excavation of earth, rock, concrete, or other material designed to retain water for household, landscaping, or general agriculture purposes. This does not include a lagoon for the purpose of processing wastewater. Anything designed for a depth shallower than 1.0 m (3.3 ft) may be considered an ornamental pond for landscaping purposes and does not require a development permit.

13.1.57 **DWELLING** means any building used exclusively for human habitation, whether or not it is supported on a permanent foundation or base extending below ground level.

13.1.58 **DWELLING, SECONDARY** means a development comprised of a second single detached dwelling on a parcel. The secondary dwelling is to be occupied by a person who is solely, or mainly, employed in an agricultural operation on the site or by a person who will provide personal care to, or require personal care from, the residents of the other dwelling on the site, provided that such personal care is necessary for compassionate reasons. The proposed dwelling must be in the same yard as the principal dwelling.

13.1.59 **DWELLING, SINGLE DETACHED** means a detached building containing only one (1) dwelling unit, designed exclusively for occupancy by one (1) household. This use includes modular homes and manufactured home units that conform to the Alberta Building Code but does not include mobile homes or portable trailers.

13.1.60 **EASEMENT** means a right given to another person or entity to trespass upon land that person or entity does not own. Easements are used for roads, for example given to utility companies for the right to bury cables or access utility lines (other examples, right-of-passage by pedestrians or vehicles, right to park vehicles, right of drainage, right to project eaves and guttering over a property boundary, etc.) or to prevent it from being used for certain purposes. An easement must be registered on the certificate of title of both parcels of land that are involved in the agreement. Easements run with the land.

13.1.61 **EATING AND DRINKING ESTABLISHMENT** means development used for eating and drinking where prepared food and beverages are offered for sale to the public, for consumption within the premises or off the site. Typical uses include pubs, restaurants, cafes, take-out and drive in restaurants, and banquet facilities.

13.1.62 **EDUCATIONAL SERVICES** means development involving assembly for educational, training, or instruction purposes, and includes administration offices, dormitory and accessory buildings required for the provision of such services on the same site. This use class includes public and separate schools, private schools, community colleges, universities, and technical and vocational schools, and their administrative offices. This use class does not include commercial schools.

13.1.63 **ENVIRONMENTAL IMPACT ASSESSMENT** is a report prepared by a certified professional that predicts and measures the environmental effects of development and identifies mitigation strategies to reduce or eliminate those effects.

13.1.64 **ENVIRONMENTAL RESERVE** refers to land registered with Land Titles and dedicated (given) to a municipality during the subdivision process for environmental reasons in accordance with the provisions of the Municipal Government Act.

13.1.65 **EXISTING** means existing as of the date of adoption of this Bylaw and any amendments thereto, as the context may require.

13.1.66 **EXTENDED MEDICAL TREATMENT SERVICE** means the provision of room, board, and surgical or other medical treatment for the sick, injured, or infirm, including outpatient services and accessory staff residences. Typical uses include hospitals, nursing homes, convalescent homes, and auxiliary hospitals.

13.1.67 **EXTENSIVE AGRICULTURE** means the use of land or buildings, including the first dwelling, modular home, or manufactured home, an agricultural operation which require large tracts of land (usually in the order of 32.4 ha (80 ac) or more), but not including intensive agriculture or confined feeding operations.

13.1.68 **FARM AND INDUSTRIAL MACHINERY SALE, RENTAL, AND SERVICE** means development used for the sale, rental, or service of heavy vehicles, machinery, or mechanical equipment typically used in building, roadway, pipeline, oilfield, and mining construction, manufacturing, assembling, and processing operations, and agricultural production.

13.1.69 **FARMSTEAD** means the dwelling and other improvements used in connection with extensive or intensive agriculture or a confined feeding operation, situated on a parcel of land used in connection with such farming operations.

13.1.70 **FEED MILL AND GRAIN ELEVATOR** means buildings in which animal feeds and grain are stored during shipment to or from farms and in which animal feeds may be prepared.

13.1.71 **FENCE** means a structure which may be used to prevent or restrict access or passage, to provide visual screening, noise attenuation, yard decoration, protection from elements or to mark a boundary and includes a gate.

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

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

13.1.74 **FUNERAL HOME** means premises for the preparation of the deceased for burial or cremation and the holding of memorial services, also includes the retail sales of associated products as secondary to the principal function. This includes funeral homes and undertaking establishments. This use does not include crematoriums.

13.1.75 **GEOTECHNICAL ASSESSMENT** is an assessment undertaken by a certified professional engineer of the earth's subsurface and the quality and/ or quantity of mitigative measures that would be necessary for development to occur.

13.1.76 **GEOTHERMAL ENERGY CONVERSION SYSTEM** means a device or system of devices designed to collect, store, and distribute thermal energy generated from the earth. Geothermal energy is a renewable source of energy that employs the use of a heat pump to warm or cool air by utilizing the constant temperatures of the earth.

13.1.77 **GOVERNMENT SERVICE** means a development where municipal, provincial, or federal services are provided directly to the public. Typical uses include municipal offices, provincial, and federal offices, courthouses, or post offices. This does not include public services, services, utility services, and education services.

13.1.78 **GRADE** means the elevation of the finished ground surface, not including any artificial embankment, the elevation of an entrance to stairways, or window wells.

13.1.79 **GRANDFATHERED DEVELOPMENT** means a legal use of land or buildings having been in existence and/or operational prior to adoption of the present Land Use Bylaw and is lawfully allowed to exist in its present state even though it may not comply with the uses or standards allowed within the present Land Use Bylaw.

13.1.80 **GREENHOUSE, PLANT NURSERY, AND MARKET GARDEN** means development for the growing, acclimating, propagating, harvesting, displaying, and selling of fruits, vegetables, bedding, household, and ornamental plants, and may include accessory uses related to the storing, displaying, and selling of gardening, nursery, and related products. The main part of the business must be plant related and any aggregate sales must be a minor accessory use. This use does not include cannabis production facility or cannabis retail sales.

13.1.81 **GROUP CARE FACILITY** means development consisting of the use of a building as a facility which is licensed, recognized, authorized, or certified by a public authority to provide resident services for the care or rehabilitation of seven (7) or more children, adolescents, or adults exclusive of staff. This use may include supervised uses such as group homes (all ages), halfway houses, resident facilities, and boarding homes.

13.1.82 **GROUP CARE FACILITY, LIMITED** means a development consisting of the use of a dwelling which is licensed, recognized, authorized, or certified by a public authority to provide resident services for the care or rehabilitation of six (6) or fewer individuals, exclusive of staff. This use may include boarding homes for children, group homes and family homes.

13.1.83 **GUEST RANCH** means a development of a private owner-occupied ranch house which includes sleeping facilities, which are rented on a daily basis to registered guests and meals are prepared in a residential kitchen.

13.1.84 **HAZARD LAND** means lands having inherent environmental hazards such as susceptibility to flooding and/or erosion, unstable soils, slippery slopes. These lands are not suitable for certain development because the hazards are severe enough to pose a potential risk of property damage and/or loss of life.

13.1.85 **HEALTH SERVICE** means development used for the provision of physical and mental health services on an out-patient basis. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Typical uses include medical and dental offices, health clinics, and counselling services.

13.1.86 **HEIGHT** means the vertical distance measured from the average grade immediately adjacent to the subject building to the highest point of the building, exclusive of any accessory roof construction such as a mechanical housing, an elevator housing, a ventilating fan, a skylight, a smokestack, a flagpole, a fire wall, a parapet wall, a chimney, a steeple, an antenna, or a similar device.

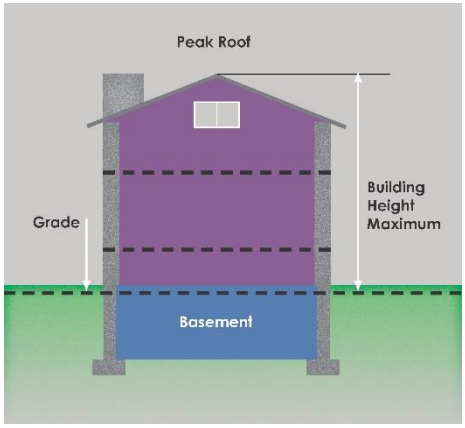


Figure 13-1: Height

13.1.87 **HIGHWAY** means a provincial highway under the Highways Development and Protection Act.

13.1.88 **HOME OCCUPATION, MINOR** means a secondary use of a principal dwelling, its accessory buildings, or combination thereof, by a least one (1) resident of the dwelling to conduct a business or activity or occupation. The secondary use shall not change the character of the residential building. It does not include:

a) any non-resident on-site employees;

b) more than four (4) business visits per day; and

c) any outside business activity or outdoor storage except in the Agricultural (A) District.

13.1.89 **HOME OCCUPATION, MAJOR** means an accessory use of a principal dwelling, its accessory buildings, or combination thereof, by a least one (1) resident of the dwelling to conduct a business or activity or occupation. It does not include:

a) more than two (2) non-resident employees working on the site.

b) more than four (4) business visits per day in all districts expect in the Agricultural (A) District where not more than eight (8) business visits per day are permitted.

c) interior or exterior alterations or additions, unless permitted at the discretion of the Development Authority.

13.1.90 **HOTEL** means development used for the provision of rooms or suites for temporary sleeping accommodation provided to the public and may be equipped with individual kitchen facilities. Rooms are accessed from a common interior corridor(s). Hotels may include accessory developments such as meeting rooms, eating and drinking establishments, retail stores, and personal service establishments.

13.1.91 **INDOOR AMUSEMENT ESTABLISHMENT** means an indoor facility within any building, room, or area in a commercial development having table games or electronic games played by patrons for entertainment. Typical uses include bingo halls, arcades, pool halls, casinos, or similar games.

13.1.92 **INDUSTRIAL DEVELOPMENT** means a development that involves a manufacturing or industrial process.

13.1.93 **INDUSTRIAL HEARTLAND AREA** means the area affected by the Alberta Industrial Heartland Area Structure Plan as adopted by Lamont County.

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

13.1.95 **INDUSTRIAL, HEAVY PETROCHEMICAL** means activities involved in the processing and manufacturing of petrochemicals, including oil and gas refining, which, in the sole opinion of the Development Authority, may emit a significant level of noise, smoke, dust, odour, vibration, etc., and which may not be compatible with the surrounding land use.

13.1.96 **INDUSTRIAL, LIGHT** means activities involved in:

a) the manufacturing, fabricating, processing or disassembly of materials, semi-finished goods, finished goods, food, beverages, products, or equipment, provided live animals are not involved in any aspect of the operation;

b) development used for industrial service support and construction;

c) the cleaning, servicing, repairing, or testing of materials, goods, and equipment normally associated with industrial or commercial businesses or cleaning, servicing, and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts;

d) the distribution and sale of materials, goods, and equipment to institutions or industrial and commercial businesses for their direct use or to general retail stores or other sales use classes defined in this Bylaw for resale to individual customers;

e) the storage or shipping of materials, goods, and equipment;

f) the training of personnel in general industrial operations; or

g) Notwithstanding the above, it may include any indoor display, office, technical or administrative support areas, or any sales operation accessory to the industrial general uses.

Which will not result in the emission of odours, dust, smoke, gas, noise, or vibration outside of the building in which the activity is carried on, and which is carried on entirely indoors, except for the storage of finished goods which may be located outdoors provided it is entirely screened from view. Notwithstanding the above, light industrial uses shall not include the outdoor storage of used goods or materials for any purposes. This use does not include cannabis production facility.

13.1.97 **INDUSTRIAL, MEDIUM** means the following activities:

a) the processing of raw or finished materials;

b) the manufacturing or assembling of goods, products, or equipment;

c) development used for industrial service support and construction;

d) the cleaning, servicing, repairing, or testing of materials, goods, and equipment normally associated with industrial or commercial businesses or cleaning, servicing, and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts;

e) the distribution and sale of materials, goods, and equipment to institutions or industrial and commercial businesses for their direct use or to general retail stores or other sales use classes defined in this Bylaw for resale to individual customers;

f) the storage or shipping of materials, goods, and equipment;

g) the training of personnel in general industrial operations; or

h) may have outdoor storage or activities;

i) Notwithstanding the above, it may include any indoor display, office, technical or administrative support areas, or any sales operation accessory to the industrial general uses.

This use includes only those developments where no significant nuisance factor is created or apparent beyond the boundaries of the site. This use does not include abattoir or cannabis production facility.

13.1.98 **INTENSIVE AGRICULTURE** means an agricultural operation raises crops on a land-intensive basis including tree farms and sod farms. Intensive agriculture does not include confined feeding operations and fur farms.

13.1.99 **INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD (ISDAB)** means the Intermunicipal Subdivision and Development Appeal Board established pursuant to the Municipal Government Act through Lamont County's Intermunicipal Subdivision and Development Appeal Board Bylaw.

13.1.100 **ISSUE** means the date a development permit or an order is dated and signed by the Development Authority.

13.1.101 **KENNEL** means any building in which more than four (4) dogs are maintained, boarded, bred, trained, cared for, or kept for purposes of sale or in which more than four (4) dogs not owned by the resident of the lot on which the kennel is located are kept or cared for.

13.1.102 **LAMONT COUNTY OR COUNTY** means any persons who have been vested with legitimate authority to make planning related decisions on behalf of Lamont County. These persons include the Council, the County staff or the Municipal Planning Commission.

13.1.103 **LANDFILL** means landfill as defined by Alberta Environment.

13.1.104 **LAND USE BYLAW** means this Land Use Bylaw of Lamont County adopted in accordance with the Municipal Government Act.

13.1.105 **LANE** means a narrow public thoroughfare for vehicles intended chiefly to provide secondary means of access to buildings and parcels of land, or as defined as an alley in the Traffic Safety Act.

13.1.106 **LANDSCAPING** means an area of land made attractive and desirable by the use of any or all of the following: grass, trees, shrubs, groundcover, ornamental plantings, fences, walls, and associated earthworks; however, it shall not include areas occupied by garbage containers, storage, parking lots, or driveways.

13.1.107 **LANDSCAPING, HARD** means the use of non-vegetative material, such as monolithic concrete, paving stone, asphalt, or gravel, as part of a landscaped area.

13.1.108 **LANDSCAPING PLAN** means a scaled drawing illustrating a design for a landscaped area which specifies the number, species, height, and caliper of trees and shrubs, the size, colour, and texture of hard landscaping, areas of grass, edging details, cross sections and details of any construction and details of any other features, or horticultural elements.

13.1.109 **LANDSCAPING, SOFT** means the use of vegetative material as part of a landscaped area.

13.1.110 **LIQUOR STORE** means a development where alcoholic beverages are sold, but not for consumption on site, that has been licensed by the Alberta Gaming, Liquor & Cannabis Commission.

13.1.111 **LIVESTOCK** means animals such as poultry, horses, cattle, bison, sheep, swine, goats, llamas, fur bearing animals raised in captivity, and domestic cervids within the livestock as defined in the Agricultural Operation Practices Act.

13.1.112 **LOCAL AUTHORITY** is an organization that is officially responsible for a public service(s) and facilities in a particular area.

13.1.113 **LOT** means:

a) a quarter section;

b) a river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land title office;

c) a settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land title office;

d) a part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision; or

e) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

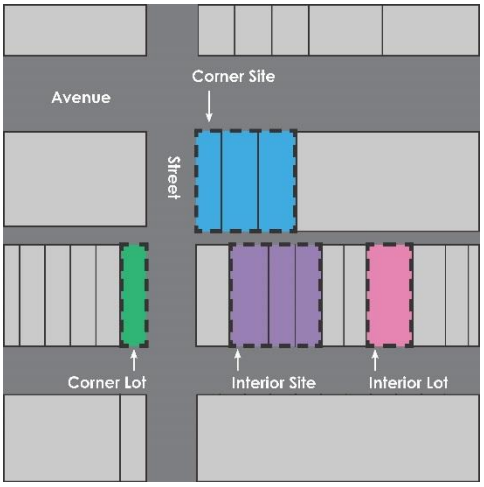


Figure 13-2: Corner Lot

13.1.114 **LOT, CORNER** means a lot or site at the intersection of two (2) or more rights-or-way, other than lanes.

13.1.115 **MANUFACTURED HOME UNIT** means a building that is designed and manufactured to be moved from one point to another by being towed or carried on its own wheels or by other means, and upon arriving at the site for location is, apart from incidental operations such as placement of foundation supports and connections of utilities, ready for year-round use as dwelling accommodation for one or more persons. This definition shall include a building that would otherwise be considered to be a single detached dwelling if the roof pitch were greater than 1:4, if the depth of eaves were greater than 30.5 cm (12.0 in), or if the ratio of depth vs. width (or width vs. depth) were less than 3:1.

13.1.116 **MANURE STORAGE FACILITY** means a manure storage facility as defined in the Agricultural Operation Practices Act.

13.1.117 **MODULAR HOME** means a prefabricated or facility-built frame or shell which comprises the walls or siding of a proposed dwelling. More specifically, a modular unit represents only a section of the dwelling, and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side-by-side or vertically, and is completed on a site and permanently installed on a foundation to form a complete dwelling unit for year-round occupancy that conforms to the *Alberta Building Code*. A modular home shall be considered a single detached dwelling providing it meets all of the architectural and provincial construction requirements of a single detached dwelling as outlined in this Bylaw. Modular home does not include a manufactured home.

13.1.118 **MOTEL** means a development designed and operated to provide temporary accommodation for the public and contains separate sleeping units having separate exterior access and convenient access to on-site parking. Motels may include accessory developments such as eating and drinking establishments and personal service establishments.

13.1.119 **MUNICIPAL DEVELOPMENT PLAN** means a plan adopted by the Council pursuant to the Municipal Government Act, as amended from time to time, which guides future planning decisions to ensure appropriate growth and development in the municipality.

13.1.120 **MUNICIPAL GOVERNMENT ACT** means the Alberta Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended.

13.1.121 **MUNICIPAL PLANNING COMMISSION or MPC)** means the Municipal Planning Commission established pursuant to the Municipal Government Act through Lamont County's Municipal Planning Commission Bylaw.

13.1.122 **NATURAL RESOURCE EXTRACTION** means the quarrying, primary processing, removal, and off-site sale of raw materials such as clay, sand, gravel, marl, earth or mineralized rock found on or under the site. Typical uses include but are not limited to quarries, borrow pits, and gravel pits. This use includes site preparation and reclamation of the lands. Processing may include crushing and washing but excludes the preparation of asphalt.

13.1.123 **NON-CONFORMING BUILDING** means a building:

a) that is lawfully constructed or lawfully under construction at the date a land use Bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective, and

b) that on the date the land use Bylaw becomes effective does not, or when constructed will not, comply with the land use Bylaw.

13.1.124.1 **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. **(Bylaw 886.25)**

13.1.124.2 **ON FARM SLAUGHTER LICENSE** means a Provincial license that enables on farm uninspected slaughter and processing activities on the license holder's property in accordance with the Meat Inspection Act and Regulations. **(Bylaw 886.25)**

13.1.125 **OUTDOOR STORAGE** means the storage of equipment, goods, and materials in the open air. Outdoor storage may be a temporary or permanent use. Typical uses include pipe yards or vehicle or heavy equipment storage compounds.

13.1.126 **OWNER** means:

a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or

b) in the case of any other land, the person shown as the owner of a parcel of land on the Certificate of Land Title.

13.1.127 **PARCEL OF LAND** means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

13.1.128 **PARK** means land set aside through municipal or environmental reserve dedication, conservation easement, owner donation, or purchase by the County for outdoor recreation or education, or to protect sensitive natural features and or areas of cultural or scenic value. Without restricting the generality of the foregoing, parkland may accommodate more active recreational pursuits, such as tot-lots, playgrounds, walkways, sports fields, and/or trails.

13.1.129 **PATIO** means an unenclosed outdoor amenity area located at grade, which is often paved, adjacent to a principal dwelling.

13.1.130 **PERMITTED USE** means uses of land or a building provided for in this Bylaw for which a development permit shall be issued upon an application having been made, provided that the development meets all the applicable regulations of this Bylaw.

13.1.131 **PERSONAL SERVICE ESTABLISHMENT** means the provision of a service to individuals on a commercial basis which is related to the care and appearance of the body, or the cleaning and repair of personal effects. Typical uses include but are not limited to barber shops, beauty salons, aestheticians, manicurists, dressmakers, tailors, shoe repair shops, dry cleaners, and laundries, but do not include, health services, retail stores, or cannabis retail sales.

13.1.132 **PLACE OF WORSHIP** means a development owned by a registered religious organization used for worship and related religious, philanthropic, or social activities including rectories, manses, churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.

13.1.133 **PRINCIPAL BUILDING** means a building, in which is conducted the principal use of the site on which it is erected.

13.1.134 **PRINCIPAL USE** means the use of a lot or of a building which constitutes the primary purpose for which the lot or building is used.

13.1.135 **PORCH** means a non-permanent structure attached to the front, side, or rear of a residential dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the structure may be enclosed by solid walls and/or windows.

13.1.136 **PROJECTION** means structures projecting from the wall of a building. Common structures include balconies, terraces, alcoves, bay or oval windows, and chimneys.

13.1.137 **PROFESSIONAL, FINANCIAL, AND ADMINISTRATIVE OFFICE** means development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include the offices of lawyers, accountants, engineers, and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; and banks, credit unions, loan offices, and similar financial services.

13.1.138 **PUBLIC SERVICES** means those facilities and services provided by the municipal, provincial, or federal government for the benefit of the community, such as fire and police protection, ambulance, correctional services, solid waste disposal, road cleaning, and snow removal.

13.1.139 **PUBLIC USE** means the use of land for a building, plant, public utility infrastructure, material storage, maintenance yards, water towers and telecommunications towers, that are owned and/or operated by a municipal corporation, the provincial or the federal governments.

13.1.140 **PUBLIC UTILITY** means a system or works used to provide one (1) or more of the following public consumption, benefit, convenience or use and includes the thing that is provided for public consumption, benefit, convenience, or use:

a) water or steam;
b) wastewater disposal;
c) public transportation operated by or on behalf of the County;
d) drainage;
e) irrigation;
f) fuel;
g) electrical power;
h) heat;
i) waste management;
j) telecommunications; or
k) natural gas.

13.1.141 **PUBLIC UTILITY BUILDING** means a building in which the proprietor of a public utility maintains an office or maintains or houses equipment used in connection with the public utility.

13.1.142 **PUBLIC WORKS** means facilities or structures (such as roads, schools, bridges, and government buildings) constructed for public use.

13.1.143 **RAILWAY SPUR** means a secondary railway track that diverges from main or other tracks which provides access to industrial or commercial areas.

13.1.144 **RAILWAY YARD** means a system of tracks other than main tracks and sidings. A yard is used for making up trains, for storing cars, and for other purposes.

13.1.145 **RECREATION FACILITIES** means facilities which are available to the public for sports and active recreation conducted indoors or outdoors. Typical uses include health and fitness clubs, curling, roller skating and hockey rinks, swimming pools, bowling alleys, racquet clubs, billiard halls, amusement arcades, sports fields, rifle and pistol ranges, community halls, drop-in centres, and simulated golf. This use may also include meeting rooms and food facilities.

13.1.146 Removed. **(Bylaw 886.25)**

13.1.147 **RECREATIONAL VEHICLE** means a vehicular type of unit primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motor power or is mounted or drawn by another vehicle. Recreational Vehicle includes travel trailers, camping trailers, truck campers, and motor homes. A recreational vehicle shall not be considered a dwelling.

13.1.148 **RECYCLING DEPOT** means a development used for the buying and temporary storage of bottles, cans, newspapers, and other similar household goods for reuse where all storage is contained within an enclosed building or designated compound site.

13.1.149 **RETAIL, MAJOR** means a development within an enclosed building used for the retail sale of consumer goods which include limited on-site storage and limited seasonal outdoor sales to support the stores operations. Typical uses include the sale of groceries, office equipment, stationary, household goods, hardware, lumber, furniture and appliances, printed matter, second-hand/used household goods and related repair and refurnishing activities, personal care items, automotive parts and accessories, and similar goods. This use does not include cannabis retail sales.

13.1.150 **RETAIL, MINOR** means a development within an enclosed building used for the retail sale of those goods, from business premises that do not exceed 325 m^2 (3,500 ft^2) in gross floor area. Typical uses include personal care stores, pharmaceutical stores, variety stores selling confectionary, tobacco groceries, beverages, hardware, and printed matter. This use does not include cannabis retail sales.

13.1.151 **RIDING AND BOARDING FACILITY** means a commercial facility used for feeding, grooming, housing, exercising, and training of horses for which the occupant of the premises receives remuneration.

13.1.152 **SALVAGE YARD** means land or building used for the collection, demolition, dismantling, storage, salvage, recycling, or sale of waste materials, including scrap metal, vehicles, machinery, and other discarded materials.

13.1.153 **SCREENING** means a fence, berm, hedge, vegetation, wall or building, or combination thereof, providing separate visual and/or acoustic areas or functions which affects the appearance of the street scene and minimizes the view from the surrounding areas.

13.1.154 **SEED CLEANING PLANT** means a building for the storage and preparation of seed used in agriculture.

13.1.155 **SERVICE STATION** means developments used for the servicing, washing, and repairing of vehicles; and the sale of gasoline, other petroleum products, and a limited range of vehicle parts and accessories.

13.1.156 **SHIPPING CONTAINER** means a prefabricated steel container used for transporting cargo by sea, rail, road, or air and which is intended for the storage of goods or equipment, or as a moveable storage unit.

13.1.157 **SIGN** means any visual medium, including its structure and other component parts, illuminated or not illuminated, which is used or capable of being used, on a permanent or temporary basis, to identify or convey information, or to advertise or attract attention to a product, service, place, activity, person, institution, or business. Without limiting the generality of the foregoing, signs shall include banners, placards, and painted messages, but not national flags, interior window displays of merchandise.

13.1.158 **SITE** means a lot, a part of a lot, or a number of lots located adjacent to one another, which are considered for a single use or a mixture of uses, which is owned or managed as a single unit.

13.1.159 **SITE PLAN** means a detailed plan showing the proposed placement of structures, parking areas, open space, landscaping, and other development features, on a parcel of land.

13.1.160 **SOLAR ENERGY CONVERSION SYSTEM** means a system of components that convert sunlight energy into useable electric or heat energy.

13.1.161 **SOLAR FARM** means an installation or area of land on which a large solar energy conversion system is installed in order to generate electrical or heat energy for a principal use in allowed districts.

13.1.162 **STATUTORY PLAN** means an Intermunicipal Development Plan, Municipal Development Plan, Area Structure Plan, and Area Redevelopment Plan adopted by a bylaw of the municipality, or any one (1) or more of them.

13.1.163 **STRUCTURE** means anything that is constructed or built from different interrelated parts with a fixed location on the ground.

13.1.164 **SUBDIVISION AUTHORITY** means the Subdivision Authority established by this bylaw pursuant to the Municipal Government Act.

13.1.165 **SURVEILLANCE SUITE** means a building forming part of a development and used solely to accommodate a person(s) related as a family, or employee whose official function is to provide surveillance for the maintenance and safety of the development.

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

13.1.167 **TEMPORARY ASPHALT / CONCRETE BATCH PLANT** means a structure that is used to make asphalt or concrete from aggregate material which is temporary in nature, and which is approved for a specific period of time by the Development Authority.

13.1.168 **TOURIST CAMPGROUND** means an area which has been planned and improved for the seasonal short occupancy of holiday trailers, motorhomes, tents, campers, or similar recreational vehicles, and is not used as year-round storage, or accommodation for residential use. Related facilities that are accessory to and support the campground such as an administrative office, laundromat, picnic grounds, washrooms, shower house, community centres may be included on-site.

13.1.169 **TOURIST HOME** means a single detached dwelling, which is not owner occupied, where temporary sleeping accommodations, up to a maximum of four (4) bedrooms are provided for remuneration to members of the public for up to a maximum of twenty-eight (28) days. The characteristics that distinguish a tourist home from a dwelling used as a residence may include any of the following:

a) the intent of the occupant to stay for short-term vacation purposes rather than use the property as a residence; and/or

b) the commercial nature of a tourist home; and/or

c) the management or advertising of the dwelling as a tourist home or “vacation property”; and/or

d) the use of a system of reservations, deposits, confirmations, credit cards or other forms of electronic payment.

These examples do not represent an exhaustive list of operating practices that may constitute a tourist home.

13.1.170 **TRAFFIC IMPACT ASSESSMENT** means a study undertaken by a certified professional engineer to determine the transportation impacts a particular development will have on the existing roadway network system.

13.1.171 **TRANSLOADING FACILITY** means a facility where the transferring of goods takes place from one mode of transportation to another in order to have the goods reach their final destination.

13.1.172 **UNSUBDIVIDED QUARTER SECTION** means a quarter section which has had no lands removed from it other than for road or railroad purposes.

13.1.173 **USE** means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed, or intended, or for which it is occupied or maintained.

13.1.174 **UTILITY RIGHT-OF-WAY** means an interest in land which is commonly granted where there is a need for a continuous right-of-way under many parcels of land (for example, gas and oil pipelines and municipal utilities). A utility right-of-way is registered only against the land which is subject to the rights granted and once it is registered, the right to use the land in accordance with the terms of the grant remains with grantee (for example, the Crown or corporation) and its successors or assigns until a release is registered.

13.1.175 **VARIANCE** means a deviation from a regulation listed in this Bylaw.

13.1.176 **VETERINARY CLINIC** means development used for the care and treatment of small animals where the veterinary services primarily involve outpatient care and minor medical procedures involving care for fewer than four (4) days. All animals shall be kept within an enclosed building. This use class includes pet clinics, small animal veterinary clinics, and veterinary offices. This use class does not include veterinary hospitals.

13.1.177 **VETERINARY HOSPITAL** means development for the purposes of medical treatment of small animals and livestock and includes retail sales of associated products. This may include such uses as veterinary clinics, impounding and quarantining facilities, but does not include the sale of animals.

13.1.178 **VIOLATION TICKET** means a violation ticket as defined in the Provincial Offences Procedures Act, and amendments thereto.

13.1.179 **WAREHOUSING AND STORAGE** means the use of a building for the keeping of goods, which may include outdoor accessory storage. This excludes storage of hazardous materials, waste, or vehicles.

13.1.180 **WIND ENERGY CONVERSION SYSTEM** means one or more structures designed to convert wind energy into mechanical or electrical energy for a principal use in allowed districts.

13.1.181 **WORK CAMP** means a building, or a group of buildings used to provide temporary accommodation for construction workers or natural resource extraction industry employees.

13.1.182 **YARD** means a part of a parcel of land upon or over which no principal building is erected.

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

13.1.184 **YARD, REAR** means a yard extending across the full width of a parcel of land from the leading wall of the principal building situated on the parcel to the rear line of the parcel of land.

13.1.185 **YARD, SIDE** means a yard extending from the leading wall of the principal building situated on a parcel of land to the sideline and lying between the front and rear yards on the parcel of land.

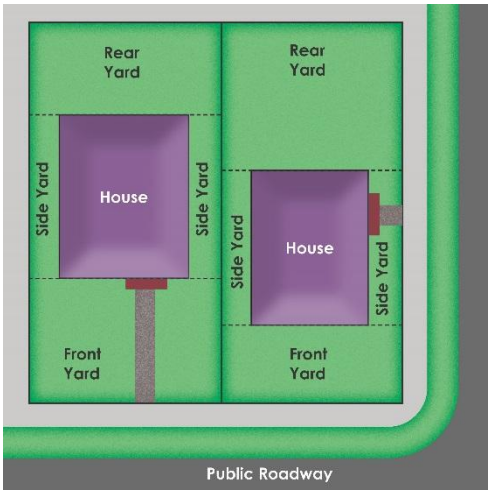


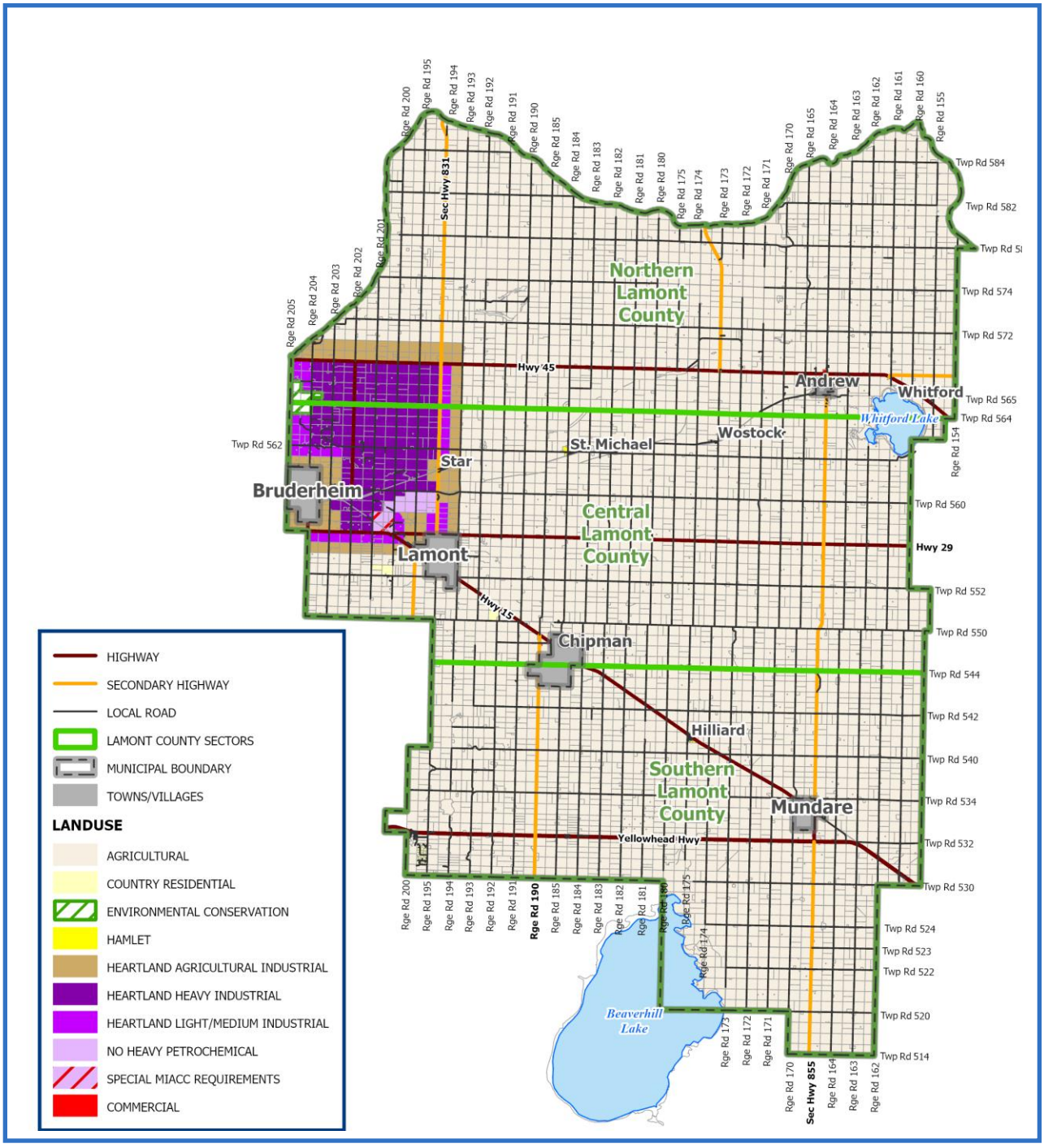
Figure 13-3: Yards

Words in the LUB which are defined in the MGA have the same meaning as in the MGA unless specifically defined otherwise or the context requires otherwise.

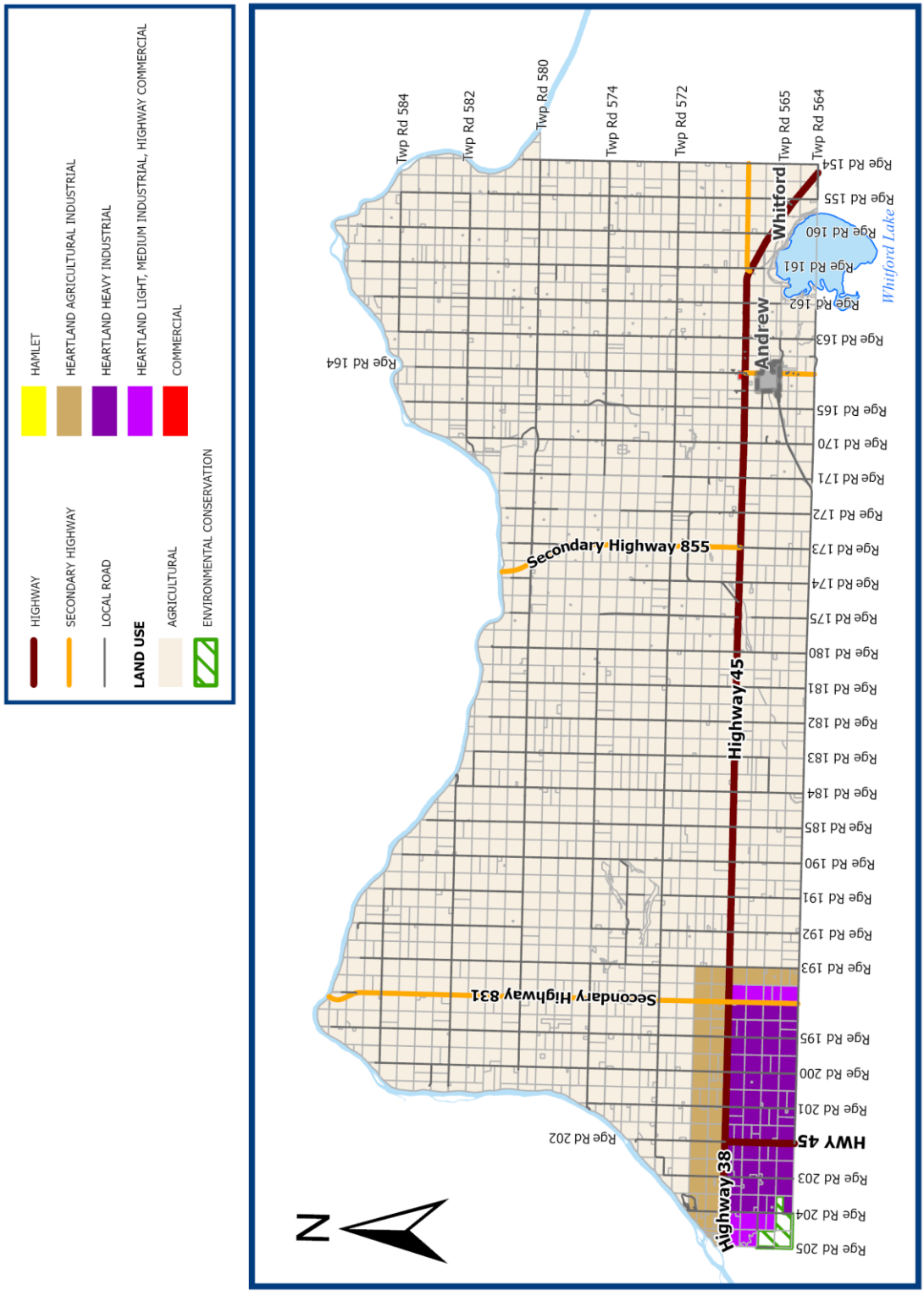
14 LAND USE DISTRICT MAPS

Map 1 – Land Use District Map

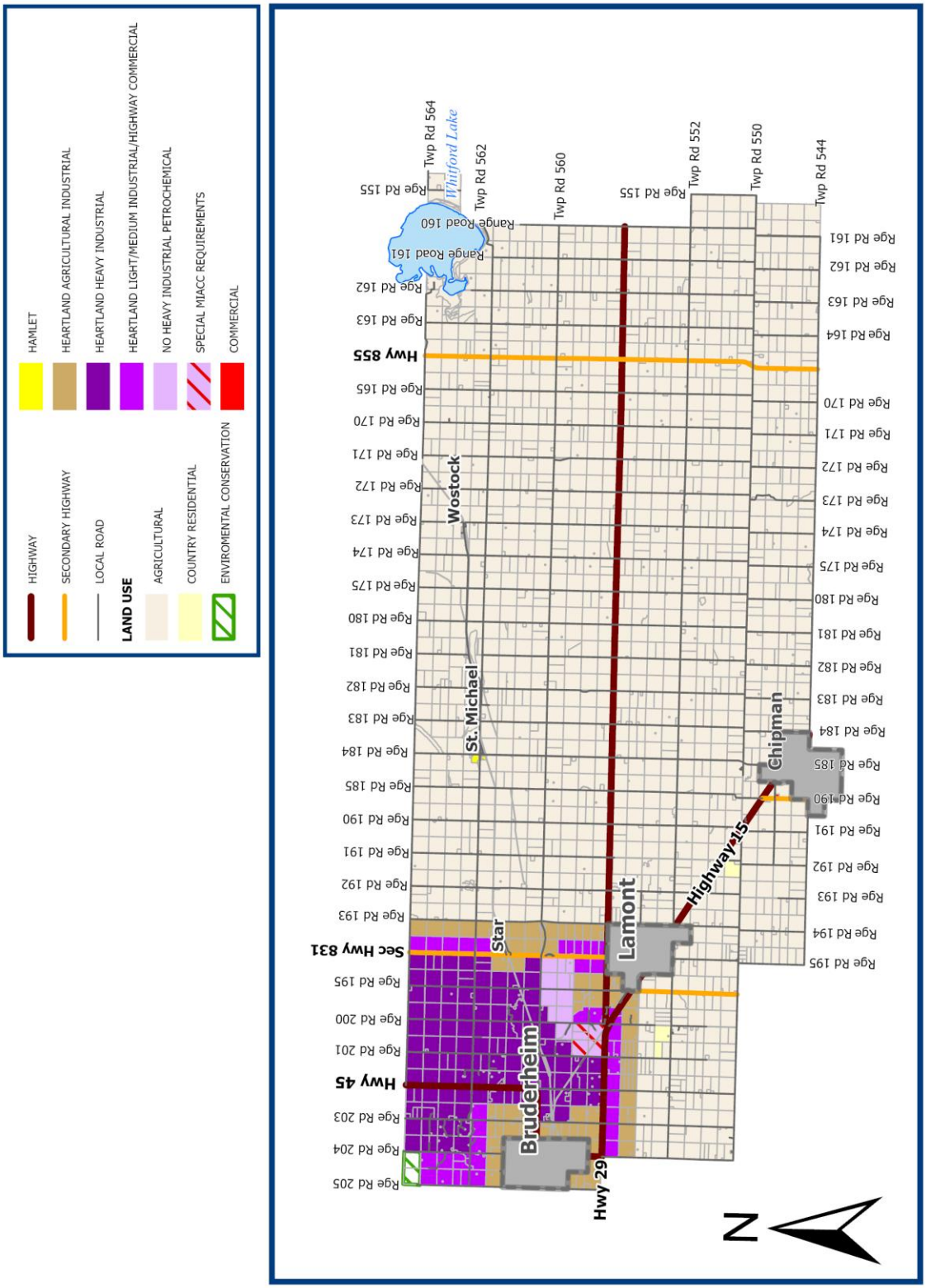
(Bylaw 886.25)



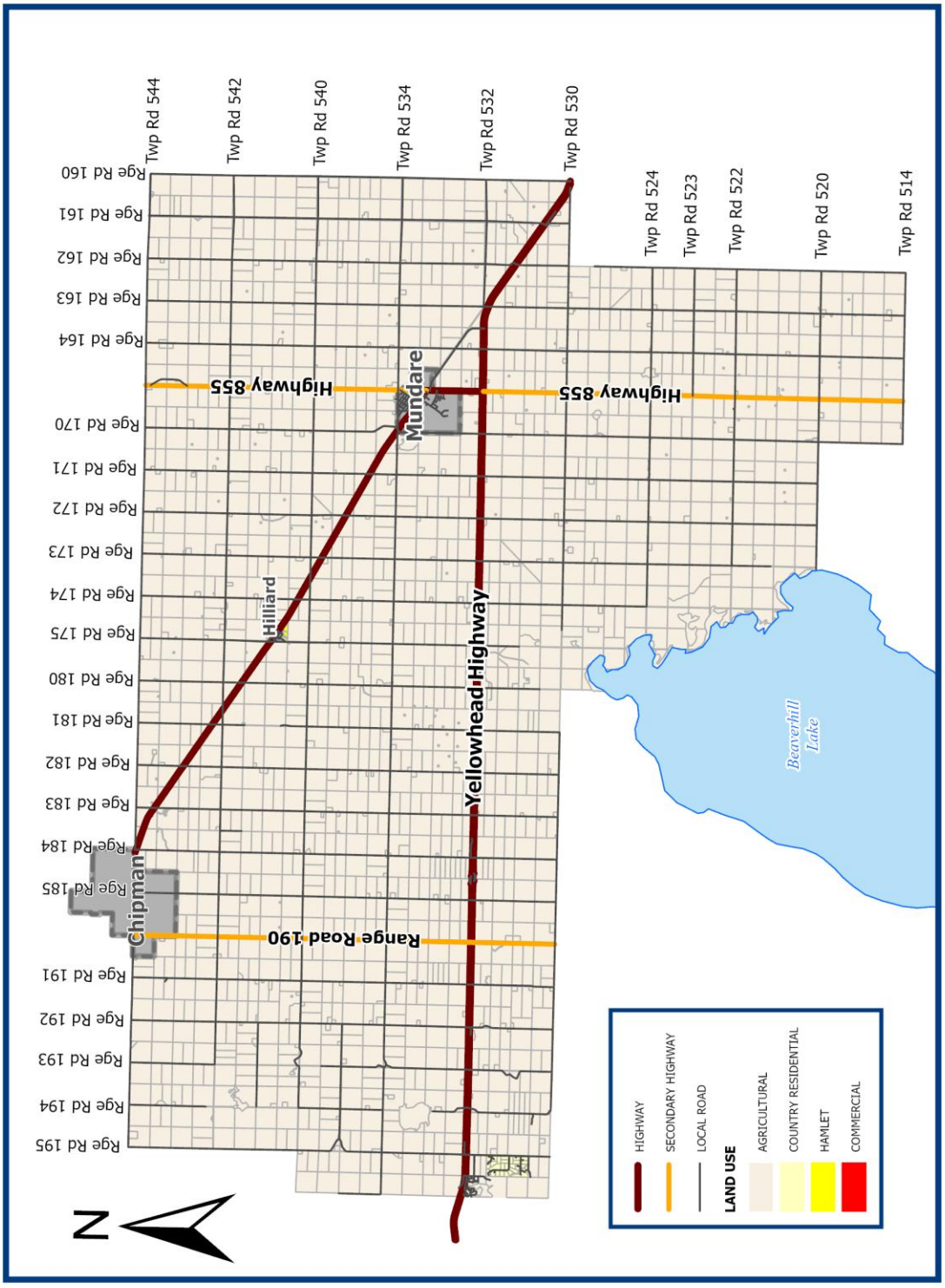
Map 2 – Northern Lamont County



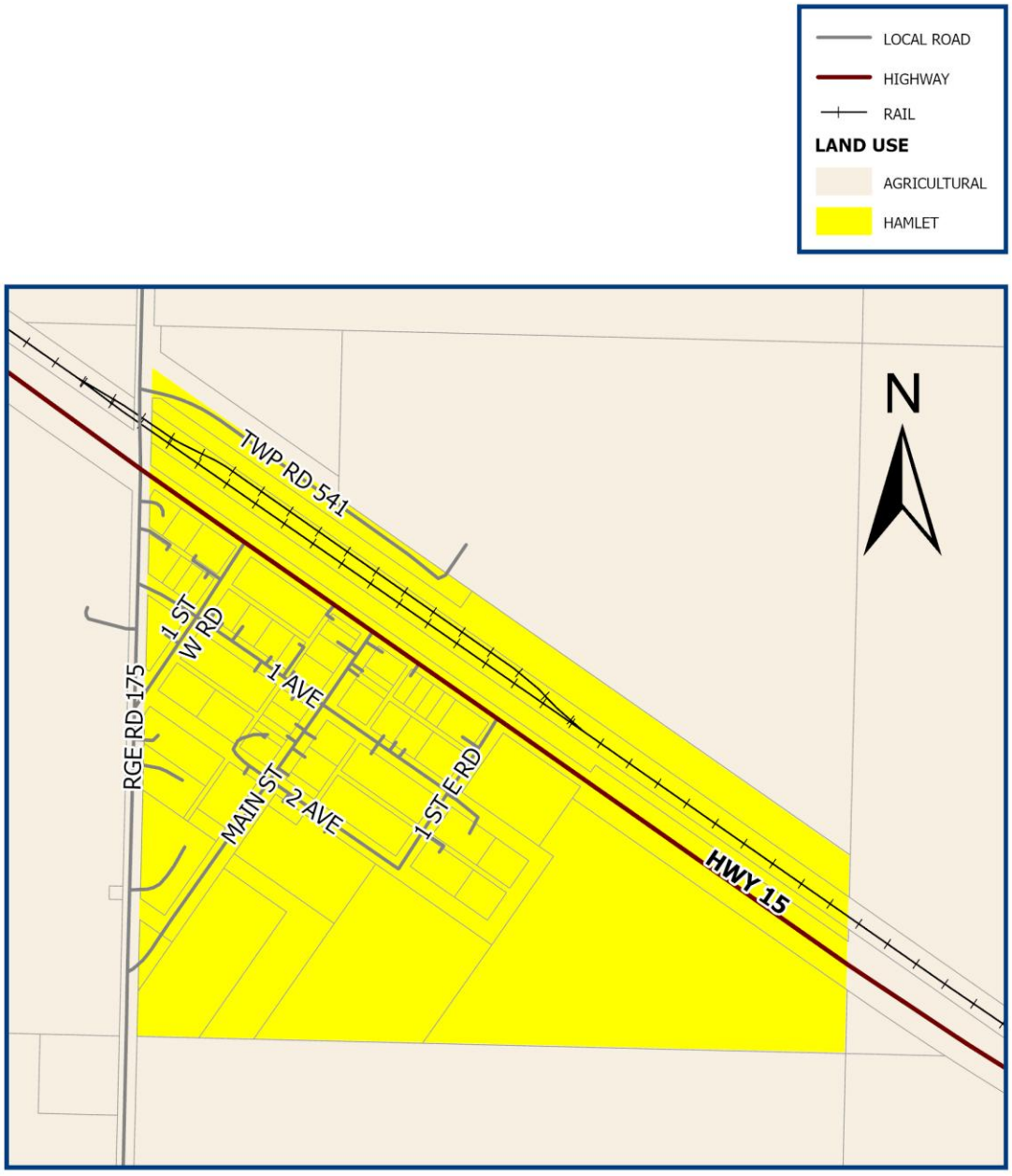
Map 3 – Central Lamont County



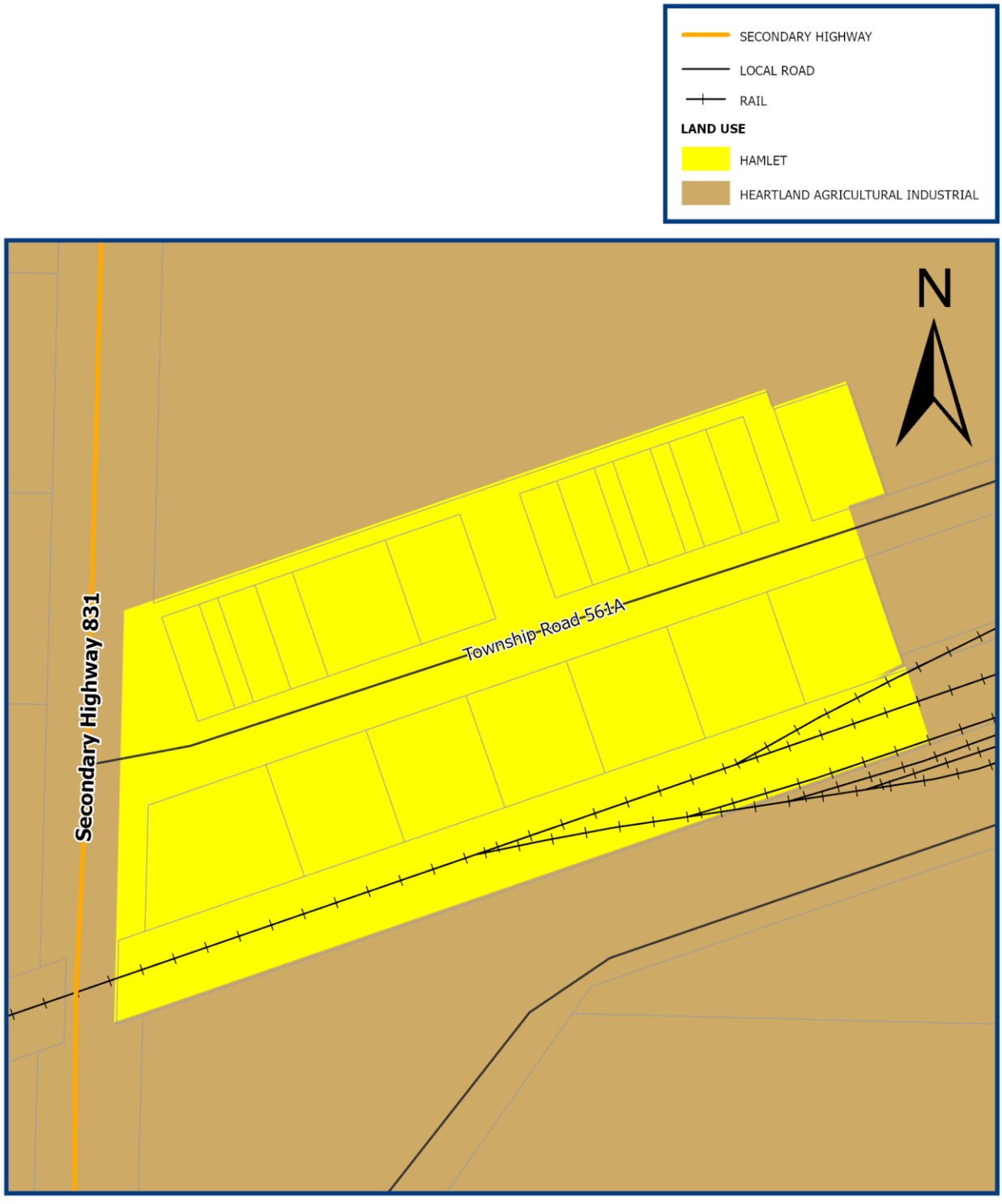
Map 4 – Southern Lamont County



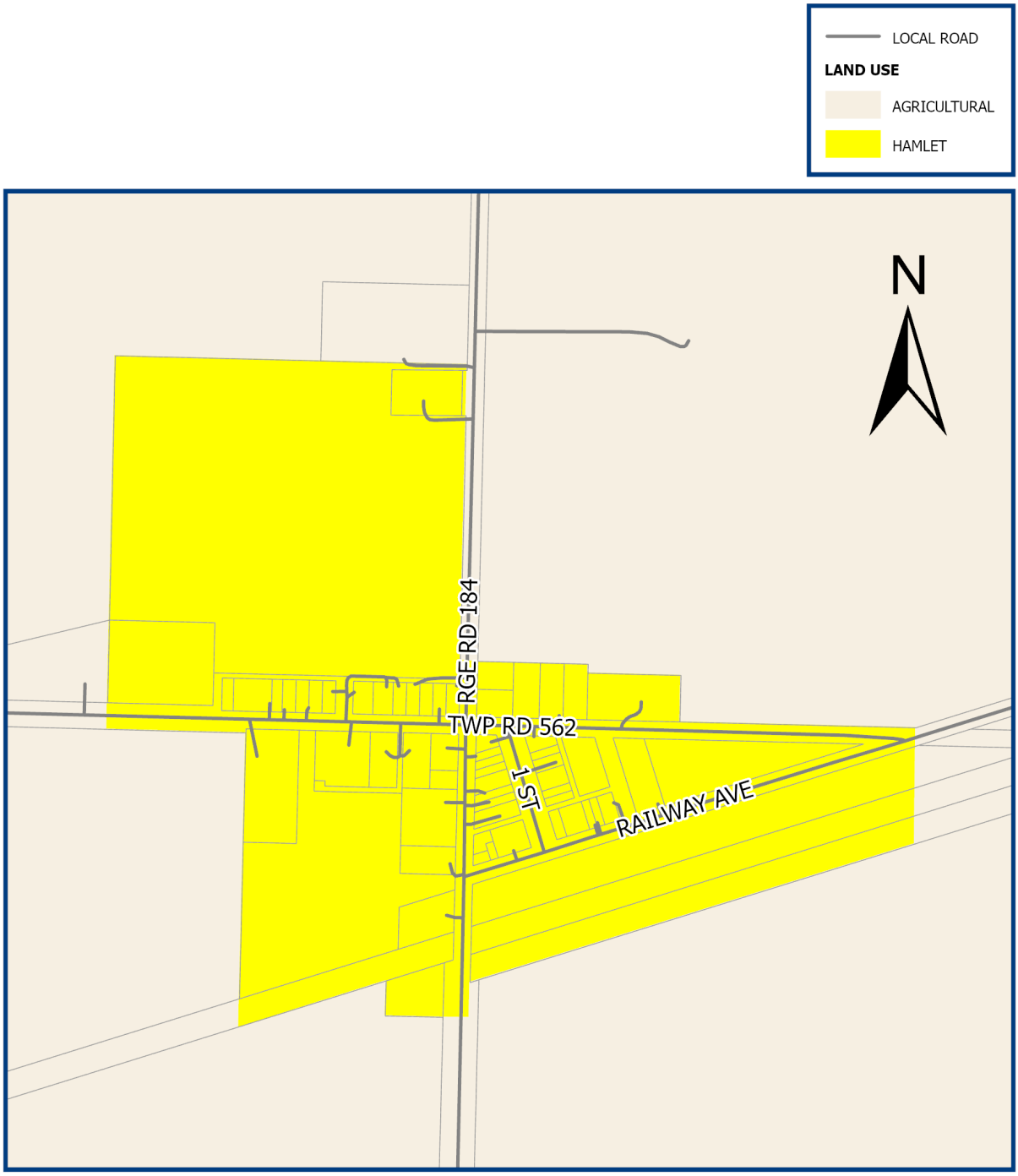
Map 5 – Hilliard



Map 6 – Star

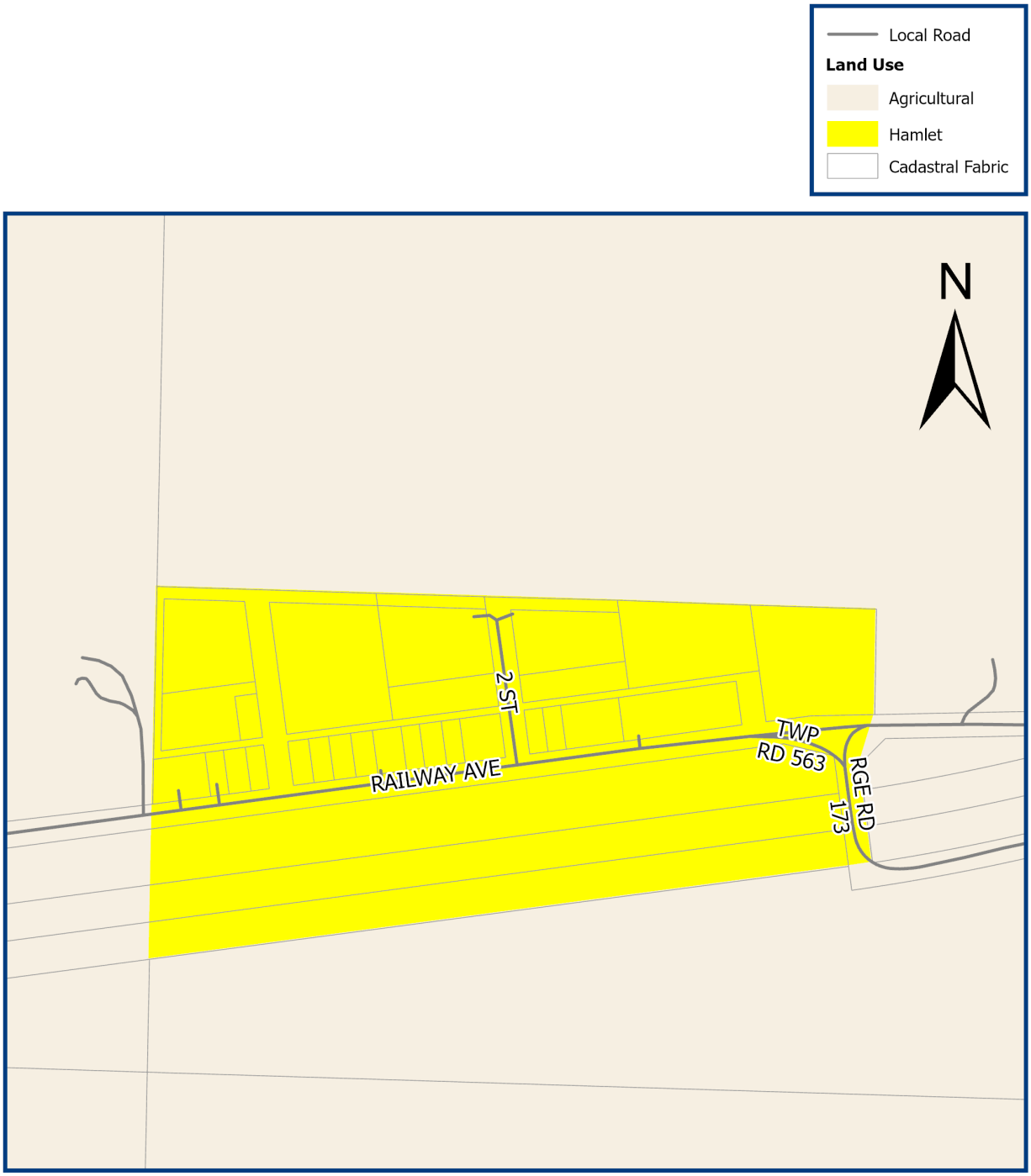

SECONDARY HIGHWAY
LOCAL ROAD
RAIL
LAND USE
HAMLET
HEARTLAND AGRICULTURAL INDUSTRIAL
N
Secondary Highway 831
Township Road 561A

Map 7 – St. Michael

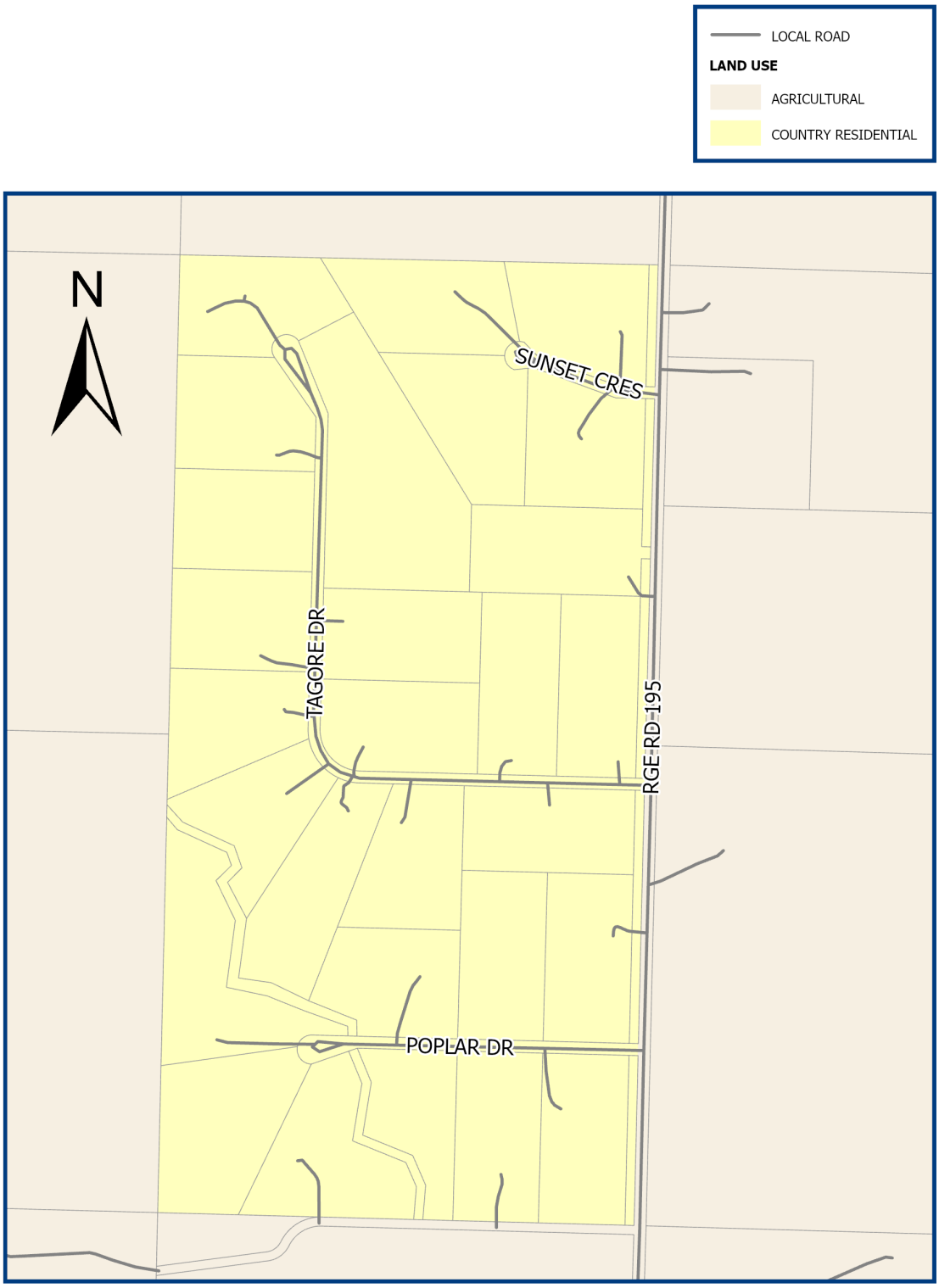


Map 8 – Whitford

Map 9 – Wostok


Local Road
Land Use
Agricultural
Hamlet
Cadastral Fabric
N
2 ST
RAILWAY AVE
TWP RD 563
RGE RD 173

Map 10 – Tagore Estates



15 SUPPLEMENTARY REGULATIONS

Figure 15-1: Intersection of Secondary Road and Rural Road Setbacks

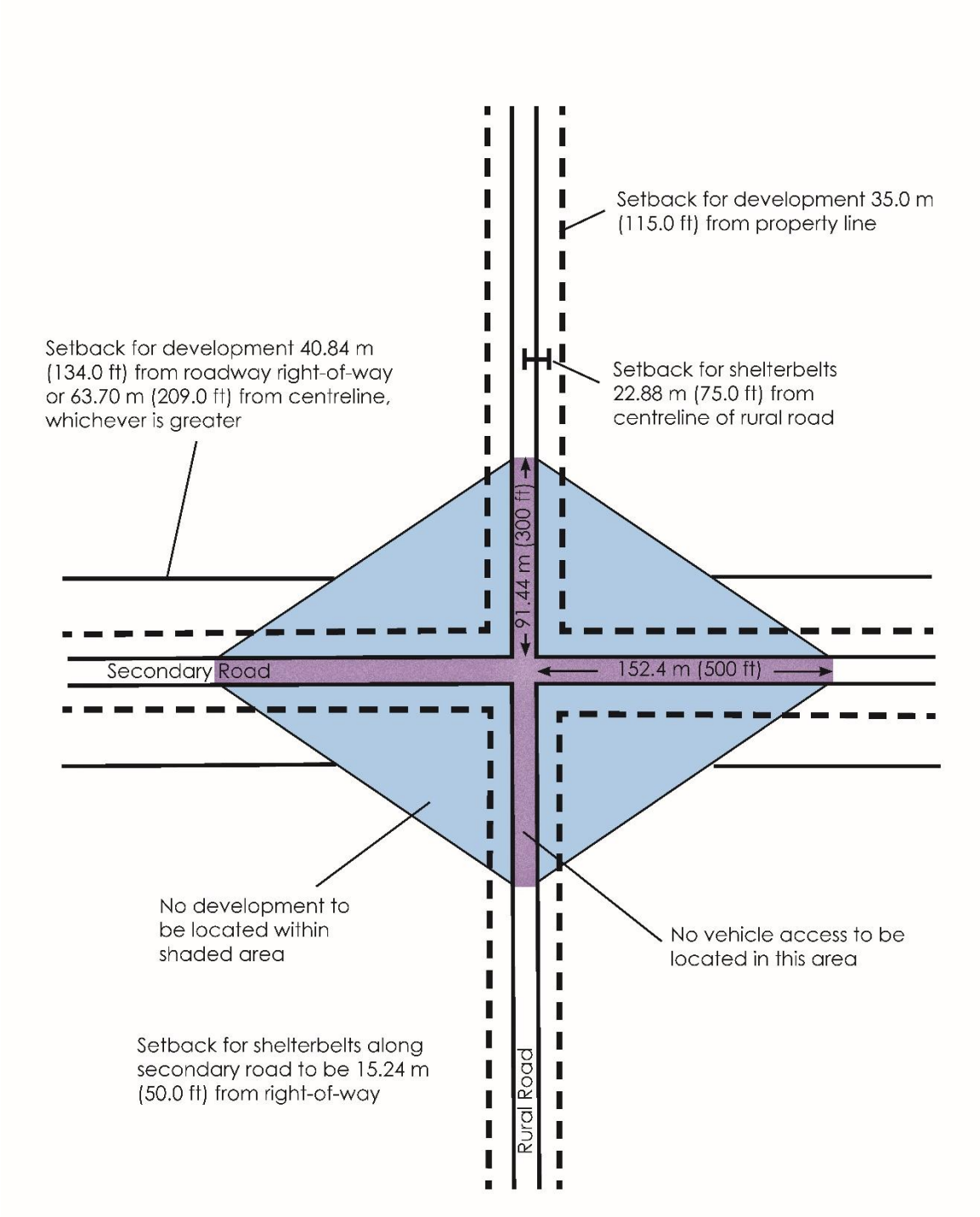


Figure 15-2: Intersection of Primary Highway and Rural Road Setbacks

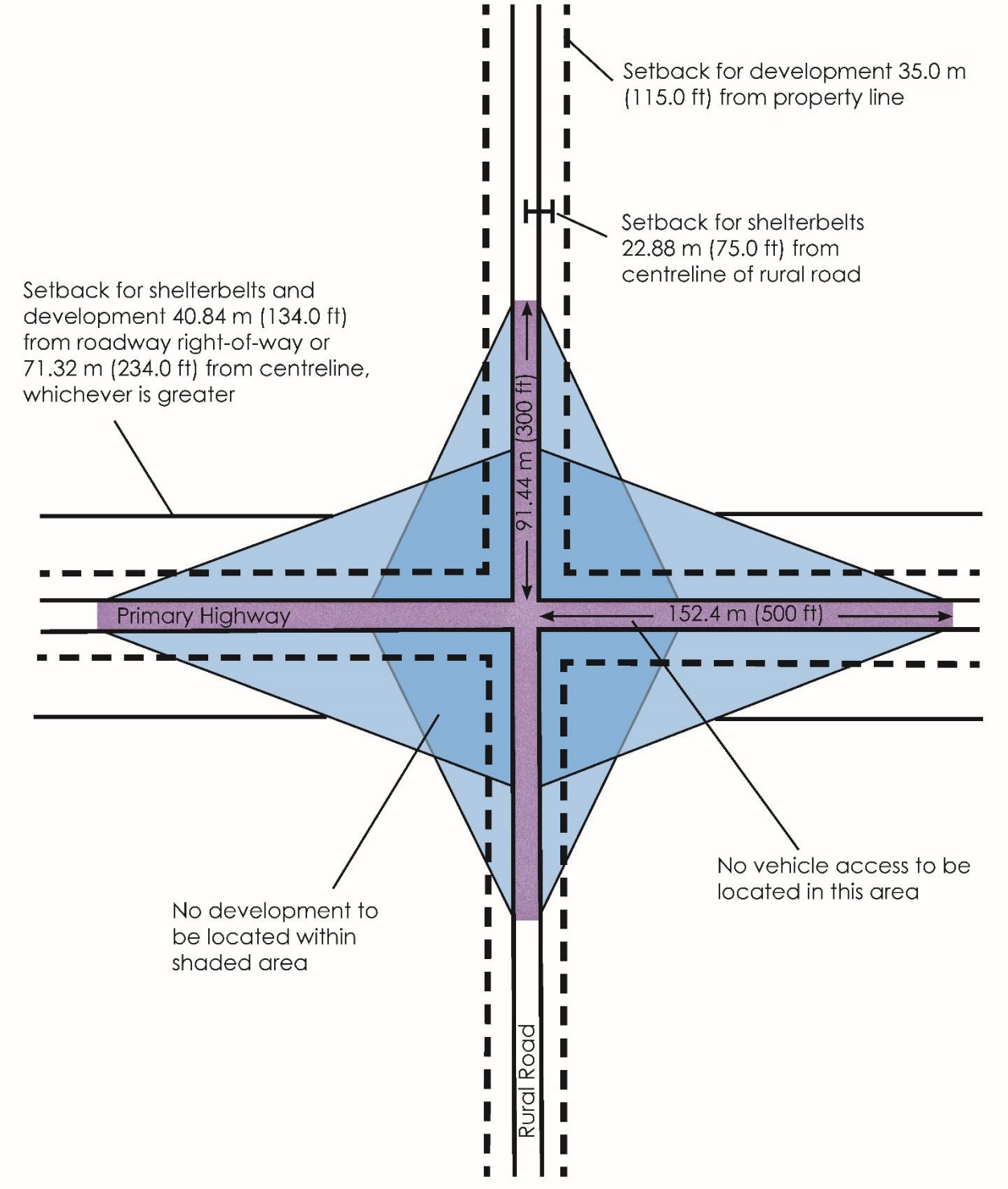


Figure 15-3: Intersection of Rural Road and Rural Road Setbacks

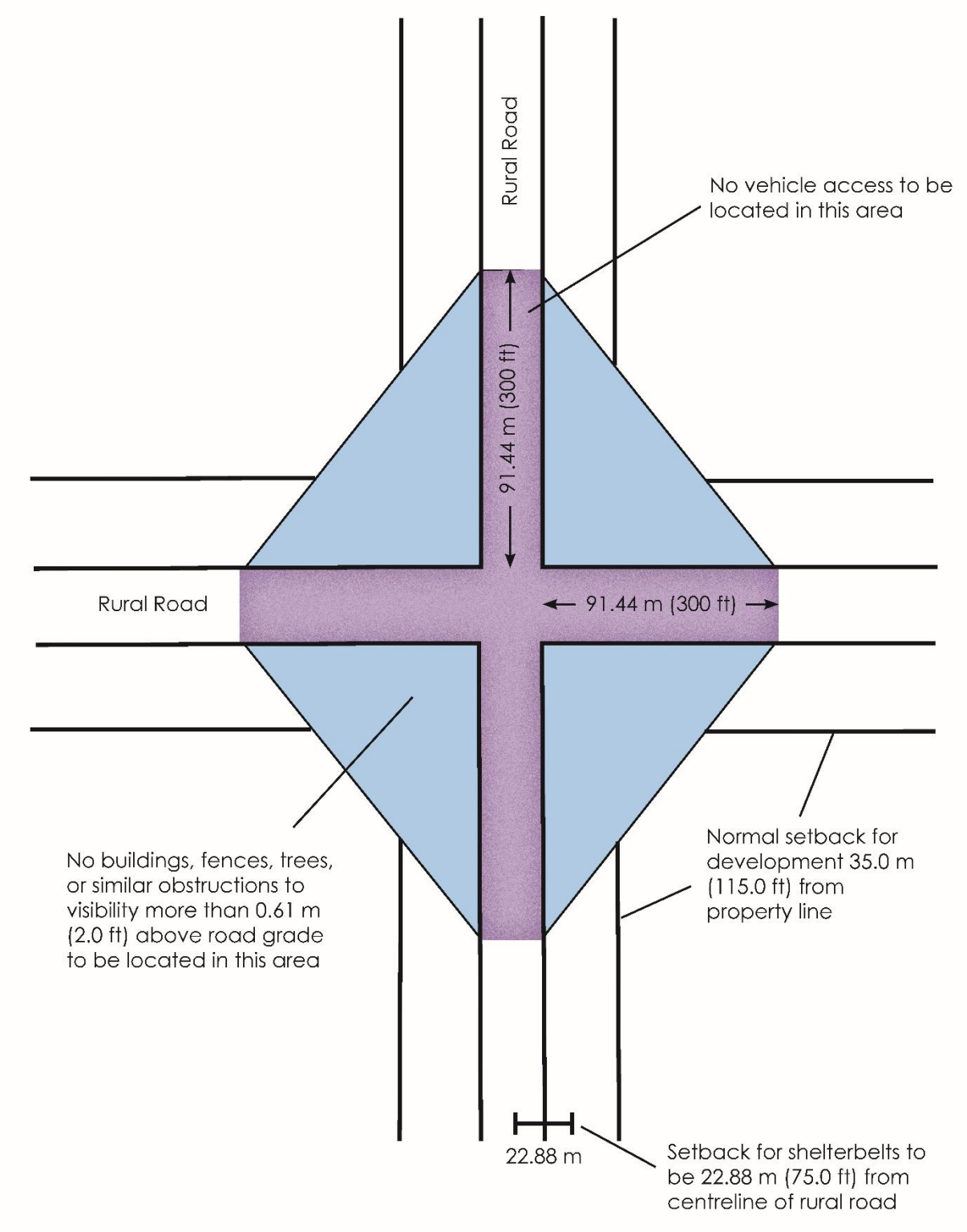
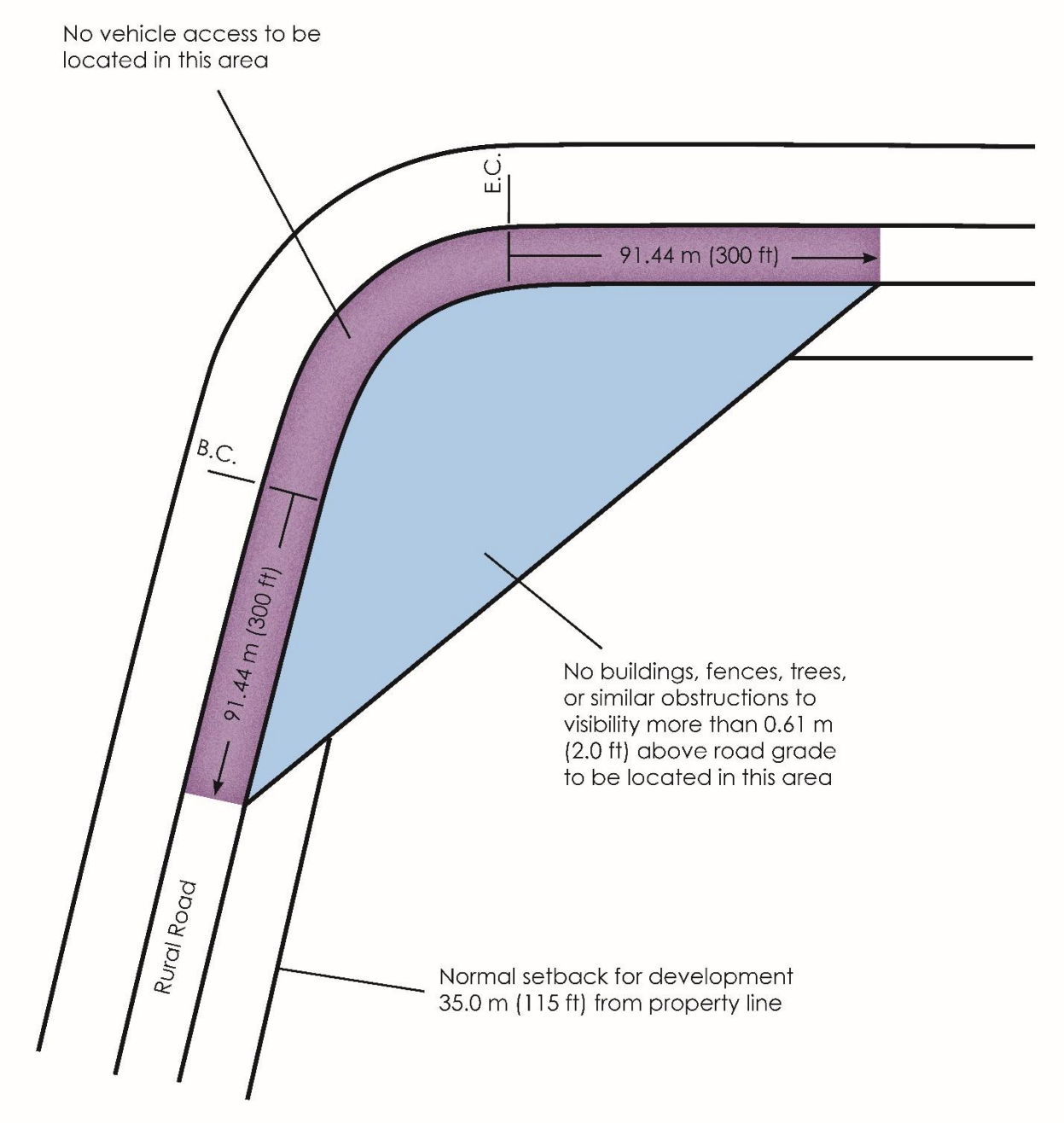


Figure 15-4: Road Curve Setback



SCHEDULES

Schedule 1: Penalties/Fines

Bylaw Reference	General Description of Offence	Minimum Penalty/Fine
Section 3.1 and 6.1	Contravening approved development permit or conditions of approved development permit	$500.00 for first offence $1,000.00 for second and following offences
Section 3.15	Developing with expired development permit or continuing development after development permit cancellation	$1,000.00
Section 6.1	Contravention of any part of this Bylaw	$500.00 for first offence $1,000.00 for second and following offences
Section 6.1.4	Failing to comply with any order issued under Section 6.4 of this Bylaw	$1,000.00
Section 6.2.3	Fail to allow an inspection	$1,000.00