

Part 3 : General Regulations

3.1 Applicability

- 3.1(1) The regulations in Part 3 of this bylaw apply to all developments and uses within the County.
- 3.1(2) Unless otherwise specified in this bylaw, where there is a conflict between the regulations in Part 3 of this bylaw and regulations in other parts of this bylaw, the regulations in the other parts of this bylaw take precedence.

3.2 Access

- 3.2(1) The development authority may only issue a development permit for a proposed development if there is a provision for access included with the application for the development permit.
- 3.2(2) The location and design of an access(es) for a proposed development must be in accordance with County policies and standards and must be to the satisfaction of the development authority.
- 3.2(3) Where a site abuts two roads, either existing or proposed, access to the site must be to the road of lesser traffic volume, unless otherwise approved by the development authority.

3.3 Accessory development

- 3.3(1) An accessory building, structure or use shall not be considered without a principal building, structure or use.
- 3.3(2) An accessory building, structure or use shall be considered a permitted use when accessory to a permitted use and a discretionary use when accessory to a discretionary use.
- 3.3(3) Development regulations for accessory buildings, structures and uses may be contained within a zone. Should a zone not contain development regulations for accessory buildings, structures and uses, the regulations for principal buildings shall apply.
- 3.3(4) Despite section 3.3(3), if development regulations for accessory buildings, structures and uses are not contained within a Direct Control zone, the development authority must refer to the regulations in a similar zone for guidance when considering an application.
- 3.3(5) An accessory building shall not be used as a dwelling, except where authorized by this bylaw.
- 3.3(6) An accessory building or structure shall not be constructed over an easement or right-of-way.
- 3.3(7) Where residential lots are located along a lakeshore, the development authority may allow the location of an accessory building or structure in a front yard along a road provided it is consistent with development in the surrounding area.
- 3.3(8) An accessory building or structure on a lot with non-residential zoning which abuts a lot(s) with residential zoning shall have a minimum setback of 1.5 m from the lot line abutting the lot with residential zoning or the applicable minimum setback in the non-residential zone, whichever is greater.
- 3.3(9) The height of an accessory building or structure on a lot with non-residential zoning which abuts a lot(s) with residential zoning shall not be higher than the maximum height of a principal building in the residential zone.
- 3.3(10) In zones that allow for a zero setback to a lot line, an accessory building that is a mutual garage may be developed on the common lot line. The minimum setback from the opposite side lot line shall be in accordance with the regulations of the zone.
- 3.3(11) The minimum setback required for an accessory building or structure from a side lot line that abuts a flanking road shall be the same as that required for a principal building in the applicable zone.
- 3.3(12) Despite section 3.3(11), the minimum setback required for an accessory building or structure from a side lot line that abuts a flanking road may be reduced where a fence exists on that side lot line.
- 3.3(13) An accessory building or structure on a double fronting lot must meet the minimum required setback from a front lot line from both lot lines abutting roads unless it is a residential lot with its access from one street consistent with lots on the same block.

Containers

- 3.3(14) Containers shall be considered only within agricultural, commercial or industrial zones or within the following zones:
- (a) PC – Conservation
 - (b) PG – Golf Course
 - (c) PR - Recreation
 - (d) PRM – Public Recreation Major
 - (e) PS – Public Services
 - (f) PU – Public Utilities
 - (g) RCL – Low Density Country Residential

- 3.3(15) In addition to section 3.3(14), Table 3.3(A) lists the maximum number of containers that may be considered in RCL or on a lot with commercial or agricultural zoning.

Table 3.3(A) Maximum Number of Containers

Subsection	Lot area	Maximum number of containers
(a)	Less than 8 ha	1
(b)	8 ha to 16 ha	2
(c)	Greater than 16 ha	4

- 3.3(16) Despite section 3.3(14), a container having may be placed on a driveway or parking lot on a lot in any zone only for the purpose of loading and unloading during the process of moving or renovating. The container shall be located entirely within the subject lot and must not create a sight line obstruction.
- 3.3(17) A container shall:
- (a) not be located within a required setback from the front lot line or from a side lot line that abuts a flanking road;
 - (b) not be stacked one upon another, except if located within the IM, IH, IMH or IHH zones;
 - (c) not be used for fencing, screening, for the purpose of advertising, or as a commercial storage use;
 - (d) not be located within a required parking area or landscape buffer area; and
 - (e) have an exterior finish to match or complement the exterior finish of the principal building or be screened to the satisfaction of the development authority, except if located in an industrial zone.

Solar collectors

- 3.3(18) A solar collector shall be located on the wall or roof of a building.
- 3.3(19) Within all residential zones except the R3, R4, and R5 zones, a solar collector mounted on a roof with a pitch of 4:12 or greater may project a maximum of 1.3 m from the surface of the roof and must not extend beyond the outermost edge of the roof.
- 3.3(20) Within all agricultural, commercial, industrial and institutional zones and the R3, R4, and R5 zones, a solar collector mounted on a roof with a pitch of:
- (a) less than a 4:12 may project a maximum of 2.0 m from the surface of the roof and must be located at least 1.0 m from the edge of the roof.
 - (b) 4:12 or greater may project a maximum of 1.3 m from the surface of the roof and must not extend beyond the outermost edge of the roof.
- 3.3(21) A solar collector that is mounted on a wall:
- (a) shall be located a minimum of 2.4 m above grade; and
 - (b) may project a maximum of 0.6 m from the surface of that wall.

Dugouts

- 3.3(22) A dugout shall meet the minimum accessory development setback requirements of the applicable zone.
- 3.3(23) A dugout shall not encroach upon or affect or interfere with any watercourse or drainage easement in the opinion of the development authority.
- 3.3(24) All dugouts that require a development permit shall be designed and built to meet a maximum 5:1 slope. The development authority may grant a variance to the slope specifications, provided that a fence is constructed that meets the following requirements; **(Bylaw 30-2025)**
- (a) minimum height of the fence is 1.2 m, measured from the outside or non-dugout side grade;
 - (b) the fence shall be constructed of a material and design so as to limit ease of passage through or over the fence; and
 - (c) all gates shall provide self-latching devices to prevent access to the water by unauthorized persons.

3.4 Amenity space

- 3.4(1) Amenity space shall consist of one or more of the following:
- (a) common indoor amenity space;
 - (b) common outdoor amenity space; or
 - (c) private amenity space.
- 3.4(2) Despite section 3.4(1), where there are more than 20 dwelling units on a site, amenity space shall consist of a minimum of two types of amenity spaces:
- 3.4(3) Amenity space shall be a minimum of 3.5 m² per dwelling unit for townhouses and apartment dwellings.
- 3.4(4) Despite section 3.4(3), a development officer may consider that amenity space be provided at a lesser rate where the development is located within close proximity to a publicly accessible amenity space.
- 3.4(5) Where private amenity space is provided in combination with common indoor amenity space or common outdoor amenity space, the private amenity space shall be a minimum of 1.5 m² per dwelling unit for townhouses and apartment dwellings.
- 3.4(6) Amenity space provided at ground level within 4.0 m of a road, lane, on-site parking area or adjacent parcel shall be screened to the satisfaction of the development authority. When considering the amount and type of screening required, the development authority must consider the type of amenity provided (e.g., children's play area) and any potential safety issues or adverse effects resulting from the amenity and its location. This does not apply to amenity space located within the R6 or R7 zones.

3.5 Design standards

General standards

- 3.5(1) In all development, the design and use of exterior finishing materials shall be to the satisfaction of the development authority who shall ensure, as far as reasonably practical, that the materials are durable and similar to, or better than, the standard of development on the subject and adjacent sites.
- 3.5(2) A box-like appearance in building design and large expanses of uninterrupted building surfaces shall be avoided by adding glazing where practical and adding definition through colour or material details.
- 3.5(3) The development officer may require a corner site to provide a greater setback from the front lot line than is required by the applicable zone having regard for the orientation and access of the development and adjacent properties.
- 3.5(4) The development officer may require a double fronting lot to provide a front yard on each road for consistency with development on adjacent properties.
- 3.5(5) The design should incorporate elements of Crime Prevention Through Environmental Design (CPTED) such as, but not limited to, reducing concealment opportunities, providing lighting to minimize dark spaces and encourage pedestrian safety, placing windows to maximize informal surveillance, and clearly identifying street addresses.

Design standards for multi-unit residential, commercial and institutional development

- 3.5(6) Each site shall be designed with due regard and sensitivity to adjacent lots and development. The design of a site shall consider the privacy of adjacent residential development.
- 3.5(7) Rooflines and building façades shall be articulated and varied to reduce the perceived mass, bulk and linearity of large buildings and to avoid blank walls.
- 3.5(8) Buildings are encouraged to be sited, oriented and designed to:
- (a) take into consideration solar benefits and opportunities;
 - (b) avoid adverse microclimatic effects on and off the site related to wind and shadowing;
 - (c) reduce noise impacts from arterial or collector roads or both; and
 - (d) minimize impact on other buildings
- 3.5(9) Direct, clearly marked, safe and accessible pedestrian walks should connect building entrances to parking lots, sidewalks of abutting streets, and adjacent sites.

- 3.5(10) Gas utility enclosures should be located away from street facing facades and screened from view.
- 3.5(11) Where covered parking is provided, the scale, form and character should be consistent with the building design.
- 3.5(12) Appropriate lighting shall be provided for security and to add visual interest. Lighting shall also conform to the requirements of section 3.10.
- 3.5(13) For buildings that consist of four storeys or more, architectural features, design or a combination thereof should be incorporated to reduce the perception of vertical building mass.
- 3.5(14) On-site improvements that create an inviting space should be encouraged.

Standards Affecting Industrial Development

- 3.5(15) Any use or activity in an industrial zone (excluding IH and IHH zones) or a zone of similar intent should have regard for the following appearance standards:
 - (a) all loading, service, trash collection and accessory storage areas, and vehicle compounds shall be located to the rear or sides of the principal building, and be screened from view from any road other than a lane, and from adjacent sites, by building walls, landscape materials, berms, fences or a combination of these, to the satisfaction of the development officer;
 - (b) the development authority may require that exposed projections outside the building such as mechanical and electrical equipment, transformer ducts, cooling towers and materials handling equipment be screened from view from any road other than a lane, and from adjacent sites if such projections are inconsistent with the character and appearance of surrounding development or the intended visual qualities of this zone;
 - (c) buildings should be constructed and finished with durable materials designed to maintain the initial appearance of the development throughout the life of the project. The development authority may require that the appearance of metal, or concrete block walls exposed to public view from beyond the site be improved where such walls are inconsistent with the finishing materials or appearance characteristic of adjacent development; and
 - (d) where allowed, outside display areas may be located to the side or front of the principal building, provided that such displays are limited to examples of equipment or material related to the industry or business located on the site.

3.6 Environmental features

- 3.6(1) A minimum setback of 50.0 m is required from the top of bank of the North Saskatchewan River for any development, unless the development officer is provided with an environmental assessment, geotechnical assessment, or both, prepared by a qualified professional in accordance with County requirements, which verifies that a lesser setback is warranted.
- 3.6(2) A minimum setback of 36.0 m is required from the top of bank of Oldman Creek within the plan area of the North of Yellowhead Area Concept Plan for any development, unless the development officer is provided with an environmental assessment, geotechnical assessment, or both, prepared by a qualified professional in accordance with County requirements, which verifies that a lesser setback is warranted.
- 3.6(3) A minimum setback of 30.0 m is required from the top of bank of any other watercourse or water body, unless the development officer is provided with an environmental assessment, geotechnical assessment, or both, prepared by a qualified professional that verifies that a lesser setback is warranted.
- 3.6(4) The minimum setback and the requirements for an environmental and geotechnical assessment indicated in sections 3.6(1), 3.6(2), and 3.6(3) above may be reduced or eliminated where the development officer determines that the proposed structure or building is incidental to the operation of a utility service (i.e., a pump shack) and the development authority is satisfied that there is no risk or adverse effect on development or the riparian area.
- 3.6(5) No trees shall be cleared or removed from any land which lies within the minimum setback from the top of bank to a watercourse or water body, unless the development officer receives written confirmation from a qualified professional indicating:
- (a) that the removal is necessary in order to provide access to the watercourse or water body; and
 - (b) the area where trees or vegetation may be removed.
- 3.6(6) A development officer shall not approve an application for a building within a floodway.
- 3.6(7) The development authority may require a report to be submitted in accordance with section 2.7(2) in support of a development permit application for a building on an existing lot which is, or may be, affected by a watercourse, water body or flood fringe area.

- 3.6(8) Despite any other regulation in this bylaw, the development authority may increase any required setback for any use in any zone where written confirmation from a qualified professional is received that a proposed development:
- (a) may be detrimental to the conservation of environmentally sensitive lands; or
 - (b) may be affected by being in a floodplain or in proximity to steep or unstable slopes; or
 - (c) may increase the degree of hazard presented by an existing environmental feature.

If the increased setback cannot be met, the development officer shall require that the applicant submit a report, prepared by a qualified professional in accordance with County requirements, identifying preventive engineering and construction measures that shall deem the lot suitable for the proposed development.

3.7 Fences

- 3.7(1) For the purpose of determining the height of a fence, the measurement shall be taken from 0.5 m inside of the lot lines of the subject property. The height measurement includes the materials used in constructing the fence but does not include the posts or supporting material used to anchor the fence.
- 3.7(2) The maximum height of a fence shall be 2.0 m in the Urban Service Area and hamlets.
- 3.7(3) Despite section 3.7(2), for a fence located within the front yard or flanking side yard, the maximum height shall be 1.0 m within residential areas of the Urban Service Area and hamlets.
- 3.7(4) The development officer may vary the height of a fence in order to provide additional security, safety, privacy or screening from roads or adjacent development.
- 3.7(5) Electric fences shall not be permitted on any parcel within the Urban Service Area or hamlets.
- 3.7(6) Within the Urban Service Area and hamlets, fences consisting only of barbed wire and posts shall only be permitted on lots with AD zoning.
- 3.7(7) Within the Rural Service Area, fences consisting only of barbed wire and posts shall not be permitted on lots with RE, RCL or RCH zoning.
- 3.7(8) Despite section 3.7(2), fences with barbed wire may be allowed in non-residential zones for security purposes, at the discretion of the development officer, provided:
 - (a) the barbed wire portion of the fence does not exceed a maximum of three strands and the lowest strand of barbed wire is located no lower than 2.13 m when measured from the ground; and
 - (b) the barbed wire is completely contained within the lot lines of the subject lot.
- 3.7(9) Despite section 3.7(2), the location, height or both of a proposed fence shall not adversely affect sightlines or safety on a road or abutting driveway.

3.8 Landscaping

- 3.8(1) The regulations in section 3.8 apply to all zones with the exception of AD, AG, AR, RCL, RCH and unless otherwise stated in this bylaw.
- 3.8(2) A landscape plan shall be stamped, signed and dated by a Landscape Architect who is a full member of and in good standing with the Alberta Association of Landscape Architects, and contain the following:
- (a) property lines and parcel dimensions;
 - (b) parcel area;
 - (c) date, scale, north arrow, legal address, name of the property owner(s), name and contact information of the person or firm responsible for the landscape plan;
 - (d) location, type, total area, and dimensions of all landscape areas (i.e. street-oriented landscape area, general landscape area);
 - (e) location of existing and proposed structures;
 - (f) location of storage areas;
 - (g) the total area of the parcel that is landscaped;
 - (h) the existing and proposed topography;
 - (i) drainage features;
 - (j) the location of existing natural features, including but not limited to, any water features, tree stands and other vegetation, that is to be retained;
 - (k) total amount, location and type of hard landscaping;
 - (l) total amount, location and type of soft landscaping, including the location and number of trees, shrubs and other vegetation to be planted;
 - (m) the location of berms, retaining walls, fences, hedges or any other screen;
 - (n) common outdoor amenity space, if applicable, including location, total area and materials used;
 - (o) location of pedestrian sidewalks and pathways;
 - (p) type of landscaping proposed for the area between the street curb and property line;
 - (q) pedestrian access ramp locations;
 - (r) adjacent existing and proposed roads, trails and sidewalks;

- (s) all utilities and related ancillary structures;
- (t) setbacks from utilities in accordance with County standards;
- (u) landscape details (i.e. tree, shrub, retaining wall, fencing);
- (v) plant list showing quantities, common and botanical name, size and condition;
- (w) proposed landscape planting to be labelled and shown at mature size; and
- (x) minimum planting requirements and proposed plant material on the landscape plans.

- 3.8(3) Unless covered by the provisions of a development agreement, any landscaping area between the property line and the existing curb shall be incorporated into the landscape plan and shall be landscaped concurrently with the development to the standard of landscaping required by County standards.
- 3.8(4) Existing landscaping or natural vegetation should be conserved and used to meet the requirements of this section, where practical.
- 3.8(5) In the event that plant material required in an approved development is inappropriate or fails to survive, the development officer may consider alternative materials to be substituted.
- 3.8(6) Where a landscape plan or security or both is required by this bylaw, no development shall commence unless the development officer has approved the landscape plan and received the required security for landscaping pursuant to section 3.8(7).

Landscaping security

- 3.8(7) The development officer may require, as a condition of a development permit that the owner provide a guaranteed security to ensure that landscaping is provided and successfully maintained for two growing seasons. The security shall be cash or an irrevocable letter of credit having the value equivalent to a minimum of 50% of the established landscaping costs.
- 3.8(8) Where applicable, the development officer shall require an applicant to submit an estimate for required landscaping for the proposed development. The estimate shall be prepared by a qualified professional, to the satisfaction of the development officer.
- 3.8(9) If cash is offered as the landscaping security, it shall be held by the County until the landscaping has been installed and successfully maintained for two growing seasons, and the development officer is satisfied through site inspection that this has occurred.

- 3.8(10) Where a landscaping security is submitted in the form of an irrevocable letter of credit, the letter of credit:
- (a) must be in a form satisfactory to the County;
 - (b) must allow for partial draws by the County;
 - (c) must have an initial term of a minimum of one year and automatically renew 60 days prior to expiry until the landscaping security is no longer required;
 - (d) may be amended to a reduced amount at the discretion of the development officer when the required landscaping has been:
 - (i) installed to the satisfaction of the development officer; or
 - (ii) successfully maintained for one growing season, to the satisfaction of the development officer; and
 - (iii) must be fully released when the required landscaping has been installed and successfully maintained for two growing seasons, and the development officer is satisfied through site inspection that this has occurred.

Inspections and maintenance period

- 3.8(11) To verify the installation of the required landscaping and to initiate the maintenance period, the development officer must conduct an inspection upon receipt of a written request.
- 3.8(12) Landscape inspections must occur during the growing season between June 1 and September 30, unless otherwise permitted at the discretion of the development officer.
- 3.8(13) The owner shall notify the County 60 days prior to the expiry date of the irrevocable letter of credit, in order to provide sufficient time for the development officer to conduct an inspection and to determine if the landscaping has been installed and maintained in accordance with the regulations of this bylaw. If an inspection cannot be conducted within the 60 day period prior to the expiry date of the irrevocable letter of credit, due to weather conditions or other extenuating circumstances, the irrevocable letter of credit shall automatically renew for a further one year term.

Use of the landscape security

- 3.8(14) The County may draw on the landscape security for the County's use absolutely to install, maintain, or replace improperly maintained landscaping required for the development if the landscaping has not been:
- (a) installed and successfully maintained within one growing season after completion of the development; or
 - (b) successfully maintained for two growing seasons after completion of the landscaping.
- 3.8(15) If the landscape security is insufficient, the owner must pay the deficiency to the County immediately upon being invoiced.
- 3.8(16) In the event the County uses funds from the landscape security to install, maintain, or replace improperly maintained landscaping required for the development, the County must provide a report to the owner or the owner's representative indicating how the funds from the landscape security were applied after installing, maintaining or replacing improperly maintained landscaping required for the development.

Additional landscaping requirements for mitigation

- 3.8(17) Where on-site parking for 20 or more vehicles is provided at grade on a site, there shall be landscaped open space within the parking area, unless otherwise decided by a development officer. Landscaped open space in the parking areas shall be provided in the minimum amount of 2.0 m² for each parking space. The required landscaping shall not be located in one area and shall be placed within the parking area so as to provide visual relief and break up large areas of parking into smaller cells.
- 3.8(18) The development officer may require additional landscaping such as but not limited to trees and shrubs, berms, solid hedges, other vegetative screens, fencing or any combination thereof to adequately mitigate potential negative impacts from a use or development on adjacent lots.
- 3.8(19) Screen plantings shall be maintained to provide effective screening from the ground to a height of 2.0 m to the satisfaction of the development officer.
- 3.8(20) A garbage collection area, an open storage area, or an outdoor service area, including any loading and vehicular service area, which is visible from an adjacent site in an agricultural or residential zone or from a public road other than a lane, shall be fenced or have screen planting or both. The location, length, thickness and height of such fence or screen planting shall be in accordance with the landscape plan approved by the development officer.
- 3.8(21) Despite section 3.8(19), for bulk outdoor storage, including but not limited to, auto wrecking, lumber yards, pipe storage and similar uses, where because of height of materials stored, a screen planting would not be sufficient, a fence, earth berm or combination thereof, with sufficient height to substantially block the view, shall be substituted.

- 3.8(22) Despite section 3.8(19), where a screen planting cannot reasonably be expected to survive because of conditions not conducive to good horticultural practices, the development officer shall require a masonry wall, wood fence, earth berm, or combination thereof, to be substituted for the requirements section 3.8(19).
- 3.8(23) Within commercial and industrial zones, a landscaped buffer area of at least 4.0 m shall be provided in front yards and flanking side yards.
- 3.8(24) Where a use on a non-residential lot or site generates nuisance, a landscaped buffer must be provided along the lot or site boundary that abuts an existing or planned residential lot(s). The minimum width of the landscaped buffer must comply with Table 3.8(A). The development officer may require a larger width where, in their opinion, more area is required to adequately buffer the nuisance or adverse effect.

Table 3.8(A) Minimum Landscaped Buffer Widths for Non-Residential Lots

Subsection	Zone	Minimum landscaped buffer width
(a)	C1	3.0 m
(b)	C2	3.0 m
(c)	C3	4.0 m
(d)	C4	4.0 m
(e)	C5	4.0 m
(f)	IL	5.0 m
(g)	IM	6.0 m
(h)	MI	3.0 m
(i)	PS	3.0 m
(j)	DC (Commercial)	4.0 m
(k)	DC (Industrial)	5.0 m

- 3.8(25) Where a landscaped buffer area is not specified within this bylaw, the development officer shall determine the minimum width requirement of a landscaped buffer area taking the following into consideration:
- (a) the use occurring on the lot or adjacent site;
 - (b) the potential for such a use to create a nuisance or adverse effect on an adjacent site; and
 - (c) the full growth potential of all trees, shrubs, hedges and other vegetation at maturity, based on the growing characteristics of the species, needed to buffer the nuisance or adverse effect.

Site Landscaping Requirements

- 3.8(26) The front yard for the purposes of calculating the landscaping requirements is the length of the front lot line multiplied by the minimum required setback from the front lot line for the applicable zone.
- 3.8(27) The flanking side yard for the purposes of calculating the landscaping requirements is the length of the flanking side lot line multiplied by the minimum required setback from the flanking side lot line for the applicable zone.
- 3.8(28) The landscaping of the required front and flanking side yards on any developed non-residential or multi-unit residential lot shall meet the following minimum standards:
- (a) trees and shrubs shall be included on the landscape plan and planted in non-vehicular areas to meet the following requirement:
 - (i) one tree for each 25 m² and one shrub for each 15 m² of required yards in the applicable zone(s) for multi-residential, commercial or institutional development;
 - (ii) one tree for each 46 m² of any required yard in the applicable zone for industrial development; and
 - (iii) one tree for each 15 m² and one shrub for each 10 m² of required parking area island provided that there will be at least one tree per parking area island.
- 3.8(29) Shrubs may be substituted for trees at the rate of five shrubs to one tree as site conditions and design may allow or at the discretion of the development authority.
- 3.8(30) Where existing trees that are retained on the site are at least 0.15 m in caliper, they may count double towards meeting the tree requirements of this section at the discretion of the development authority. When existing trees are at least 0.25 m in caliper, they may count triple towards meeting the tree requirements of this section at the discretion of the development authority.
- 3.8(31) The development officer may consider alternative landscaping treatments for development within the IH and IHH zones.
- 3.8(32) Within all lots with residential zoning, except those where landscape plans have been approved by the development authority for a development, the owner shall be responsible for the proper maintenance of landscaping of all yards visible from a road. All yards visible from a road shall be landscaped within 18 months of occupancy of the development. Alternative forms of landscaping may be substituted for seeding or sodding, provided that all areas of exposed earth are designed as either flower beds or cultivated gardens.

Specifications for Landscape Construction

- 3.8(33) All plant materials shall be hardy to the County and to the location on the site where they are planted.
- 3.8(34) Existing landscaping or natural vegetation that is to be retained must be protected.
- 3.8(35) All required landscaping materials shall be installed in accordance with the following:
 - (a) deciduous trees shall be at least 0.06 m caliper;
 - (b) coniferous trees shall have a minimum height of 2.5 m;
 - (c) coniferous shrubs shall have a minimum spread of 0.45 m; and
 - (d) deciduous shrubs shall have a minimum height of 0.45 m.

3.9 Maintenance easements for residential development

- 3.9(1) At the time of subdivision, a lot for a single dwelling with one setback from a side lot line of 0.0 m shall require a minimum 1.5 m wide easement be registered on title of the lot abutting the zero lot line that provides for:
- (a) a 0.30 m eave encroachment with the requirement that the eaves of the principal dwelling and the eaves of any accessory building(s) shall be a minimum 0.90 m to the eaves of any building(s) on the abutting lot; or
 - (b) eave and/or gutter encroachment;
 - (c) a 0.60 m footing encroachment;
 - (d) drainage in accordance with County bylaws and standards;
 - (e) permission to access the easement area for maintenance of both lots; and
 - (f) any other items necessary to facilitate the intended development.
- 3.9(2) Despite section 3.9(1), in the R1B, R1C, R2A and R3 zones, a lot for a single dwelling with one setback from a side lot line of 0.0 m shall require a minimum 2.4 m wide easement be registered on title of the lot abutting the zero lot line.
- 3.9(3) At the time of subdivision, a lot for a single dwelling with one setback from a side lot line reduced to 0.6 m shall require a minimum 0.6 m wide easement be registered on title of the lot abutting the zero lot line that provides for: **(Bylaw 5-2025)**
- (a) a 0.30 m eave encroachment with the requirement that the eaves of the principal dwelling and the eaves of any accessory building(s) shall be a minimum 0.90 m to the eaves of any building(s) on the abutting lot; or
 - (b) eave and/or gutter encroachment;
 - (c) drainage in accordance with County bylaws and standards; and
 - (d) permission to access the easement area for maintenance of both lots.
- 3.9(4) Side door access for lots with single dwellings with one side setback of 0.0 m and a private maintenance easement shall not be more than 0.6 m (60 cm) above the finished ground surface. **(Bylaw 30-2025)**

3.10 Outdoor lighting

- 3.10(1) All new outdoor lighting fixtures or those to be relocated or replaced shall be installed or retrofitted in accordance with this section. The regulations of this section shall apply to all development, except:
- (a) lighting required under the Alberta Building Code;
 - (b) outdoor lighting fixtures which are necessary for worker safety;
 - (c) temporary lighting for the filming of motion pictures; or
 - (d) signs.
- 3.10(2) The development officer shall require a fixture rated equal to or greater than 2000 lumens to be of a full cut-off fixture type.
- 3.10(3) Where outdoor lights are provided, the light fixtures shall be arranged, installed, and maintained to deflect, shade, and focus light away from abutting sites or adjacent land uses in order not to cause a nuisance. Outdoor lights shall not interfere with the effectiveness of any traffic control device.

3.11 Pipeline setbacks

- 3.11(1) Despite any other regulation in this bylaw, the minimum setback of development from a right-of-way of a petroleum or natural gas product pipeline must comply with Table 3.11(A).

Table 3.11(A) : Minimum Setbacks from a Petroleum or Natural Gas Product Pipeline Right-of-Way

Subsection	Type of building	Measurement
with a maximum licensed operating pressure of 3447.5 kPa or greater		
(a)	Principal residential, commercial or industrial building in the Urban Service Area	15.0 m
(b)	Despite (a), for residential development only, and subject to the discretion of the development officer, the pipeline setback may be reduced to 7.5 m if a permanent fence exists along the property line abutting the pipeline right-of-way.	
(c)	Principal residential, commercial or industrial building in the hamlets or Rural Service Area (The pipeline right-of-way must be clearly marked with identification posts and signage with the consent of the pipeline owner/operator.)	15.0 m
(d)	Accessory residential, commercial or industrial building	1.0 m
(e)	Despite (a), (c) and (d), the development authority may reduce the minimum setback to 0.0 m for a development that is a petrochemical plant site	
(f)	Principal building for community recreation, emergency service, exhibition and convention facility, health service major, private education, public education, religious assembly major, religious assembly minor, or spectator sport	200.0 m
with a maximum licensed operating pressure less than 3447.5 kPa		
(g)	All principal buildings	5.0 m
(h)	Despite (g), the development authority may reduce the minimum setback to 0.0 m for a development that is a petrochemical plant site	

3.12 Projections

- 3.12(1) Where there is more than one cantilever or fireplace/chimney or both, the combined horizontal length shall not exceed one-third of the length of the building wall exclusive of any garage walls.
- 3.12(2) Despite section 3.12(1), where a cantilever is within a side yard, the combined horizontal length of all projections, excluding eaves, on that building wall shall not exceed 3.05 m.
- 3.12(3) The maximum projections of exterior features into a required setback, provided there is no encroachment onto an easement or utility right-of-way, must comply with Table 3.12(A).

Table 3.12(A) : Maximum Projections into Required Setbacks

Subsection	Type of projection	Measurement
(a)	Cantilever into a required setback of 1.2 m or greater provided in all cases at least 1.2 m is maintained between the wall designed with the cantilever and the lot line	0.6 m
(b)	Exterior features such as, but not limited to, cornices, leaders, eaves, gutters, pilasters, sills and awnings into a required setback of 1.2 m or greater	0.6 m
(c)	Fireplaces and chimneys, provided the horizontal length of each projection shall not exceed a total of 1.83 m (<i>Bylaw 5-2025</i>)	0.6 m
(d)	Satellite dishes 1.22 m or less in diameter (<i>Bylaw 5-2025</i>)	0.6 m
(e)	Patio into required setback from front lot line	2.0 m
(f)	Deck into a required setback less than 4.0 m	0.6 m
(g)	Deck into a required setback of 4.0 m to 7.4 m	2.0 m
(h)	Deck into a required setback greater than 7.4 m	3.5 m
(i)	Unenclosed steps, landings and stairs which are attached to a principal building and provide direct access from ground level to the principal building into required setback from front lot line or rear lot line	2.0 m
(j)	Unenclosed steps, landings and stairs which are attached to a principal building and provide direct access from ground level to the principal building into required setback from side lot line	0.3 m
(k)	Balcony into required setback from front lot line	2.0 m
(l)	Balcony into required setback from rear lot line	3.5 m
(m)	Balcony into required setback from side lot line	0.6 m

(n)	Eaves and eavestrough into a required setback for accessory buildings	0.5 m
-----	---	-------

- 3.12(4) Utilities, underground parking, and similar structures constructed entirely beneath the surface of the ground may encroach into required yards provided such underground encroachments do not result in a grade inconsistent with adjacent properties and the encroachments are covered by sufficient soil depth or surface treatment to foster landscaping.

3.13 Setbacks from rural roads and intersections

- 3.13(1) If a proposed development is located in the rural area, then the proposed development must not be located within 30 m of the lot line abutting a rural road or highway unless otherwise approved by the development authority.
- 3.13(2) If a proposed development is located in the rural area, then the proposed development must meet the required setbacks from rural roads and intersections as shown in Figure 3.13(A) and Figure 3.13 (B). **(Bylaw 5-2025)**

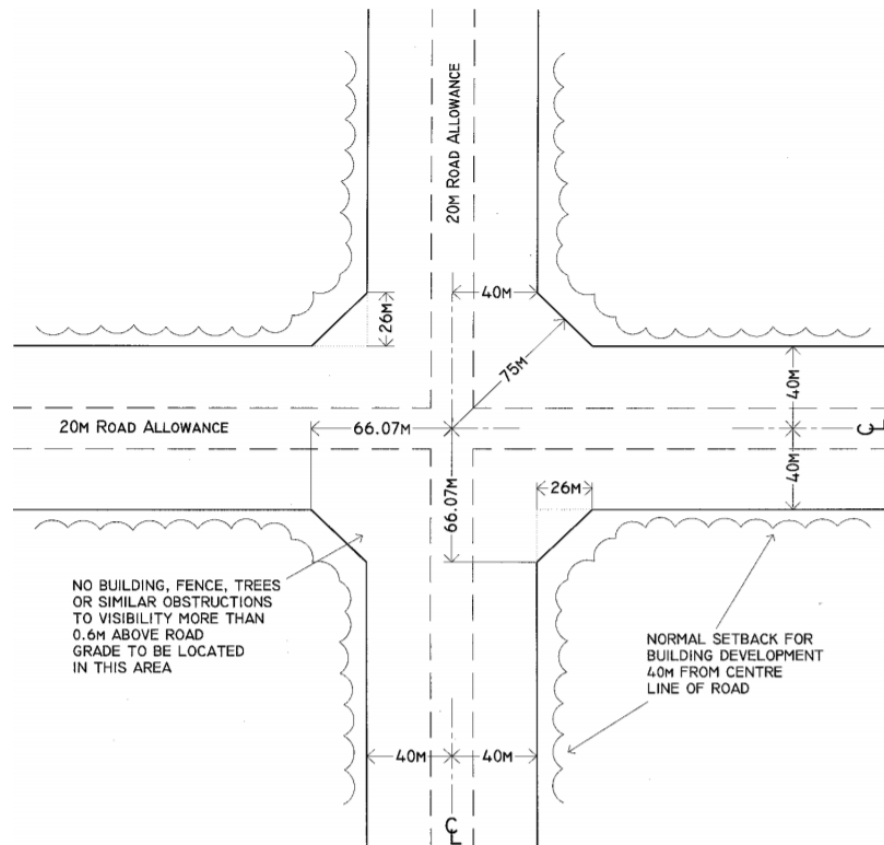


Figure 3.13(A): Minimum setbacks from rural roads and intersections

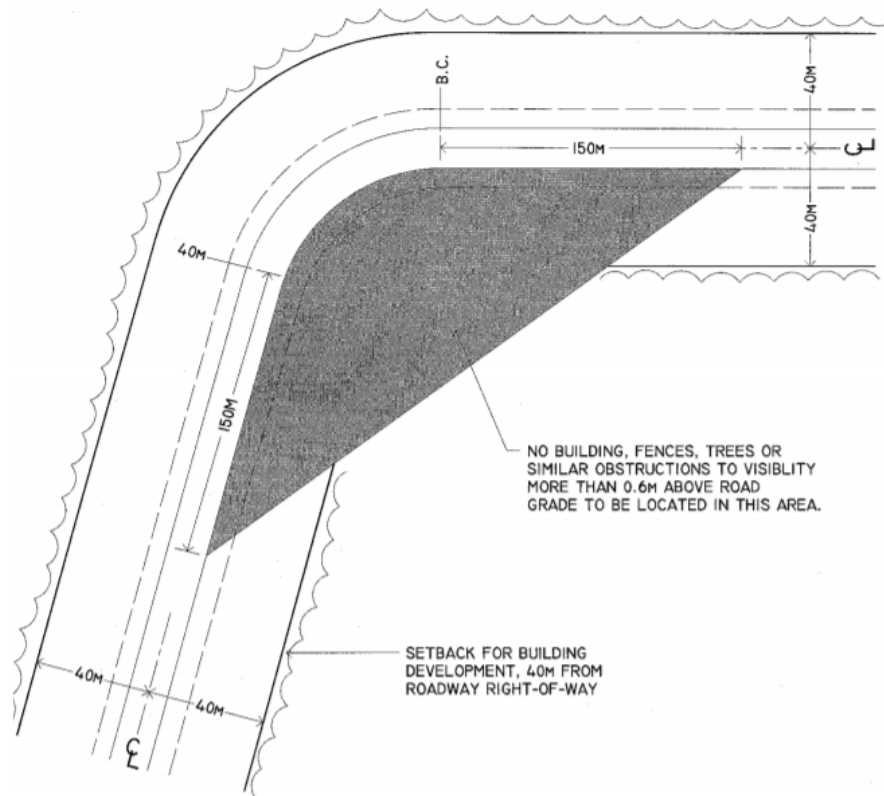


Figure 3.13(B): Minimum setbacks from rural roads

3.14 Site servicing and grading

Site servicing

- 3.14(1) Site servicing such as private or public sewer, water, site grading, surface drainage and stormwater management for a lot or a unit required as a result of a proposed development shall comply with all County and provincial requirements.
- 3.14(2) Where private or public sewer, water, site grading, surface drainage, stormwater management or other essential services such as natural gas or power for lots or units are required by the development authority, a development officer may impose a condition requiring the applicant to enter into a developer agreement with the County to construct or pay for the construction or upgrading of services necessary to serve the development.
- 3.14(3) The applicant or owner shall provide a guaranteed security to ensure that all site servicing is constructed and record drawings are submitted to the satisfaction of the development authority.

Site grading

- 3.14(4) The regulations in sections 3.14(5) – 3.14(13) are intended to apply primarily to those situations where site grading (including construction of an artificial water body, but not a dugout), is proposed independent of, or prior to, other development occurring on the same lot or site.
- 3.14(5) Unless otherwise exempted by this bylaw, site grading shall not be allowed in any zone until a development permit has been issued.
- 3.14(6) In all zones, site grading shall be considered a discretionary use, unless exempted by the provisions of section 2.6.
- 3.14(7) The time from commencement to completion of reclamation shall not exceed one year, unless at the discretion of the development officer a different time period is specified.
- 3.14(8) Contaminated topsoil or fill shall not be permitted to be placed or stored on any property at any time.
- 3.14(9) Despite any other regulation in this bylaw, site grading shall not be allowed in any circumstance where it:
 - (a) negatively impacts water flows to and from adjacent lands; or
 - (b) modifies wetlands or drainage courses.
- 3.14(10) Where in the process of development areas require site grading, filling or excavation, the topsoil shall be removed prior to work commencing, and shall be replaced following completion of the work.

- 3.14(11) Borrow areas may be considered in any agricultural zone provided that:
- (a) a development permit has been issued for site grading, unless exempted by this bylaw;
 - (b) the maximum area of excavation does not exceed 8.0 ha, the maximum amount of material to be removed from the site does not exceed 40,000 m³, and the excavated material does not contain either sand or gravel;
 - (c) there is no negative impact on water flows to and from adjacent lands;
 - (d) there is no negative impact on wetlands or drainage courses; and
 - (e) the time from commencement of excavation to completion of reclamation does not exceed 120 days.
- 3.14(12) A development permit application for site grading shall include a site plan and a written description of the development proposal, including but not limited to the following:
- (a) the location and dimensions of the proposed disturbed area;
 - (b) existing site conditions of the land, including topography, vegetation and watercourses;
 - (c) the type of site grading activity proposed showing dimensions of the operation of the area or the land to be included, the depth to which the material is to be removed or added and the effect on existing drainage patterns;
 - (d) proposed access, haul routes and haul activities;
 - (e) proposed methods for preventing nuisance from dust and erosion;
 - (f) measures for controlling erosion, weeds, and any other information related to reclaiming the site;
 - (g) where required by a development officer, a letter or report signed by a qualified soil testing or geotechnical firm confirming the quality of the topsoil or fill being placed on the property; and
 - (h) where applicable, the costs required to reclaim the site.
- 3.14(13) In addition to the considerations listed in section 2.8(4), the development officer, when making a decision respecting site grading, shall consider the following:
- (a) the provisions of the Municipal Development Plan and any other relevant statutory documents;
 - (b) the intent of the area and of the specific zone in which the activity is located;
 - (c) the intended use of the site;

- (d) relevant guidelines prepared by the Province of Alberta and any comments and recommendations provided with a provincial approval;
- (e) County standards and policies regarding wetlands;
- (f) the Province of Alberta and County standards and policies regarding berms and setbacks adjacent to municipal roads and provincial highways;
- (g) the use of topsoil or clay materials as a beneficial resource to the region;
- (h) designated historical resources;
- (i) trees and maintenance of habitat during the critical wildlife nesting periods;
- (j) prime agricultural lands in a productive state;
- (k) environmentally significant and sensitive areas, with special consideration given to areas identified within a biophysical assessment;
- (l) watercourses, maintenance of positive drainage, and potential drainage effects on adjacent or nearby properties;
- (m) the potential nuisance effect on adjacent properties to mitigate negative impacts; and
- (n) potential damage to County roads and surface structure.

Security

- 3.14(14) The development authority or the subdivision authority may impose a condition of approval requiring the applicant to provide a guaranteed security to ensure that all site servicing, grading, and reclamation, is constructed in accordance with County standards to the satisfaction of the development authority or subdivision authority, as applicable.
- 3.14(15) Estimates for site servicing, grading, and reclamation costs shall be provided by the owner to the satisfaction of the development authority or subdivision authority, as applicable.
- 3.14(16) The security required under section 3.14(14) shall be in the form of cash or an irrevocable letter of credit to a value equal to 50% of the County accepted estimated site servicing, grading, and reclamation or a minimum of \$10,000.
- 3.14(17) If an irrevocable letter of credit is offered as security it shall:
 - (a) be in a form to the satisfaction of the development authority;
 - (b) have an initial term of one year;
 - (c) be automatically renewable upon 60 days prior to the expiry date of the security, until such time as the requirements of section 3.14(14) have been met.

- 3.14(18) The required security shall be held by the County until the development authority or subdivision authority, as applicable, is satisfied that:
- (a) all the conditions of the development permit have been fulfilled;
 - (b) the construction of site servicing, grading or reclamation has been completed;
 - (c) record drawings have been submitted and accepted; and
 - (d) all site deficiencies have been rectified.
- 3.14(19) If the site servicing, grading or reclamation is not completed pursuant to section 3.14(14), the County may draw on the security and the amount thereof shall be paid to the County for its use.
- 3.14(20) In the event the owner does not complete the required site servicing, grading or reclamation under section 3.14(14) and the security is insufficient for the County to complete the required work should it elect to do so, then the owner shall pay such deficiency to the County within 14 days upon being invoiced. The County shall provide a statement of costs to the owner within sixty (60) days of completion of the required improvements indicating how the proceeds of the security were applied.
- 3.14(21) The owner or developer shall notify the County in writing 14 days prior to completion of site servicing, grading or reclamation in order to provide sufficient time for the development authority to inspect the site servicing, grading or reclamation. If conditions are accepted by the development authority by way of issuance of a Lot Grading Certificate or Final Acceptance Certificate(s), the security may be released.
- 3.14(22) The development authority may, in its sole discretion, consider a partial release of security where warranted.
- 3.14(23) Where required, the owner shall submit a record drawing(s) identifying the completed site servicing or grading activities to verify that it has been completed in accordance with the approved plan(s).
- 3.14(24) Based on the submitted record drawing(s) or site inspection or both, securities may be released if the site servicing, grading or reclamation activities have been completed to the satisfaction of the development officer.

3.15 Tree clearing

- 3.15(1) Unless otherwise exempted by this bylaw, tree clearing shall not be allowed in any zone until a development permit has been issued.
- 3.15(2) In all zones, tree clearing shall be considered a discretionary use, unless exempted by the provisions of section 2.6.
- 3.15(3) A development permit application for tree clearing shall be subject to the environmental setback provisions of section 3.6.
- 3.15(4) In addition to the development permit application requirements of section 2.7, the development authority shall require the following information:
- (a) purpose of the proposed tree clearing;
 - (b) description of the vegetation to be cleared;
 - (c) proposed schedule for tree clearing and hauling;
 - (d) proposed access and haul routes; and
 - (e) reclamation plan.
- 3.15(5) In addition to the considerations listed in section 2.8(4), the development officer, when making a decision on a tree clearing application, shall consider the following:
- (a) the potential for the trees to be incorporated into future development to meet the landscaping provisions of section 3.8;
 - (b) habitat during critical wildlife nesting and rearing periods;
 - (c) watercourses and environmentally sensitive areas;
 - (d) the health, size, fragmentation, biodiversity of the native trees;
 - (e) possibility of designation as environmental reserve; and
 - (f) the safety and potential nuisance effect on adjacent lots.

3.16 Vehicular-oriented use requirements

- 3.16(1) Vehicular-oriented uses shall not adversely impact the functioning of adjacent roads or negatively affect any adjacent residential uses.
- 3.16(2) A site for a vehicular-oriented use must comply with Table 3.16(A).

Table 3.16(A) : Vehicular-Oriented Use Site Criteria

Subsection	Regulation	Measurement
(a)	Minimum site area	930 m ²
(b)	Minimum site area for a drive-through vehicle service	140 m ² not covered by buildings for each service bay
(c)	Minimum site area for a car wash	370 m ² not covered by buildings for each car wash bay
(d)	Minimum site area for a service station	1200 m ²
(e)	Despite (a), (b), (c) and (d), where two or more vehicular-oriented uses are part of a development on the same site, the total site area requirement is the sum of the requirements of the uses calculated separately, unless there is a complementary use of space, which in the opinion of a development officer, would warrant a reduction in site area requirement	
(f)	Minimum site width	30.0 m
(g)	Maximum site coverage	20%

- 3.16(3) Queuing lanes shall provide sufficient space for turning and manoeuvring.
- 3.16(4) Queuing spaces for vehicular-oriented uses must comply with Table 3.16(B).

Table 3.16(B) : Queuing Space Criteria

Subsection	Regulation	Measurement
(a)	Minimum length	6.0 m
(b)	Minimum width	3.0 m

- 3.16(5) The number of queuing spaces required for specific uses shall be calculated in accordance with Table 3.16(C).

Table 3.16(C) : Queuing Space Requirements

Subsection	Type of development or use	Minimum queuing space requirement
(a)	Drive through facility associated with a restaurant or specialty food service use	8 per service lane (including 5 that must be in advance of any menu order-board) plus 2 located downstream of the service window
(b)	Drive through facility associated with a financial service use	6 per service lane plus 1 located downstream of the service window
(c)	Car wash facility	5 per service lane or washing bay plus 2 located downstream of each service lane or washing bay
(d)	Other drive through facilities not specifically listed in this table	3 inbound and 2 outbound for each service lane or bay

- 3.16(6) Service stations shall adhere to the following additional criteria:
- (a) all pump islands shall be located a minimum of 6.0 m from any lot line, on-site parking space or drive aisles on the site; and
 - (b) a canopy over a pump island shall be located a minimum of 3.0 m from all lot lines of the lot on which it is located.